

YEARBOOK
of the
UNITED NATIONS



1947-48

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NOTE ON DOCUMENTATION

Resolutions adopted by the General Assembly, the Economic and Social Council and the Trusteeship Council are referred to in this *Yearbook* by their official numbers, the number of the session at which it was adopted appearing in brackets after the number of the resolution. Thus, resolution 137(II) in the section on the General Assembly refers to the Assembly's 137th resolution, which was adopted at its second session; resolution 152(VII) in the section on the Economic and Social Council refers to that Council's 152nd resolution, adopted at that Council's seventh session; resolution 12(II) in the section on the Trusteeship Council refers to the Council's twelfth resolution, adopted at that Council's second session. The symbol used to denote resolutions adopted at the General Assembly's second special session is S-2; thus resolution 186(S-2) is the Assembly's 186th resolution, which was adopted at its second special session. The collected texts of resolutions adopted at each session are issued in printed form as separate volumes.

In the case of the Security Council, separate volumes of collected resolutions are not issued. The document citation of the original mimeographed resolutions is therefore given. The resolutions are in general reproduced in printed form in the Official Records.

In the case of other documents, such as reports and draft resolutions, the original citation is given. In many instances, for example in the case of the reports of the commissions of the Economic and Social Council, these documents appear in the Official Records. The Bibliography lists important documents, giving both the original document number and a reference to the Official Records.

Occasional references are made in the *Yearbook* to the Official Records where this was thought necessary, for example, in the case of revised texts.

The main symbols used throughout the book are the following:

General Assembly

A/-	Documents of plenary sessions and reports to the Assembly
A/BUR/-	Documents of the General Committee of the Assembly
A/C.1/- to A/C.6/-	Documents of the six Main Committees of the Assembly
A/C.2 & 3/-	Documents of the Joint Second and Third Committee
A/AC.14/-	Documents of the <i>ad hoc</i> Committee on the Palestinian Question (second regular session)
A/AC.18/-	Interim Committee of the General Assembly

Security Council

S/-	Documents of the Security Council
S/C.1/- to S/C.3/-	Documents of the Standing Committees of the Security Council
AEC/-	Documents of the Atomic Energy Commission

Economic and Social Council

E/-	Documents of the Economic and Social Council
E/AC.6/-	Documents of the Economic Committee of the Council
E/AC.7/-	Documents of the Social Committee of the Council
E/AC.27/-	Documents of the <i>ad hoc</i> Committee on Human Rights (seventh session only)
E/CN.1/- to E/CN.9/-	Documents of the functional commissions of the Council

Trusteeship Council

T/-	Documents of the Trusteeship Council
T/PET/GENERAL- and T/PET.1/- to T/PET.9/-	Documents concerning Petitions submitted to the Council

In the case of the International Court of Justice and in the case of the United Nations Conference on International Organization at San Francisco the full citation is given for any documents cited.

References are made to the summary of verbatim records of the General Assembly and the three Councils where quotations are given. Otherwise, except in the case of the Trusteeship Council, it has been thought sufficient to specify the meetings at which discussions took place, since the number of the meeting and the number of the verbatim record (e.g. A/PV.-; S/PV.-) or summary record (e.g. E/SR.-) are identical. In the case of the Trusteeship Council, the meetings are numbered according to sessions and the records numbered consecutively beginning with the first session; a reference to the record number (e.g. T/SR.-) is therefore given.

Dollar signs, except where otherwise indicated, refer to United States dollars.

PART ONE

THE UNITED NATIONS

- I. Historical Introduction
- II. The General Assembly
- III. The Security Council
- IV. The Economic and Social Council
- V. Non-Self-Governing Territories
- VI. The International Trusteeship System
- VII. The International Court of Justice
- VIII. The Secretariat

I. Historical Introduction

A. ORIGIN AND EVOLUTION OF THE UNITED NATIONS¹

1. *The Declarations*

The term "The United Nations" was suggested by Franklin Delano Roosevelt. It was first used in the Declaration by United Nations, and at the San Francisco Conference it was unanimously adopted as the name of the new international organization as a tribute to the late President of the United States.

On January 1, 1942, the representatives of 26 nations² that were fighting against the Axis aggressors signed in Washington, D. C., a Declaration by United Nations,³ in which they undertook to co-operate in winning the war and not to make a separate peace.

The signatories of the Declaration subscribed to a "common program of purposes and principles" embodied in the Joint Declaration of the President of the United States of America and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland dated August 14, 1941, known as the "Atlantic Charter". The Atlantic Charter⁴ envisaged a peace affording to all peoples security from aggression, freedom to choose their own government, access on equal terms to the trade and to the raw materials of the world, improved labor standards, economic adjustment and social security, freedom from fear and want, and freedom of the seas. The nations of the world, the Charter asserted, "must come to the abandonment of the use of force".

At the close of the Moscow Conference on October 30, 1943, the Foreign Ministers of the United States, the United Kingdom and the U.S.S.R. and the Chinese Ambassador in Moscow issued a Declaration of Four Nations on General Security⁵ (known as the "Moscow Declaration") affirming "that they recognize the necessity of establishing at the earliest practicable date a general international organization, based on the principle of the sovereign equality of all peace-loving States, and open to membership by all such States, large and small, for the maintenance of international peace and security".

2. *The Proposals*

The first concrete step toward the creation of the organization was taken in the late summer of 1944, when the Dumbarton Oaks Conversations took place. The first phase of the Conversations was between the representatives of the U.S.S.R., the United Kingdom and the United States from August 21 to September 28, and the second phase between the representatives of China, the United Kingdom and the United States from September 29 to October 7. As a result of these Conversations the four Powers reached a number of agreements which were embodied in the Dumbarton Oaks Proposals.⁶ These provided that an international organization, open for membership to all peace-loving states, should be established to maintain international peace and security, to develop friendly relations among nations, to achieve co-operation in the solution of international economic, social and other humanitarian problems, and to provide a centre for harmonizing the actions of nations in the achievement of these ends. The organization was to be based on the principle of sovereign equality of states and the members were to be obligated to refrain from the threat or use of force in their international relations and to assist the organization in any action undertaken within the provisions of its Charter.

¹For a fuller account, see *Yearbook of the United Nations*, 1946-47, pp. 1-50.

²In addition to the original 26 signatories, 21 nations subsequently adhered to and signed the Declaration.

³For text, see *Yearbook of the United Nations*, 1946-47, p. 1; also *U. S. Department of State Bulletin*, January 3, 1942, p. 3.

⁴For text, see *Yearbook of the United Nations*, 1946-47, p. 2; also *U. S. Department of State Bulletin*, August 16, 1941, p. 125, and Cmd. 6321, H. M. Stationery Office, London, 1941.

⁵For text, see *Yearbook of the United Nations*, 1946-47, p. 3; also *U. S. Department of State Bulletin*, November 6, 1943, p. 307.

⁶For text, see *Yearbook of the United Nations*, 1946-47, pp. 4-9, also *Dumbarton Oaks Documents on International Organization*, U. S. Department of State, Conference Series 56, Publication 2192; and Cmd. 6560, H. M. Stationery Office, London, 1944.

The Proposals provided for four principal organs of the organization—a General Assembly, a Security Council, an International Court of Justice and a Secretariat. The four Powers suggested that the structure and functions of these organs should be as follows:

(a) All members of the organization should be members of the General Assembly and each should have one vote. Important decisions should be made by a two-thirds vote of those present and voting; other matters should be decided by a simple majority. The General Assembly should have the right to consider general principles and specific questions relating to the maintenance of international peace and security, and should make recommendations to the members and the Security Council with regard to such principles and questions. It should not, however, on its own initiative, make recommendations on such matters while they were being dealt with by the Security Council.

An Economic and Social Council should be established under the authority of the General Assembly to "facilitate solutions of international economic, social and other humanitarian problems and promote respect for human rights and fundamental freedoms". The Council should consist of eighteen members, each elected for a term of three years. Decisions should be taken by a simple majority vote.

The Council should enter into agreements with specialized agencies in its field, co-ordinate their activities and receive reports from them.

(b) The Security Council should consist of eleven members. The United States, the United Kingdom, the U.S.S.R., China and, "in due course", France should have permanent seats on the Council. Six other members should be elected by the General Assembly for a term of two years each, three of them retiring every year. The Council should be able to function continuously and should have the "primary responsibility for the maintenance of international peace and security".

The Security Council should be empowered to investigate and to recommend appropriate methods of adjustment of any dispute or situation whose continuance was likely to endanger international peace and security. Any state might bring any such dispute or situation before the Council. The Security Council should be empowered to determine what diplomatic, economic or military measures should be employed to give effect to its decisions and call upon the members to provide the assistance considered necessary. A Military Staff Committee should be established, under the authority of the Security Council, to negotiate

agreements with member states for the provision of armed forces to maintain international peace and security. Agreement was not, however, reached at Dumbarton Oaks on the voting procedure in the Security Council.

(c) The International Court of Justice should constitute "the principal judicial organ of the Organization". All members of the organization should *ipso facto* be parties to the Statute of the Court.

(d) The Secretariat should comprise the Secretary-General and such staff as might be required. The Secretary-General should be elected by the General Assembly upon the recommendation of the Security Council, and should be the chief administrative officer of the United Nations. The Secretary-General should act in that capacity in all meetings of the General Assembly and the Councils and submit annual reports to the Assembly on the work of the organization. He might bring to the attention of the Security Council any matter which, in his opinion, threatened international peace and security.

In the second phase of the Dumbarton Oaks Conversations, the Chinese Government put forward additional proposals⁷ which were accepted at the time by the United States and the United Kingdom. The Government of the U.S.S.R. later agreed to join in sponsoring the proposals. They consisted of specific provisions that "adjustment or settlement of international disputes should be achieved with due regard for principles of justice and international law", that the Assembly should initiate studies and make recommendations with respect to the development and revision of international law, and that the Economic and Social Council should promote cultural co-operation.

In February 1945, Prime Minister Churchill, President Roosevelt and Marshall Stalin met at Yalta and agreed to call a Conference of the United Nations at San Francisco to meet on April 25, 1945. China and France were invited to sponsor the Conference jointly with the United States, the United Kingdom and the U.S.S.R. The Chinese Government accepted the invitation; the French Government agreed to participate in the Conference but decided not to act as a sponsoring nation.

The invitations to the Conference were issued on March 5 and sent to all nations which had declared war on Germany or Japan and had signed

⁷United Nations Information Organization. *Documents of the United Nations Conference on International Organization, San Francisco, 1945* (published in co-operation with the Library of Congress). Vol. 4, p. 23. Doc. 1/G/1(a).

the Declaration by United Nations. The text of the invitations included a proposed voting procedure for the Security Council which had been agreed to by the three Powers at Yalta. According to this procedure, each member of the Security Council should have one vote. Decisions on procedural matters should be made by an affirmative vote of seven members. Decisions on other issues should be made by an affirmative vote of seven members including the concurring votes of the permanent members. A party to a dispute, however, should abstain from voting on decisions involving peaceful settlement of the dispute.⁸

A Committee of Jurists from 44 countries met from April 9 to 20, 1945, in Washington, on the invitation of the United States Government, and prepared a draft Statute for the International Court of Justice on the basis of the Statute of the Permanent Court of International Justice. Certain alterations were suggested by the Committee, such as the insertion of a procedure for amendment of the Statute. The Committee considered that the question whether the new Court should or should not be a continuation of the Permanent Court was one to be decided by the San Francisco Conference itself. On the question of the nomination of judges and of obligatory jurisdiction of the Court, the Committee submitted two alternative texts to the Conference

3. The Charter

The Charter of the United Nations was prepared at the San Francisco Conference, officially known as the United Nations Conference on International Organization, which met on April 25, 1945. Representatives of 50 nations attended the Conference.⁹

The Conference established four commissions, divided into twelve technical committees, to formulate recommendations on various parts of the agenda assigned to them. The agenda consisted of "the Dumbarton Oaks Proposals, as supplemented at the Crimea Conference, and by the Chinese proposals agreed to by the Sponsoring Governments, and the comments thereon submitted by the participating countries".¹⁰ In addition, on May 5, the Sponsoring Governments jointly submitted a series of amendments to the Dumbarton Oaks Proposals.¹¹

Several important additions and alterations were made by the Conference to the original Dumbarton Oaks Proposals. The following are some of the

main alterations, and the principal questions discussed by the Conference.

A Preamble was added to the Charter, setting forth the common ends of the United Nations and the means by which they have resolved to accomplish those ends. Since these ends and means, to some extent, coincided with the Purposes and Principles included in the two subsequent articles of the Charter, it was found difficult to draw a clear-cut distinction between the Preamble, Purposes and Principles. The Committee which discussed the matter, however, recorded its opinion that the Preamble sets forth the intentions of the participating Governments, the Purposes constitute the *raison d'être* of the United Nations, and the Principles serve as standards of international conduct. The report of the Committee emphasized that the provisions of the Charter were indivisible and that the Preamble had the same validity as the Purposes and the Principles.¹²

The provisions regarding membership were elaborated at the Conference

A majority of delegations believed that universality of the United Nations, with obligatory participation of all states, was an ideal toward which it was proper to aim but which it was not possible to realize at once. The Conference made a distinction between original Members and future Members and devised a procedure for the admission of new Members. Original Members were those states which, having participated in the Conference or having previously signed the Declaration by United Nations, signed and ratified the Charter. Other states could be admitted to membership by a two-thirds vote of the General Assembly upon the recommendation of the Security Council. To be eligible for admission, they should not only be peace-loving, but should accept the obligations of the Charter and be able and willing to carry out such obligations. The Com-

⁸For text of invitations, see *Yearbook of the United Nations*, 1946-47, p. 10, also *U.S. Department of State Bulletin*, March 11, 1945, pp. 394-95.

⁹The invitation to Poland, an original signatory to the Declaration by United Nations, was withheld pending the formation of a Polish Provisional Government of National Unity. On April 30 the Conference approved the admission of Argentina, the Byelorussian S. S. R. and the Ukrainian S. S. R. On June 6 Denmark, which had just been liberated, was invited to attend the Conference.

¹⁰*Documents of the United Nations Conference on International Organization*, op. cit., Vol. 5, p. 84. Doc. 30/DC/5(1).

¹¹*Ibid.*, Vol. 4, pp. 888-96. Doc. 2.G/29, G/29(a), see also *Yearbook of the United Nations*, 1946-47, pp. 14-17.

¹²*Documents of the United Nations Conference on International Organization*, op. cit., Vol. 6, pp. 446-49. Doc. 944 1/1/34(1).

mittee which recommended these provisions, however, declared that the distinction between original and other Members "did not imply any discrimination against future Members".¹³ The Conference approved an interpretative commentary submitted by the Mexican delegation to the effect that membership should not be open to "the states whose regimes have been established with the help of military forces belonging to the countries which have waged war against the United Nations, as long as those regimes are in power".¹⁴

A lengthy discussion took place regarding the suspension, expulsion and withdrawal of Members. Finally, provision was made for suspension or expulsion for violation of the Charter but withdrawal was not mentioned in the Charter. The Commission on General Provisions (Commission 1) adopted a commentary which stated, *inter alia*, that "if, however, a Member because of exceptional circumstances feels constrained to withdraw, and leave the burden of maintaining international peace and security on the other Members, it is not the purpose of the Organization to compel that Member to continue its co-operation in the Organization".¹⁵

The Conference enlarged the competence of the General Assembly by inserting a provision that it may discuss and make recommendations upon "any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter" except those being considered by the Security Council. Although many delegations opposed the inclusion of a specific clause providing for revision of treaties by the Assembly, the Conference gave the Assembly the more general and inclusive power to "recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations". The Conference also approved a commentary of its Commission on the General Assembly (Commission II) that the right of the General Assembly to consider the reports of the Security Council should encompass the right to discuss and make recommendations upon them.¹⁶

The Conference decided that France should forthwith have a permanent seat on the Security Council instead of "in due course" as proposed at Dumbarton Oaks. It was agreed that, in the election of the six non-permanent members of the Council, due regard should be paid "in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to other purposes of

the Organization, and also to equitable geographical distribution".

After a prolonged debate, several proposals to modify the Yalta formula for voting in the Security Council were rejected. Several delegations had in particular opposed the rule that recommendations for the pacific settlement of a dispute must have the concurrence of all the permanent members of the Council. During the course of the discussion the four Sponsoring Governments issued a joint statement explaining the application of the rule of unanimity of the Great Powers.

According to this interpretation,¹⁷ procedural matters were to include:

- adoption and alteration of the rules of procedure of the Security Council;
- selection of times and places of meetings of the Council;
- establishment of agencies by the Council,
- invitation to a Member State not represented on the Council to participate in its discussions.

It was further stated that no individual member of the Council can prevent consideration and discussion by the Council of any dispute or situation brought to its attention. Nor can parties to such a dispute be prevented by any individual member from being heard by the Council.

Beyond this point, it was felt that all decisions and actions by the Council that might initiate a "chain of events" which might, in the end, require the Council to invoke enforcement measures, should require the unanimity of the five permanent members of the Council. This chain of events, it was stated, begins when the Council decides to make an investigation, or to call upon the parties to settle their differences, or to make recommendations to them. The only exception to this unanimity rule is that any permanent member which is a party to a dispute should abstain from voting on decisions concerning pacific settlement.

The Conference provided that any Member not represented on the Security Council may participate in the deliberations of the Council when there is a question of the utilization of its armed forces.

A new article was written into the Charter allowing for the "inherent right of individual or collective self-defence" if an armed attack occurs against a Member of the United Nations before

¹³*Ibid.*, Vol. 7, p. 325. Doc. 1178.1/2/76(2).

¹⁴*Ibid.*, Vol. 1, pp. 615-16. Doc. 1210. P/20.

¹⁵*Ibid.*, Vol. 1, p. 616. Doc. 1210. P/20.

¹⁶*Ibid.*, Vol. 8, p. 267. Doc. 1180.11/18(I).

¹⁷*Ibid.*, Vol. 11, pp. 711-14, Doc. 852.III/1/37(1); for text, see also *Yearbook of the United Nations, 1946-47*, pp. 23-25.

the Security Council has taken the measures necessary to maintain or restore international peace.

The objectives of the United Nations in the economic and social fields were broadened by the adoption of a separate article providing that the Economic and Social Council shall promote higher standards of living, full employment, conditions of economic and social progress and development, solution of international economic, social, health, and related problems, international cultural and educational co-operation, and universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion. The Economic and Social Council was established as a principal organ of the United Nations. Provision was also made for consultative arrangements between the Council and non-governmental organizations concerned with economic and social matters.

It had been agreed at Yalta that the principles and machinery of the Trusteeship System should be formulated at the San Francisco Conference. The Conference drafted the Trusteeship System (Chapter XI, XII, and XIII of the Charter) on the basis of a working paper prepared by the delegations of Australia, China, France, the U.S.S.R. and the United Kingdom from drafts submitted by various delegations.¹⁸ It established a Trusteeship Council as one of the principal organs of the United Nations. The Conference accepted an agreement of the three Powers at the Yalta Conference that the System should apply only to the existing Mandates of the League of Nations, territories to be detached from the enemy states as a result of the war and any other territories that may voluntarily be placed under Trusteeship, the placing of specific territories under Trusteeship to be left for subsequent negotiation between the administering governments and the United Nations.

After some controversy, it was decided that the objectives of the Trusteeship System should include the promotion of the progressive development of the peoples of Trust Territories towards "independence" as well as "self-government". The Conference also drafted a Declaration on Non-Self-Governing Territories (Chapter XI of the Charter). In this Declaration, Members of the United Nations administering Non-Self-Governing Territories have undertaken certain obligations toward the peoples of these Territories whether they place the Territories under the Trusteeship System or not.

It was finally decided that the International Court of Justice should be a new Court and not a continuation of the Permanent Court of Interna-

tional Justice. Although several delegations wished to establish the compulsory jurisdiction of the Court, the Conference decided that this should be optional so that the maximum number of states might become parties to the Statute. The Conference felt that the system of nomination of judges by national groups for the Permanent Court of International Justice had worked well and adopted the same system for the International Court in preference to an alternative method of nomination by governments. A minority of delegations favored the election of judges by the General Assembly alone while a majority supported the election by an absolute majority of both the General Assembly and the Security Council. The Conference added a provision to the Charter to the effect that if one party to a case before the Court does not comply with the Court's decision, the other party may have recourse to the Security Council.

The Conference added new provisions stressing the international character of the Secretariat. The members of the Secretariat were required to receive no instructions from any authority external to the organization, and Members of the United Nations were to respect the exclusively international character of the duties of the Secretary-General and his staff. The Secretariat was to be recruited on as wide a geographical basis as possible. However, the paramount consideration, it was agreed, should be the necessity of securing the highest standards of efficiency, competence and integrity.

Miscellaneous provisions regarding the privileges and immunities of the United Nations, registration of treaties, and treaty obligations inconsistent with the Charter were first introduced in and adopted by the Conference.

The technical committee which discussed legal problems decided that it would be neither necessary nor desirable to make any explicit statement on the interpretation of the Charter. For the record, however, it stated that "the members or the organs of the Organization might have recourse to various expedients in order to obtain an appropriate interpretation".¹⁹

The procedure for the amendment of the Charter, as adopted at San Francisco, differed from the Dumbarton Oaks Proposals. On the proposal of

¹⁸*Documents of the United Nations Conference on International Organization, op. cit.*, Vol. 10, pp. 677-83. Doc. 323. 11/4/42; for text, see also *Yearbook of the United Nations, 1946-47*, pp. 29-30.

¹⁹*Documents of the United Nations Conference on International Organization, op. cit.*, Vol. 13, p. 710. Doc. 933. IV/2/42(2).

many delegations, the Conference provided for a General Conference of the Members of the United Nations to review the Charter. The Charter as adopted by the Conference requires ratification of amendments by two thirds of the Members including the permanent members of the Security Council, while the Proposals required a majority of the Members and the permanent members.

Finally, the United Nations Conference decided that the Charter should come into force when the five Great Powers and a majority of other signatories ratified the instrument. Representatives of all the 50 nations present at the Conference signed the Charter on June 26, 1945.²⁰ It was duly ratified and came into force on October 24, 1945.

4. *The Preparatory Commission*

On June 26, 1945, when the delegates to the San Francisco Conference signed the Charter of the United Nations, they affixed their signatures at the same time to an agreement on Interim Arrangements. This agreement established a Preparatory Commission of the United Nations for the purpose of making provisional arrangements for the first sessions of the General Assembly and the Councils, for the establishment of the Secretariat and for the convening of the International Court of Justice. The Commission consisted of one representative of each government signatory to the Charter.

The Interim Arrangements also provided for an Executive Committee of the Commission, to consist of one representative of each of the fourteen governments which had been represented on the Executive Committee of the Conference: Australia, Brazil, Canada, Chile, China, Czechoslovakia, France, Iran, Mexico, Netherlands, U.S.S.R., United Kingdom, United States and Yugoslavia.

At its first meeting, held in San Francisco on June 27, 1945, the Commission agreed that the Executive Committee should carry on, in London, the work of the Commission and should call the full Preparatory Commission to meet again as soon as possible after the Charter had come into force.

The Executive Committee met in London on August 16, and reported its recommendations to the Preparatory Commission, which convened again on November 24, 1945. The report of the Executive Committee²¹ served as the basis for the Preparatory Commission's discussions.

The work of the Commission was embodied in a Report of the Preparatory Commission of the United Nations, adopted on December 23, 1945.²²

The report included provisional rules of procedure recommended for adoption at the first sessions of the General Assembly and the Councils, and provisional agenda for the first sessions of the General Assembly, the Security Council and the Economic and Social Council. The Commission approved a draft resolution to be adopted by the General Assembly calling on Mandatory Powers to undertake practical steps so that Trusteeship Agreements could be submitted for approval preferably not later than the second part of the first session of the General Assembly. It recommended the adoption by the General Assembly of provisional staff regulations drafted by a special sub-committee of the Commission. Among other documents transmitted by the Preparatory Commission to the General Assembly were: a Study and a Draft Convention regarding Privileges and Immunities of the United Nations, a report from its Technical Advisory Committee concerning the functions, policies and activities of the Department of Public Information in the Secretariat, and draft provisional financial regulations, submitted by an Advisory Committee established by the Commission, together with the observations of certain delegations.

The Commission recommended that the General Assembly should establish six Main Committees (Political and Security; Economic and Financial; Social, Humanitarian and Cultural; Trusteeship; Administrative and Budgetary; Legal), two Procedural Committees (Credentials Committee and General Committee), two Standing Committees (Advisory Committee on Administrative and Budgetary Questions and Committee on Contributions) and such *ad hoc* committees as might be required from time to time. The Security Council was advised to adopt, at its first meeting, a directive requesting the Chiefs of Staff of the permanent members of the Council to meet at a given place and to constitute a Military Staff Committee.

In its report, the Commission also recommended that the Economic and Social Council should establish at its first session a Commission on Human

²⁰A space was left among the original signatories for Poland, since the composition of its Provisional Government of National Unity was not announced until June 28, too late for a Polish representative to attend the Conference. Poland signed the Charter on October 15, 1945. There are, therefore, 51 original Members of the United Nations.

²¹Report by the Executive Committee to the Preparatory Commission of the United Nations. Preparatory Commission of United Nations, 1945. (PC/EX/113/Rev.1).

²²Report of the Preparatory Commission of the United Nations. Published for the United Nations by H. M. Stationery Office, London, 1946. (PC/20).

Rights, an Economic and Employment Commission, a Temporary Social Commission, a Statistical Commission and a Commission on Narcotic Drugs, and consider the desirability of establishing a Demographic Commission, a Temporary Transport and Communications Commission, a Fiscal Commission, and a Co-ordination Commission. The report included a number of observations "to serve as a guide to the Economic and Social Council in its negotiations with specialized agencies".

The Commission approved the action of its Executive Secretary, who had issued invitations for the nomination of candidates for the International Court of Justice so that these nominations might be made before the first sessions of the General Assembly and the Security Council, and recommended that the Assembly should take the necessary steps for the convening of the Court. The Commission also adopted a resolution stating that it would welcome measures for the dissolution of the Permanent Court of International Justice by the League of Nations.

It was the opinion of the Commission that the Secretary-General's freedom to organize the Secretariat should not be restricted by too detailed recommendations. The Commission made only a few broad recommendations. It rejected the view that separate secretariats should be established for each of the principal organs of the United Nations and recommended that the Secretariat should be organized on a functional basis and divided into eight principal departments (Security Council Affairs, Economic Affairs, Social Affairs, Trusteeship and Non-Self-Governing Territories, Public Information, Legal, Conference and General Services, and Administrative and Financial Services). It proposed that the Secretary-General should take the necessary steps to co-ordinate the activities of the two departments concerned with economic and social affairs. The Commission rejected a proposal requiring that appointments of staff members should be made only with the concurrence of the governments of the candidates concerned. It recommended that the Secretary-General should es-

tablish an International Civil Service Commission after consultation with the heads of the specialized agencies.

The Preparatory Commission discussed other matters such as registration of treaties, privileges and immunities, headquarters and the transfer of assets of the League of Nations. It recommended that the Secretary-General should work out details for the registration and publication of treaties and that the General Assembly should consider inviting non-members to send their treaties and agreements to the Secretary-General and inviting all states to send for publication treaties concluded before the Charter came into force which were not included in the League of Nations Treaty Series. It reminded the Member nations of their obligation under the Charter to accord the United Nations the privileges and immunities necessary for the performance of its duties, and recommended a reconsideration of the privileges and immunities of the specialized agencies contained in their respective constitutions with a view to their co-ordination with any convention ultimately adopted by the United Nations. The Commission recommended the establishment of the permanent headquarters of the United Nations in the United States and set up an interim committee to examine specific sites.

Although there was general agreement that the United Nations should take over certain of the functions, powers, activities and assets of the League of Nations, several delegates opposed the transfer of political functions and even certain non-political functions exercised by the League under international agreements. The Preparatory Commission, therefore, recommended that the United Nations should take over only custodial, technical and non-political functions belonging to the League and reserve its right not to assume any particular function or power. It appointed a Committee to negotiate with the League of Nations Supervisory Committee in order to devise a common plan for the transfer of assets of the League to the United Nations.

B. THE UNITED NATIONS FROM JANUARY 1946 TO JUNE 1947

The following is a brief summary of the activities of the United Nations from the first meeting of the General Assembly in London on January 10, 1946, until June 30, 1947. These activities are described in detail in the *Yearbook of the United Nations, 1946-47*.

Although during this time—the initial period of the United Nations—organizational matters required much thought and work, the United Nations was also called upon to deal with substantive issues from the first moment. For the convenience of the reader, the two aspects of the United Na-

tions' work, the organizational and the substantive, are dealt with separately in this résumé.

1. *Organizational Developments to June 30, 1947*

During this period all the principal organs of the United Nations were established and began their operations. By June 30 each organ had adopted at least provisional rules of procedure and had elaborated its own organization and structure.

At the first part of its first session (January 10 to February 14, 1946), the General Assembly elected the six non-permanent members of the Security Council, the eighteen members of the Economic and Social Council, and, in conjunction with the Security Council, the fifteen judges of the International Court of Justice. The Assembly, on February 1, 1946, on the recommendation of the Security Council, also appointed, in the person of Trygve Lie (Norway), the first Secretary-General of the United Nations. The only major organ provided in the Charter of the United Nations which was not established during the first part of the General Assembly's first session was the Trusteeship Council, but this gap in the organization was filled in during the second part of the first session, which took place in New York between October 23 and December 15, 1946. Following the approval of Trusteeship Agreements submitted by five Administering Authorities, the General Assembly on December 14, 1946, elected two members which, with the five Administering Authorities and the permanent members of the Security Council which were not Administering Authorities, in accordance with the Charter, formed the Trusteeship Council (making a total of ten members). The Trusteeship Council has since been enlarged to twelve members.

During the first part of its first session the General Assembly decided on its own committee structure. It decided that there should be six Main Committees to deal, respectively, with the following categories of questions: political and security; economic and financial; social, humanitarian and cultural; Trusteeship; administrative, and budgetary; and legal. The Assembly also established two procedural committees, the General Committee and the Credentials Committee, and two standing committees, the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions.

Two major commissions were established which

report to the Security Council: the Atomic Energy Commission, established by the General Assembly on January 24, 1946, but responsible to the Security Council on matters affecting security; and the Commission for Conventional Armaments, established by the Council itself on February 13, 1947.

The Economic and Social Council developed the most complex organization of any of the United Nations organs. By the end of June 1947 nine functional commissions—dealing respectively with economic and employment matters, transport and communications, fiscal questions, statistical questions, population questions, human rights, the status of women, social matters, and narcotic drugs—with five sub-commissions and two regional economic commissions, for Europe and for Asia and the Far East, had been established. Other subsidiary bodies functioning under the Council's authority were the United Nations International Children's Emergency Fund, established by the General Assembly on December 11, 1946, and the Supervisory Body and Permanent Central Opium Board, bodies concerned with the international control of narcotic drugs which had been taken over from the League of Nations. During the period, agreements bringing four specialized agencies into relationship with the United Nations were negotiated by the committee of the Economic and Social Council established for the purpose and were approved by the General Assembly. These four specialized agencies were: the International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization and the International Civil Aviation Organization. Negotiations for agreements with other inter-governmental organizations were authorized. Forty-three non-governmental organizations were granted consultative status by the Economic and Social Council, and seven of these were placed in category "A" and given the right to suggest items for inclusion in the Council's agenda.

The Trusteeship Council had not, up to June 30, 1947, established any permanent subsidiary bodies.

During the first part of its first session, on February 13, 1946, the General Assembly decided on the administrative organization of the Secretariat. According to its decisions, the Secretariat was organized into eight principal units—the Department of Security Council Affairs, the Department of Economic Affairs, the Department of Social Affairs, the Department of Trusteeship and Information from Non-Self-Governing Territories,

the Department of Public Information, the Legal Department, Conference and General Services, and Administrative and Financial Services. At the same time the General Assembly adopted Provisional Staff Regulations. By the end of the period the staff employed by the United Nations numbered approximately 3,000 and was drawn from 59 nationalities.

The first part of the first session of the General Assembly was held in London, and during that session the General Assembly decided that both the permanent and interim headquarters of the organization should be located in the United States. On March 6, 1946, the interim headquarters of the United Nations was established at Hunter College, Bronx, New York. During April an agreement was signed taking over the City Building at Flushing Meadow for the sessions of the General Assembly and part of the Sperry Plant at Lake Success, Long Island, for the Secretariat. The Secretariat moved to Lake Success in the middle of August 1946, and the second part of the first session of the General Assembly (from October 23 to December 15, 1946) was held at Flushing Meadow.

At this session the General Assembly, on December 14, 1946, chose a location in New York City as the site for the permanent headquarters of the United Nations, accepting an offer made by John D. Rockefeller, Jr., to contribute \$8,500,000²³ to make possible the acquisition by the organization of the tract of land in question, i.e., the area bounded by First Avenue, East 48th Street, the East River and East 42nd Street. Certain adjacent parcels of land which were not available to Mr. Rockefeller were given to the United Nations by the City of New York.

The assets of the League of Nations were transferred to the United Nations, under a Common Plan approved by the General Assembly on February 12, 1946, and by the final Assembly of the League of Nations on April 18, 1946. The effective date of the transfer was August 1, 1946. The United Nations also made arrangements to take over certain substantive work of the League of Nations.

The budgets of the organization for the years 1946 and 1947 were approved by the General Assembly at \$19,390,000 and \$27,740,000, respectively. The Assembly also provided for a Working Capital Fund of \$25,000,000 for 1946 and \$20,000,000 for 1947, and adopted a scale of contributions, determining the proportion of the budget and capital fund to be contributed by each Member State.

2. Sessions of Major United Nations Organs

By June 30, 1947, the major organs of the United Nations had been in session as follows:

GENERAL ASSEMBLY

First Session		January 10–
First Part	London	February 14, 1946
Second Part	New York (Flushing)	October 23–December 15, 1946
First Special Session (Palestine)	New York (Flushing)	April 28–May 15, 1947

SECURITY COUNCIL

(In continuous session since January 17, 1946; the Council held its first 23 meetings in London, while the 24th and all subsequent meetings have been held in New York at Hunter College, Henry Hudson Hotel or Lake Success, the interim headquarters of the United Nations. The Council had held 149 meetings by June 30, 1947.)

ECONOMIC AND SOCIAL COUNCIL

First Session	London	January 23–February 18, 1946
Second Session	New York (Hunter College)	May 25–June 21, 1946
Third Session	New York (Lake Success)	September 11–December 10, 1946
(The Council recessed on October 3, 1946, and reconvened on December 10, 1946, to confirm the members of its functional commissions.)		
Fourth Session	New York (Lake Success)	February 28–March 29, 1947

TRUSTEESHIP COUNCIL

First Session	New York (Lake Success)	March 26–April 28, 1947
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INTERNATIONAL COURT OF JUSTICE

Inaugural Session	The Hague	April 18–May 6, 1946
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3. Substantive Work of the United Nations to June 30, 1947

a. POLITICAL AND SECURITY QUESTIONS

Although most of the political and security questions dealt with by the organization during the first one and a half years of its existence reached

²³Dollar signs refer to U.S. dollars unless otherwise specified.

the United Nations via the Security Council, the General Assembly itself took the initiative in a number of important cases, notably those concerning the control of atomic energy and the reduction and regulation of armaments. The United Nations phase of the Palestine Question also originated in the General Assembly.

(1) *Atomic Energy*²⁴

As far back as November 1945, the Governments of Canada, the United Kingdom and the United States had jointly proposed the creation of an international Atomic Energy Commission. A month later the three Governments were joined by those of China, France and the U.S.S.R. in sponsoring a proposal for the establishment of such a commission, and the matter was placed on the agenda of the first part of the first session of the General Assembly. On January 24, 1946, the General Assembly unanimously resolved to establish an Atomic Energy Commission and charged it with exploring, under the direction of the Security Council, the problems arising out of the discovery of atomic energy and with devising recommendations designed to ensure that the new source of energy be used exclusively for peaceful purposes.

The Atomic Energy Commission held its first meeting on June 14, 1946, and adopted a first report to the Security Council on December 31, that same year. This report, which had been adopted by ten affirmative votes with the representatives of Poland and the U.S.S.R. abstaining, recommended the establishment of a strong and comprehensive international system of control and inspection of atomic research and activities, the exact scope of the system to be defined in a convention or treaty open to the participation, on fair and equitable terms, of all United Nations Member States. Such a treaty or convention should, it was recommended, contain a provision for the establishment of an international Authority whose task it would be to operate the system of control and inspection in the field of atomic energy activities. Furthermore, in order to protect parties to the agreement or convention against the hazards that might otherwise arise from evasions and violations by one or more of the signatories thereto, it was recommended that the unanimity principle (the so-called "veto") should not apply to the operation of such an international Authority. The proposed Authority would be charged with encouraging research in the field of nuclear energy, promoting the exchange of relevant scientific information, designing safeguards against the unauthorized use of

atomic energy, and carrying out inspections and generally co-ordinating activities in this new field. The proposed international instrument would specifically ban the manufacture, possession, and use of atomic weapons and contain provisions for the destruction of existing stockpiles thereof.

On February 18, 1947, the U.S.S.R. representative proposed in the Security Council a number of specific amendments and additions to the general findings and recommendations contained in the Commission's first report.

The U.S.S.R. proposals included a provision that inspection, supervision and management by an international agency should apply to all existing atomic plants immediately after the entry into force of an appropriate convention or conventions. Another proposal suggested that an effective system of control of atomic energy must be international in scope and established by an enforceable multilateral convention administered within the framework of the Security Council. Further amendments would provide for the destruction of stocks of manufactured and unfinished atomic weapons, and for elimination of the recommendation in the Commission's report that in case of violation there should be no legal right, by "veto" or otherwise, whereby a wilful violator of the terms of the treaty or convention should be protected from the consequences of violation of its terms.

On December 14, 1946, the General Assembly urged the expeditious fulfilment by the Atomic Energy Commission of its terms of reference. It recommended that the Security Council expedite consideration of the reports which the Commission would make to the Security Council and that it facilitate the work of that Commission. It further recommended that the Security Council expedite consideration of a draft convention or conventions for the creation of an international system of control and inspection, these conventions to include the prohibition of atomic weapons.

After discussing the first report of the Atomic Energy Commission, the Security Council requested the Commission to study the whole matter further and to submit a second report. The Council placed the record of its discussion on the subject at the Commission's disposal, and the latter, in March 1947, instructed its subsidiary bodies to consider the problem of the control of atomic energy in the light of the Security Council's discussion, concentrating particularly on those aspects of the matter on which no agreement had as yet been reached.²⁵

²⁴For details, see *Yearbook of the United Nations*, 1946-47, pp. 64-66, 444-51, 454, 459-62.

²⁵For subsequent developments, see pp. 461-76.

(2) Regulation and Reduction of Armaments²⁶

On the initiative of the delegation of the U.S.S.R., the General Assembly also turned its attention during the first year and a half of the organization's existence to the question of regulating and reducing national arms and armed forces. In a resolution unanimously adopted by the Assembly on December 14, 1946, the necessity for a positive accomplishment along these lines was recognized. The Security Council was called upon promptly to consider ways and means of effecting the general regulation and reduction of armaments and armed forces and of assuring that the provisions in question, once agreed upon, would be generally observed by all concerned rather than unilaterally by only some of the participants.

The Assembly also recommended the progressive and balanced withdrawal of forces stationed in ex-enemy territories and the prompt removal of the armed forces of any Member stationed in territory belonging to another Member, as well as a gradual reduction in the size of national armed forces. The Assembly left to the Security Council the decision as to what information Members should submit in connection with the implementation of this resolution.

Acting on this resolution, the Security Council on February 13, 1947, established a Commission for Conventional Armaments (as distinct from atomic and other weapons of mass destruction, being considered by the Atomic Energy Commission) to make proposals on the regulation and reduction of armaments and armed forces and on safeguards to protect complying states.²⁷

(3) Membership²⁸

By June 30, 1947, eleven additional states had applied for membership in the United Nations. Under the Charter, admission of a state to membership in the organization is effected by the General Assembly upon the recommendation of the Security Council. The Council recommended Afghanistan, Iceland, Siam and Sweden for membership in the United Nations, and the Assembly unanimously accepted the recommendations. Afghanistan, Iceland and Sweden became Members on November 19, 1946; Siam became a Member on December 16, 1946—the day following the close of the second part of the first session—and the representative of Siam took his seat for the first time on April 28, 1947, at the opening plenary meeting of the Assembly's first special session (on Palestine).

The remaining seven states that had applied for United Nations membership by the end of June

1947 were Albania, Mongolian People's Republic, Ireland, Transjordan, Portugal, Hungary and Italy. The Security Council submitted no recommendation concerning their applications, none of them having received the requisite number and composition of votes (i.e., seven affirmative votes including affirmative votes of all the five permanent members of the Security Council.)

The General Assembly, on November 19, 1946, recommended that the Security Council reconsider the applications of five of these seven states, the applications of Hungary and Italy not having been submitted at that time. (Hungary applied for membership by letter dated April 22, 1947, Italy under date of May 7, 1947.)²⁹

(4) Iranian Question³⁰

On January 19, 1946, two days after the first meeting of the Security Council, Iran charged before the Council that the U.S.S.R. was interfering in internal Iranian affairs, a charge denied by the U.S.S.R. Both parties indicated willingness to negotiate, and the Council called on them to do so, keeping it informed of the progress.

On March 18 Iran repeated its charges, declaring that a dispute existed between it and the U.S.S.R., arising from continued Soviet interference and the maintenance of Soviet troops in Iranian territory contrary to the Tripartite Treaty of Alliance of January 29, 1942. On April 4 the Council resolved to ask both Governments to report by May 6 whether all Soviet troops had been evacuated from Iranian soil. On April 6 the Government of the U.S.S.R., and on April 15 the Government of Iran, requested the Council to delete the Iranian Question from the agenda on the ground that agreement had been reached between the two Governments concerning the unconditional withdrawal of Soviet troops from Iranian territory by May 6, 1946. The Council did not accede to this request.

On May 6 the Government of Iran informed the Council that Soviet troops had left Iranian soil, with the possible exception of the Province of Azerbaijan. In a subsequent communication, Iran on May 21 announced that reliable testimony indicated that Azerbaijan, too, had been evacuated on May 6 by Soviet forces. Thereupon, the Council, on May 22, decided to adjourn discussion of the

²⁶For details, see *Yearbook of the United Nations*, 1946-47, pp. 375-81, 451-53, 454, 462-65.

²⁷For subsequent developments, see pp. 476-80.

²⁸For details, see *Yearbook of the United Nations*, 1946-47, pp. 122-25, 303, 414-21.

²⁹For subsequent developments concerning membership applications, see pp. 39-45 and 480-89.

³⁰For details, see *Yearbook of the United Nations*, 1946-47, pp. 327-36.

Iranian Question, but to retain the matter among the questions of which it is "seized". On December 5, 1946, Iran forwarded a further report to the Council concerning the state of affairs in Azerbaijan.

(5) *Indonesian Question*²¹

On January 21, 1946, the Ukrainian S. S. R. brought to the Security Council's attention the situation in Indonesia, where, it was alleged, military action was being carried out against the Indonesian population by British and Japanese forces, endangering peace and security.

A number of proposals were put forward when the Council considered the question, but none secured the necessary number of votes, and the matter was regarded as closed.²²

(6) *Syrian-Lebanese Question*²³

On February 4, 1946, Syria and Lebanon brought to the attention of the Security Council the question of the presence of French and British troops in the two countries. A resolution, expressing confidence that France and the United Kingdom would negotiate with Syria and Lebanon concerning an early withdrawal of the troops and asking for reports on the progress of these negotiations, received seven affirmative votes, but failed of adoption since one of the five permanent members, the U.S.S.R., had voted against it. Nevertheless, France and the United Kingdom declared they would act in accordance with the resolution, since it reflected the views of a majority of Council members.

The proposed negotiations were carried out and their results were described as satisfactory in communications addressed to the Council by Syria (May 19) and Lebanon (May 9). Syria reported that all foreign troops had been withdrawn from Syrian territory by the middle of May, two weeks ahead of the negotiated deadline. As for Lebanon, the United Kingdom agreed to withdraw its forces by June 30, and France its forces by December 31, 1946.

(7) *Greek Question*²⁴

On January 21, 1946, the U.S.S.R. brought to the Security Council's attention the situation in Greece where, it was alleged, the presence of British troops constituted an interference in Greek internal affairs, causing tension likely to endanger peace and security. The United Kingdom and Greece stated that British troops in Greece were there with the consent of the Greek Government and that there had been no interference in the internal affairs of Greece. A statement made by the

President of the Council, noting the various views expressed in the course of the discussion, was accepted by Council members as closing the matter.

Half a year later, on August 24, 1946, the situation in Greece was again brought before the Council, this time by the Ukrainian S. S. R., on the grounds that the situation in the Balkans resulting from the policy of the Greek Government constituted, it was alleged, a threat to peace. The charges were denied by Greece. Various proposals, including one for the establishment of a Commission of Inquiry to be dispatched to the Balkans to gather on-the-spot evidence, failed to muster the necessary votes in the Council. On September 20, 1946, the question was taken off the agenda of the Council.

The question was re-opened on December 3 by Greece, whose Government asked the Council to give early consideration to a situation which was leading to friction between Greece and its northern neighbors, the latter being charged with supporting Greek guerrillas in their warfare in northern Greece, charges which the three Governments concerned, Albania, Bulgaria and Yugoslavia, denied. On December 19, 1946, the Council decided to dispatch a Commission of Investigation (which consisted of representatives of all the members of the Security Council) to the Balkan regions in question. The report of the Commission was made public on June 25, 1947. In it, a majority of the members of the Commission held that Yugoslavia, and to a smaller extent Albania and Bulgaria, had supported Greek guerrillas, while a minority declared that the Greek Government was itself to blame for the frontier incidents. The Council began consideration of the report on June 27, 1947.²⁵

(8) *Spanish Question*²⁶

On February 9, 1946, the General Assembly adopted a resolution endorsing the view that Franco-Spain was ineligible for membership in the United Nations, and calling upon Members to act in accordance with the letter and spirit of the resolution in the conduct of their future relations with Spain.

²¹For details, see *Yearbook of the United Nations*, 1946-47, pp. 338-41.

²²For subsequent developments on the Indonesian Question, see pp. 362-87.

²³For details, see *Yearbook of the United Nations*, 1946-47, pp. 341-45.

²⁴For details, see *Yearbook of the United Nations*, 1946-47, pp. 336-38, 351-75.

²⁵For subsequent developments, see pp. 337-52, 63-75.
²⁶For details, see *Yearbook of the United Nations*, 1946-47, pp. 66-67, 126-30, 345-51; for subsequent developments, see pp. 47-52, 496-97.

On April 8 and 9, 1946, Poland brought to the Security Council's attention the situation arising from the existence and activities of the Franco regime. A short time thereafter (on April 17) Poland proposed that the Council call on all Members of the Organization to sever diplomatic relations with Spain. The proposal was not adopted, but the Council decided to set up a sub-committee to study the Spanish situation. A majority of the sub-committee found that the Franco regime was a potential rather than an actual threat to peace and a source of friction among Members. It recommended that its findings be placed before the General Assembly, with the advice that, should the Franco regime be still in office at the time, the Assembly should recommend the severance of diplomatic relations with Spain. The proposal of the sub-committee, as well as other proposals, did not, however, muster sufficient votes in the Council, the latter merely resolving to keep the Spanish Question under continuous observation. On November 4, 1946, the Council took the Spanish Question off its agenda to enable the General Assembly to make recommendations on the matter.

On December 12, 1946, the General Assembly recommended that Franco-Spain be barred from membership in the specialized agencies having relations with the United Nations, that all Members of the United Nations immediately recall their Ambassadors and Ministers Plenipotentiary from Madrid, and that the Security Council consider what further measures might be required if a Spanish Government based on the consent of the Spanish people were not established within a reasonable period of time.

(9) *Treatment of Indians in the Union of South Africa*³⁷

On December 8, 1946, the General Assembly adopted a resolution stating that the treatment of Indians in the Union of South Africa should be in conformity with the international obligations in force between the Governments of India and South Africa and with the Charter of the United Nations, and calling upon the two Governments to negotiate.

The question of the treatment of Indians in South Africa had been placed on the agenda of the second part of the first regular session of the General Assembly by India, with the allegation that this treatment had led to a situation the continuation of which was likely to endanger friendly relations between the two nations. The Assembly, in adopting its resolution, implicitly rejected the Union's contention that the matter complained of

by India was within South Africa's domestic jurisdiction. The Assembly had also rejected a proposal to refer to the International Court of Justice, for an advisory opinion, the question of whether the matter was, or was not, within South Africa's domestic jurisdiction.³⁸

(10) *Corfu Channel Incident*³⁹

On January 10, 1947, the Secretary-General received a communication from the United Kingdom, asking that the Security Council take up a dispute between the United Kingdom and Albania arising from the loss of lives and damages sustained by two British warships by mines in the Corfu Channel on October 22, 1946. In February, 1947, the Council established a sub-committee to examine the material bearing on the dispute. The Council considered the report of its sub-committee, which had been issued on March 15, but could reach no agreement. On April 9 the Council decided to recommend that the case be referred to the International Court of Justice. The United Kingdom initiated proceedings before the Court on May 22, 1947.

The Corfu Channel incident was the first dispute brought before the International Court of Justice.⁴⁰

(11) *Trieste*⁴¹

On January 10, 1947, the Security Council adopted a resolution approving certain Annexes to the Italian Peace Treaty, namely the "Instrument for the Provisional Regime of the Free Territory of Trieste", the "Permanent Statute for the Free Territory of Trieste", and the "Instrument of the Free Port of Trieste". The Council thereby accepted the responsibility of ensuring the independence and integrity of the Free Territory of Trieste, including the responsibility of appointing the Governor. The Council began consideration of the choice of a Governor, but its deliberations on this point had not resulted in agreement by the end of June 1947.⁴²

(12) *Palestine Question*⁴³

On April 2, 1947, the United Kingdom requested that the Palestine Question be placed on the agenda of the General Assembly's next (sec-

³⁷For details, see *Yearbook of the United Nations*, 1946-47, pp. 144-48.

³⁸For subsequent developments, see pp. 52-59.

³⁹For details, see *Yearbook of the United Nations*, 1946-47, pp. 392-94.

⁴⁰For subsequent developments, see pp. 792, 794-95.

⁴¹For details, see *Yearbook of the United Nations*, 1946-47, pp. 381-92.

⁴²For subsequent developments, see pp. 352-56.

⁴³For details, see *Yearbook of the United Nations*, 1946-47, pp. 276-304.

ond) regular session, and that a special session be convened to appoint and instruct a special committee to prepare the ground for the consideration of the question.

The special session was held at Flushing Meadow, New York, from April 28 to May 15, 1947. After hearing representatives of the Arab Higher Committee and of the Jewish Agency for Palestine, the General Assembly decided to set up an eleven-member United Nations Special Committee on Palestine (Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay and Yugoslavia) and to give it "the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine", to authorize it to conduct its investigations wherever it deemed useful, including Palestine, and to request the Special Committee to submit its report on or before September 1, 1947.

The Special Committee held its first meeting on May 26, 1947.⁴⁴

b. ECONOMIC AND SOCIAL QUESTIONS

Many of the important questions in the economic and social spheres dealt with by the United Nations during the first year and a half of the organization's existence were legacies from the war. There were such urgent and pressing problems as those of the reconstruction of war-devastated economies, of the more than a million refugees and displaced persons, of tragic food, medicine, housing and transportation shortages. In these and related fields, the final decision and often the initiative, too, are the responsibilities of the General Assembly, but the responsibility of drafting concrete programs for the Assembly's approval rests upon the Economic and Social Council. The complexity of the tasks assigned to the Council may be judged from the fact that even up to June 30, 1947, meetings of the Council and its subsidiary bodies accounted for about 50 per cent of all meetings held by United Nations organs. The following were some of the most important questions dealt with.

(1) Refugees⁴⁵

A special committee to study ways and means of coping with the problem of refugees and displaced persons was established by the Economic and Social Council during its first session, pursuant to a resolution adopted by the General Assembly in February 1946. The Assembly resolution had outlined the general principles that were to guide United Nations activities in this field. The Assembly recognized that the refugee problem was an

international issue and agreed that no *bona fide* refugee or displaced person should be repatriated if he expressed valid objections; that to encourage and assist repatriation was, however, the principal task; that humanitarian action on behalf of refugees must not interfere with the prosecution and surrender of war criminals, traitors and quislings; and that the case of Germans being repatriated to Germany did not come within the scope of the Assembly's resolution.

The committee set up by the Economic and Social Council recommended, in June 1946, the creation of a temporary specialized agency, the International Refugee Organization, and submitted a draft constitution and other pertinent recommendations. The Council, with certain modifications, endorsed the program proposed by the Committee, and recommended its adoption to the General Assembly. On December 15, 1946, the General Assembly approved the constitution and budget of the IRO as well as an agreement for the creation of an IRO Preparatory Commission to carry out the preliminary work pending the coming into existence of the IRO itself. The constitution provided that the IRO would come into being when ratified by a minimum of fifteen states, contributing at least 75 per cent of IRO's operational budget.⁴⁶

(2) World Shortage of Cereals⁴⁷

In view of the acute shortage of cereals caused by the Second World War, the General Assembly on February 14, 1946, adopted a resolution urging all governments and peoples to take immediate and drastic action to ensure the maximum production of grain in the coming season.

Following the adoption of the resolution by the Assembly, the Food and Agriculture Organization arranged a Special Meeting on Urgent Food Problems in Washington in May 1946. Recommendations were made to governments on the conservation and expansion of scarce food supplies and on the short-term and long-term international arrangements required in the field of food and agriculture.

As recommended by the Special Meeting, an International Emergency Food Council representing some twenty countries was formed on June 20, 1946, to replace the Combined Food Board.

⁴⁴For further developments, see pp. 227-81, 304-12, 403-51.

⁴⁵For details, see *Yearbook of the United Nations*, 1946-47, pp. 72-75, 164-70, 546-50, 805-20.

⁴⁶For subsequent developments, see pp. 126-29, 612-13, 645-46, 957-64.

⁴⁷For details, see *Yearbook of the United Nations*, 1946-47, pp. 75-76, 170-73, 495-96, 690.

The General Assembly again in December 1946 adopted a resolution recognizing that the food situation was still unsatisfactory. The Assembly urged governments and international agencies concerned to adopt or continue measures designed to overcome the deficit during 1947 in bread grains, rice, fats and oils, dairy products, meat and sugar, and to achieve an equitable allocation and prompt distribution of the supplies available.

(3) *Reconstruction and Relief*⁴⁰

In June 1946, the Economic and Social Council set up a Temporary Sub-Commission on the Reconstruction of (war) Devastated Areas. Arising out of the work of this Sub-Commission and subsequent Council discussions, the Council, on March 28, 1947, established an Economic Commission for Europe and an Economic Commission for Asia and the Far East. The former held its first session from May 2 to 14, the latter from June 16 to 25, 1947.

The United Nations also took measures in the related field of international relief. To ascertain the basic relief and assistance needs of a number of countries, the General Assembly itself set up, on December 11, 1946, a Special Technical Committee, whose report, submitted a month later (January 23, 1947), showed that eight European countries which had been receiving UNRRA assistance would need assistance in 1947 totalling some \$583,000,000.

As a special measure, the General Assembly, accepting a recommendation of the Economic and Social Council, on December 11, 1946, created the United Nations International Children's Emergency Fund to be used for the benefit of children and adolescents in countries which had been the victims of aggression or which had been receiving UNRRA aid, as well as for child health purposes in general. The Fund was to be financed by voluntary contributions from governments, voluntary agencies and individuals and by any assets made available by UNRRA. On March 29 the Economic and Social Council decided that the Fund should also be used to benefit the health of expectant mothers. On June 19, 1947, the Fund approved a six-months program of providing some 200 calories per day in the form of milk, fats and cocoa for approximately three and a quarter million children in eleven countries.

On December 11, the General Assembly requested the Secretary-General to consider ways and means of using contributions equivalent to one day's pay from people all over the world to help meet relief needs. The Economic and Social Council, considering the need for funds of the International Children's Emergency Fund, on March 29,

1947, approved in principle such a world-wide appeal for non-governmental voluntary contributions.⁴¹

(4) *International Trade*⁴²

In order to deal with the problem of expanding the volume of world trade—a problem closely linked with the question of full employment and economic development—the Economic and Social Council in February 1946 set up a Preparatory Committee for an International Conference on Trade and Employment to prepare an annotated draft agenda for consideration by the international conference.

The Preparatory Committee held its first session in London in October and November 1946. At that session a number of important problems relating to international trade were discussed, and a report issued. The report contained, as an annex, a working document embodying a partial draft text of the charter of the proposed International Trade Organization.

The work of the Preparatory Committee was continued during January and February 1947 at Lake Success by a drafting committee, which was set up to do further work in connection with the establishment of the draft charter.

It was agreed at the first session of the Preparatory Committee that, pending the establishment of an International Trade Organization, some machinery was required for co-ordinating international action on commodity problems. As a result, the Secretary-General, by recommendation of the Economic and Social Council, appointed an Interim Co-ordinating Committee for International Commodity Arrangements to keep informed of, and to facilitate by appropriate means, inter-governmental consultation or action on commodity problems.

The Preparatory Committee began its second session at Geneva in April 1947, and discussions were still in progress at the end of June.⁴³

(5) *Statistics*⁴⁴

Considerable progress had been made in developing the statistical services of the United Nations.

⁴⁰For details, see *Yearbook of the United Nations*, 1946-47, pp. 155-60, 162-64, 478-91, 518-21.

⁴¹For subsequent developments, see *Economic Commissions*, pp. 98-100, 523-46; *United Nations International Children's Emergency Fund*, pp. 620-23, 125-26; *United Nations Appeal for Children*, pp. 623-28; also pp. 546-48 for subsequent developments on reconstruction of devastated areas.

⁴²See *Yearbook of the United Nations*, 1946-47, pp. 492-95.

⁴³For subsequent developments, see pp. 522-23, 973-76.

⁴⁴See *Yearbook of the United Nations*, 1946-47, pp. 506-9.

A Statistical Office of the United Nations, to act as the central statistical unit in the Secretariat of the United Nations, was established. The statistical activities of the League of Nations were taken over by the United Nations. A *Monthly Bulletin of Statistics*, which contains more than twelve hundred key statistical series relating to seventy countries, was being published by the United Nations. Preparations were also being made to provide an opportunity for statisticians of all Member countries to discuss statistical problems in a World Statistical Congress to be held in September 1947.⁵³

(6) Fiscal Problems⁵⁴

The Fiscal Commission, meeting at Lake Success in May 1947 for its first session, outlined certain general arrangements concerning the establishment within the United Nations of an international fiscal information and reference service, the provision of technical advice to governments and specialized agencies, the co-operation to be obtained from governments and the establishment of a liaison system with national fiscal administrations.

Among other things, the Commission recommended that, in continuation of the work done by the League of Nations, the following publications should be compiled and issued in the near future: *Public Debts 1914-1947*; *Public Finance Survey 1937-1947*. It also made recommendations for the collection of information to assist in the study of international tax relations.⁵⁵

(7) Population Questions⁵⁶

The Population Commission held its first session in February 1947. Acting on the Commission's recommendations and those of the Statistical Commission, the Economic and Social Council in March 1947 made recommendations, *inter alia*, on: the compilation of population statistics, estimates and studies needed by the United Nations and the specialized agencies; assistance by the Secretariat to Member States taking comparable population censuses; the publication by the United Nations of a Demographic Yearbook; the preparation of proposals for securing greater comparability and a general improvement of basic population data; and the preparation of special studies of the population of Trust Territories.⁵⁷

(8) Transport and Communications⁵⁸

The Transport and Communications Commission at its first session in May 1946 reviewed international activities in the fields of civil aviation, postal services, telecommunications and maritime navigation. It suggested that the inter-governmental organizations which already existed in the

first three of these fields should be brought into relationship with the United Nations as specialized agencies, after modification by these organizations of their basic instruments where necessary. The Economic and Social Council approved this program at its second session.

On the recommendation of the Commission, the Council decided to call a conference of interested governments to consider the establishment of a new inter-governmental maritime organization. At the same time, the Council confirmed the view of the Commission that problems of inland transport were primarily regional in character. Accordingly, the Economic Commission for Europe convened on May 27, 1947, a meeting of transport experts, which advised that the Economic Commission for Europe should establish, as a subsidiary body, an Inland Transport Committee to facilitate inter-governmental co-operation in this field in Europe. As far as other regions of the world were concerned, the Council requested the Secretary-General to undertake studies of regional organization in the field of inland transport in Asia and the Far East, and in the Americas.

A committee of experts to prepare a world conference on passport and frontier formalities was convened by the Economic and Social Council at Geneva in April 1947, and made recommendations for improving passport formalities, simplifying visa procedure and easing frontier formalities.⁵⁹

(9) Continuation of the Social Welfare Activities of the League of Nations and UNRRA⁶⁰

In the social sphere, action taken by the United Nations during the first eighteen months of its existence included making arrangements for assuming the work previously performed by the League of Nations in the control of narcotic drugs and in the suppression of the traffic in women and children and obscene publications, and for transferring to the United Nations the advisory social welfare activities performed by UNRRA.⁶¹

⁵³For subsequent developments, see pp. 562-67.

⁵⁴See *Yearbook of the United Nations, 1946-47*, pp. 304-6.

⁵⁵For subsequent developments, see pp. 559-62.

⁵⁶See *Yearbook of the United Nations, 1946-47*, pp. 509-13.

⁵⁷For subsequent developments, see pp. 637-41.

⁵⁸See *Yearbook of the United Nations, 1946-47*, pp. 496-504.

⁵⁹For subsequent developments, see pp. 567-72, 969-71.

⁶⁰For functions taken over from the League of Nations, see *Yearbook of the United Nations, 1946-47*, pp. 110-11, 261-69, 521, 536-39, for continuation of social welfare functions of UNRRA, see *ibid.*, pp. 160-62, 516-18.

⁶¹For subsequent developments, see *Social Activities*, pp. 606-19, 100-1.

(10) *Human Rights*⁶¹

The Economic and Social Council at its first session established a Commission on Human Rights to prepare proposals concerning an international bill of rights and international declarations or conventions regarding civil liberties. A drafting committee established by the Commission began to draft the bill. The Council stated that pending the adoption of the bill international treaties involving human rights should conform to the fundamental standards set forth in the Charter. It requested the Secretariat to compile a yearbook on law and usage relating to human rights, and invited Members to consider establishing local human rights committees in their countries to collaborate in furthering the Commission's work.

Sub-Commissions were set up by the Commission on Human Rights on the Prevention of Discrimination and the Protection of Minorities and on Freedom of Information and of the Press.

The Assembly also reflected its concern for freedom of the press, when, on December 14, 1946, it resolved that a conference of all Members should be held on freedom of information. The Conference was to consider the rights, obligations and practices which should form a part of the concept of freedom of information. Proposals concerning the organization and agenda of the Conference were drafted by the Sub-Commission on Freedom of Information and of the Press.

On December 11, 1946, the General Assembly branded the practice of genocide as an international crime, to be punishable under international law, and requested the drafting of a convention on this subject.⁶²

(11) *Status of Women*⁶³

The Economic and Social Council also decided to establish a nuclear Sub-Commission (later expanded into a full Commission) on the Status of Women. The Commission was asked to examine existing legal and conventional disabilities of women with respect to political, social and economic rights, as well as educational opportunities, and to present suitable proposals designed to correct any such inequalities. A questionnaire was prepared concerning the legal status and treatment of women. Members were invited to send in replies to the Secretary-General by July 1, 1947, concerning Part I of the questionnaire, Public Law; Section A, Franchise; and Section B, Eligibility to hold public office. On December 11, 1946, the General Assembly adopted a resolution recommending that all Member States which had not already done so should grant women the same political rights as men.⁶⁵

(12) *Health*⁶⁴

The United Nations took steps to improve world health through the creation of a World Health Organization. The constitution of the Organization was drafted at the International Health Conference convened by the Economic and Social Council, and held in New York from June 19 to July 22, 1946. An Interim Commission started functioning at the end of the International Health Conference.⁶⁷

(13) *Narcotic Drugs*⁶⁸

At its fourth session the Economic and Social Council adopted a resolution asking the Secretary-General to communicate with the four occupying Powers of Germany recommending that they set up, without delay, an effective system for the control of narcotics in Germany. This communication was sent on May 7, 1947. Also at its fourth session, the Council recommended that the governments responsible for negotiating peace treaties with Japan should arrange for extremely strict control of narcotics in that country.

The Economic and Social Council on March 28, 1947, adopted a resolution requesting the Secretary-General to invite all the governments of countries where the use of opium for smoking was still legal to take immediate steps to prohibit the manufacture, internal traffic and use of opium for such purposes.

At its fifth session the Council also approved the issue to governments of questionnaires on raw opium and on the coca leaf.⁶⁹

c. *TRUSTEESHIP QUESTIONS AND RELATED MATTERS*⁷⁰

The most important development in the field of the International Trusteeship System between January 10, 1946, and June 30, 1947, was the approval, on December 13, 1946, of eight Trusteeship Agreements, as follows:

⁶¹See *Yearbook of the United Nations*, 1946-47, pp. 175-78, 254-56, 523-32.

⁶²For subsequent developments on Human Rights, see pp. 572-86, 129-33; on Freedom of Information, see pp. 586-95, 102-4, on Genocide, see pp. 595-99.

⁶³See *Yearbook of the United Nations*, 1946-47, pp. 178-79, 528-31.

⁶⁴For subsequent developments, see pp. 599-605.

⁶⁵See *Yearbook of the United Nations*, 1946-47, pp. 180-81, 789-804.

⁶⁶For subsequent developments, see pp. 911-18.

⁶⁷See *Yearbook of the United Nations*, 1946-47, pp. 532-36.

⁶⁸For subsequent developments, see pp. 628-37, 105-6. ⁶⁹For Trusteeship questions, see *Yearbook of the United Nations*, 1946-47, pp. 78-81, 184-205, 394-400, 573-89; for Non-Self-Governing Territories not placed under the Trusteeship System, see *ibid.*, pp. 78-81, 205-14, 570-73.

Trust Territory

New Guinea
Ruanda-Urundi
Cameroons under French Admin.
Togoland under French Admin.
Cameroons under British Admin.
Togoland under British Admin.
Tanganyika
Western Samoa

Administering Authority

Australia
Belgium
France
France
United Kingdom
United Kingdom
United Kingdom
New Zealand

The approval of these Agreements made possible immediate creation of the Trusteeship Council.

On April 2, 1947, the Security Council approved a Trusteeship Agreement for the strategic area of the Territory of the Pacific Islands (the Marshalls, Marianas and Carolines) submitted by the United States.

During the first session (March 26–April 28, 1947) of the Trusteeship Council, that organ disposed of such necessary routine matters as the adoption of its provisional rules of procedure, and also dealt with other business. Thus, it drew up a Provisional Questionnaire which was to serve as the basis for the reports which Administering Authorities must submit annually on conditions in their respective Trust Territories. The Council also examined a number of petitions, and, in connection with one of these, dispatched its first visiting mission. The petition in question had been submitted by the leaders of the Western Samoan people, who requested self-government. The petition further suggested that New Zealand, the Administering Authority, should continue to remain associated with Western Samoa as Adviser on Foreign Relations. It also called for an end to the "unnatural" division of the Samoan people into the two separate territories of Western Samoa and United States-administered Samoa. The Council decided that this last point went beyond its own competence, since Samoa, unlike Western Samoa, was not a Trust Territory.

Another development in the sphere of dependent areas came when the General Assembly, on December 14, 1946, declared itself unable to accede to the incorporation of the Mandated territory of South West Africa into the territory of the Mandatory Power, the Union of South Africa. Instead the Assembly invited the Union Government to submit a Trusteeship Agreement for South West Africa.

With regard to Non-Self-Governing Territories not placed under the Trusteeship System, the General Assembly in February 1946 reminded the administering Powers that their obligations under Chapter XI of the Charter were already in force. It asked the Secretary-General to summarize the

information transmitted to him by these Powers under Article 73 e of the Charter.

In December 1946 the General Assembly established an *ad hoc* Committee to study the information transmitted by the Powers administering such Territories and to make recommendations to the next (second) regular session of the Assembly on the best method of dealing with such information. By the second part of the Assembly's first session, information had been submitted by five administering Powers: Australia, France, New Zealand, United Kingdom and United States, concerning 36 territories; and Belgium, Denmark, the Netherlands, New Zealand and the United Kingdom had expressed their intention of submitting information on other Non-Self-Governing Territories.⁷¹

d. LEGAL QUESTIONS⁷²

Among the most important developments in the legal field during the first one and a half years of the organization's existence was the decision of the General Assembly to establish a committee to advise it on what steps to take to encourage the development and codification of international law. Among the assignments entrusted by the Assembly to this committee was the instruction to treat as of primary importance in the formulation of a code of offences against peace and security the principles of international law laid down in the Charter of the Nürnberg Tribunal and embodied in the Tribunal's judgment. These principles were affirmed by the Assembly.

Other legal matters dealt with included the approval by the General Assembly on February 13, 1946, of a Convention on the Privileges and Immunities of the United Nations (by June 30, 1947, six Members had acceded to the Convention); the adoption by the General Assembly on December 7, 1946, of an official seal and emblem of the United Nations; and, a week later, the adoption of regulations for the registration and publication of treaties and international agreements.

As for the International Court of Justice, as has been stated, the only case referred to it by June 30, 1947, was the Anglo-Albanian dispute over the Corfu Channel Incident, the application for the Court's consideration of this matter having been filed by the United Kingdom on May 22, 1947.⁷³

⁷¹For subsequent developments on Trusteeship questions, see pp. 138–42, 727–88; on Non-Self-Governing Territories, see pp. 142–55, 708–21.

⁷²For legal questions, see *Yearbook of the United Nations*, 1946–47, pp. 99–109, 249–61; for International Court of Justice, see *ibid.*, pp. 98–99, 237–49, 593–612.

⁷³For subsequent developments on legal questions, see pp. 187–222; for the International Court of Justice, see pp. 185–87, 791–802.

II. The General Assembly

A. THE CHARTER AND THE GENERAL ASSEMBLY¹

The General Assembly is the only one of the six principal organs of the United Nations which consists of all the Members of the United Nations. It is essentially a deliberative, overseeing and reviewing organ.

In broad terms, the Charter states that the General Assembly may discuss any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs of the United Nations, and it may make recommendations to the Members of the United Nations or to the Security Council, or to both, on any such questions or matters. The only exception to this is that the Assembly may not make recommendations on disputes or situations that are being dealt with by the Security Council, unless the Security Council requests it to do so. The Assembly receives and considers annual and special reports from the Security Council, including an account of the measures that the Council has decided upon or taken to maintain international peace and security. The Assembly also receives and considers reports from the other organs of the United Nations.

1. *Functions and Powers*

The functions and powers of the General Assembly fall into the following main categories: maintenance of international peace and security; promotion of international political, economic and social co-operation; operation of the International Trusteeship System. The Assembly has also various organizational, administrative and budgetary functions.

a. MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

Although the Security Council is entrusted with the primary responsibility for the maintenance of international peace and security, including the formulation of plans for the establishment of a system for the regulation of armaments, the General Assembly may consider the general principles of co-operation in the maintenance of international peace and security, including the principles gov-

erning disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members of the United Nations or to the Security Council, or to both.

The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations if that state accepts in advance the obligations of pacific settlement provided in the Charter, and may make recommendations to the state or states concerned or to the Security Council on such questions unless they are already being dealt with by the Security Council. Any such question on which action is necessary is to be referred to the Security Council by the General Assembly either before or after discussion.

The General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from violations of the Principles and Purposes of the United Nations, provided such situations are not being dealt with by the Security Council.

The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

The Secretary-General, with the consent of the Security Council, is to notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and is similarly to notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

¹This section is a summary of the Charter provisions with respect to the General Assembly. Chapter VI, Articles 9-22, of the Charter is devoted to the General Assembly. Other provisions are to be found in Articles 1-2, 4-7, 23-24, 33, 60-64, 66, 85-88, 93, 96-98, 101, 103, 108-9 of the Charter, and Articles 4, 7-12, 32-33, 69 of the Statute of the International Court of Justice.

b. PROMOTION OF INTERNATIONAL POLITICAL, ECONOMIC AND SOCIAL CO-OPERATION

The General Assembly is to initiate studies and make recommendations for the purpose of:

(1) promoting international co-operation in the political field and encouraging the progressive development of international law and its codification,

(2) promoting international co-operation in the economic, social, cultural, educational and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

The functions and powers of the United Nations with respect to international economic and social co-operation are vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council.²

c. OPERATION OF THE INTERNATIONAL TRUSTEESHIP SYSTEM

The functions and powers of the United Nations with regard to Non-Self-Governing Territories not designated as strategic that are placed under the International Trusteeship System, including the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the General Assembly; the Trusteeship Council, operating under the authority of the General Assembly, assists the General Assembly in carrying out these functions.³

d. ORGANIZATIONAL, ADMINISTRATIVE AND BUDGETARY FUNCTIONS

The General Assembly elects the non-permanent members of the Security Council, the members of the Economic and Social Council, and such members of the Trusteeship Council as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer Trust Territories and those which do not. The General Assembly and the Security Council, voting independently, elect the members of the International Court of Justice.

Upon the recommendation of the Security Council, the General Assembly appoints the Secretary-General of the United Nations. The Secretary-General acts in that capacity in all meetings of the General Assembly, and makes an annual report to the General Assembly on the work of the organization. He appoints the staff of the Secretariat in accordance with regulations established by the General Assembly.

The General Assembly considers and approves the budget of the United Nations. The expenses of the United Nations are borne by the Members as apportioned by the General Assembly. The General Assembly considers and approves any financial and budgetary arrangements with specialized agencies and examines the administrative budgets of such agencies with a view to making recommendations.

Upon the recommendation of the Security Council, the General Assembly may admit any state to membership in the United Nations; suspend the exercise of the rights and privileges of membership by any Member against which preventive or enforcement action has been taken by the Security Council; and expel from the United Nations any Member which has persistently violated the Principles of the Charter.

The General Assembly, upon the recommendation of the Security Council, determines the conditions on which a state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice. The General Assembly may request the International Court of Justice to give an advisory opinion on any legal question, and it may authorize the other organs of the United Nations, as well as the specialized agencies, to request advisory opinions of the Court on legal questions arising within the scope of their activities.

The General Assembly may make recommendations concerning, or propose conventions on, the privileges and immunities of the United Nations, of representatives of Members of the United Nations and of officials of the United Nations, to the Member Governments of the United Nations.

Any amendment to or alteration of the Charter will come into force when it is adopted by a two-thirds vote of the General Assembly or of a General Conference called to amend the Charter and ratified by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

2. Voting and Procedure

The voting and procedure of the General Assembly are defined in the Charter as follows:

Each Member of the United Nations may send up to five representatives to the General Assembly, but each Member has only one vote.

Decisions of the General Assembly on important questions are made by a two-thirds majority of the

²See pp. 500-1.

³See p. 727.

Members present and voting. These questions include: recommendations with respect to the maintenance of international peace and security; the election of the non-permanent members of the Security Council, the members of the Economic and Social Council, and the elective members of the Trusteeship Council; the admission of new Members to the United Nations; the suspension of the rights and privileges of membership; the expulsion of Members; questions relating to the operation of the Trusteeship System; and budgetary questions. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, are made by a majority of the Members present and voting.

A Member of the United Nations which is in arrears in the payment of its financial contributions

to the organization has no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

The General Assembly meets in regular annual sessions and in such special sessions as occasion may require. Special sessions may be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.⁴

The General Assembly adopts its own rules of procedure. It may establish such subsidiary organs as it deems necessary for the performance of its functions.

B. ORGANIZATION OF THE GENERAL ASSEMBLY

The rules of procedure adopted by the General Assembly define its organizational structure, which can be outlined as follows:

At each session the General Assembly elects a President and seven Vice-Presidents, who hold office until the close of the session at which they are elected. If the President finds it necessary to be absent during a meeting or any part thereof, he appoints one of the Vice-Presidents to take his place. If the President is unable to perform his functions, a new President is elected for the unexpired term.

There are four types of committees of the General Assembly:

- (1) Main Committees
- (2) Procedural Committees³
- (3) Standing Committees³
- (4) *ad hoc* Committees⁵

1. Main Committees

There are six Main Committees:

First Committee—Political and Security (including the regulation of armaments);

Second Committee—Economic and Financial;

Third Committee—Social, Humanitarian and Cultural;

Fourth Committee—Trusteeship (including Non-Self-Governing Territories);

Fifth Committee—Administrative and Budgetary;

Sixth Committee—Legal.

These Main Committees correspond to the major fields of responsibility of the General Assembly. They have the function of considering agenda items referred to them by the General Assembly and of preparing draft recommendations and resolutions for submission to the General Assembly. On each of these Committees all Members of the United Nations have the right to be represented.

The *Political and Security Committee* considers, among other items, the admission, suspension and expulsion of Members; any political and security matters within the scope of the Charter; the general principles of co-operation in the maintenance of international peace and security and the principles governing disarmament and the regulation of armaments; the promotion of international co-operation in the political field and the peaceful adjustment of situations likely to impair the general welfare and friendly relations among nations.

The *Economic and Financial Committee* concerns itself with the economic and financial aspects

⁴The rules of procedure of the General Assembly provide that a special session may also be called at the request of any Member of the United Nations concurred in by the majority of the Members.

⁵For membership and lists of representatives in committees, see Annex III, pp. 319-22.

of the program of the Economic and Social Council and of the specialized agencies, and may consider any economic and financial matters within the scope of the Charter. It may also consider the promotion of international co-operation in the economic field, including questions of higher standards of living, full employment and conditions of economic progress and development. It may also deal with the question of equilibrium and stabilization of prices.

The *Social, Humanitarian and Cultural Committee* considers the corresponding aspects of the work of the Economic and Social Council and of the specialized agencies, and any social, humanitarian, cultural, educational, health and related matters within the scope of the Charter.

The *Trusteeship Committee* considers items relating to the International Trusteeship System. It may also consider any matters arising under Chapter XI relating to Non-Self-Governing Territories.

The *Administrative and Budgetary Committee* considers matters pertaining to the budget of the organization, the changes in the assessments of Members and financial and budgetary arrangements with the specialized agencies. It also considers administrative questions and matters relating to the organization of the Secretariat.

The *Legal Committee* considers the legal and constitutional aspects of such matters as proposed amendments to the Charter, requests to the International Court of Justice for advisory opinions and legal problems referred from other committees. It may also consider measures to encourage the progressive development of international law and its codification.

2. Procedural Committees

There are two Procedural Committees: a Credentials Committee and a General Committee.

The *Credentials Committee*, which consists of nine members, is appointed at the beginning of each session by the General Assembly on the proposal of the President. The Committee examines and reports on the credentials of representatives.

The *General Committee* consists of fourteen members, no two of whom may be members of the same delegation, and is so constituted as to ensure its representative character. It comprises the President of the General Assembly, who presides, the seven Vice-Presidents and the Chairmen of the six Main Committees. The General Committee studies the provisional agenda and the supplementary list,^a considers requests for the inclusion of additional

items in the agenda and reports to the plenary meeting. It assists the President of the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of agenda items, and in co-ordinating the proceedings of all committees of the General Assembly. It also assists the President in the conduct of the work of the General Assembly which falls within the competence of the President. It may not, however, decide any political question.

3. Standing Committees

Two Standing Committees are provided for in the General Assembly's rules of procedure: an Advisory Committee on Administrative and Budgetary Questions and a Committee on Contributions.

The *Advisory Committee on Administrative and Budgetary Questions* examines the budget of the United Nations and advises the General Assembly on other administrative and financial matters referred to it. It consists of nine members, including at least two recognized financial experts. The members of the Advisory Committee are appointed on the basis of broad geographical representation, personal qualifications and experience; they serve for three years. The members of the Committee retire by rotation and are eligible for re-election.

The *Committee on Contributions* is appointed to report to the General Assembly concerning the apportionment, under Article 17 of the Charter, of the expenses of the United Nations among Members, broadly according to capacity to pay. The Committee also reports to the General Assembly on the contributions to be paid by new Members; appeals made by Members for a change of assessment; and the action to be taken with regard to the application of Article 19 of the Charter, which deals with the question of Members in arrears in the payment of their financial contributions to the United Nations. The Committee consists of ten members who are elected on the basis of broad geographical representation, personal qualifications and experience, they serve for three years. The members of the Committee retire by rotation and are eligible for re-election.

^aSee Rules of Procedure, Annex IV, pp. 322-32, new Rules 13 and 17 (old Rules 13, 14 and 18). The General Assembly revised its rules of procedure, including the numbering of the rules, at the second regular session (see p. 37). As the second regular session was held under the rules of procedure as adopted at the first session, references in the text concerning the second regular session are made to the old rules. For text of rules of procedure adopted at the first session, see *Yearbook of the United Nations, 1946-47*, pp. 313-22; see also document A/71/Rev. 1.

The General Assembly is also assisted in its work by a Board of Auditors, an Investments Committee and a United Nations Staff Benefit Committee.

The *Board of Auditors* consists of the Auditor-General (or corresponding official) of three Member Governments of the United Nations appointed by the General Assembly for three years. Its members retire by rotation. The members of the Board of Auditors serve as external Auditors of the accounts of the United Nations, the International Court of Justice and of designated specialized agencies. The Board submits to the General Assembly an annual report, which is made available to the Advisory Committee on Administrative and Budgetary Questions.

The *Investments Committee*, which consists of three members appointed for three years by the Secretary-General, after consultation with the Advisory Committee on Administrative and Budgetary Questions and subject to the approval of the General Assembly, advises the Secretary-General in regard to the investment of special and other funds under the control of the United Nations as well as the pensions funds.

The *United Nations Staff Benefit Committee* consists of three members elected for three years by the General Assembly, three members appointed by the Secretary-General and three members, who must be participants, elected for three years by secret ballot. The Committee is charged

with the administration of the Pension Scheme.

At its second session the General Assembly established an *International Law Commission*⁷ to be composed of fifteen persons of recognized competence in international law elected for three-year terms of office by the General Assembly from a list of candidates nominated by Member Governments. The Commission's function is to promote the progressive development of international law and its codification. It is primarily concerned with public international law, but is not precluded from entering the field of private international law.

4. *Ad hoc Committees*

In addition to Main, Procedural and Standing Committees, the General Assembly may appoint such *ad hoc* committees or commissions as may be required from time to time for special purposes.

In the period under review the Assembly established the following *ad hoc* committees and commissions: Interim Committee of the General Assembly,⁸ United Nations Temporary Commission on Korea,⁹ United Nations Special Committee on the Balkans,¹⁰ United Nations Palestine Commission,¹¹ Special Committee on Information Transmitted under Article 73 e of the Charter¹² and Headquarters Advisory Committee.¹³ These committees and commissions were established by the General Assembly during its second session, from September 16 to November 29, 1947.

C. MEMBERSHIP, SESSIONS AND PRESIDENTS¹⁴ OF THE GENERAL ASSEMBLY

The General Assembly consists of all the Members of the United Nations.¹⁵

During the period under review (July 1, 1947, to September 21, 1948) the General Assembly held two sessions:

Second Regular Session, September 16 to November 29, 1947;

Second Special Session, April 16 to May 14, 1948.

Both of these sessions were held at the United Nations interim headquarters, at Lake Success and Flushing Meadow, New York.

The President of the second regular session was

Oswaldo Aranha (Brazil); the President of the second special session was José Arce (Argentina).

⁷The International Law Commission was established at the second session of the General Assembly, but its members were not elected until the third session.

⁸For the terms of reference of this Committee, see pp. 80-81.

⁹For the terms of reference of this Commission, see p. 88.

¹⁰For the terms of reference of this Committee, see pp. 74-75.

¹¹For the terms of reference of this Commission, see pp. 248, 249, 251, 252.

¹²For the terms of reference of this Committee, see p. 155.

¹³For the terms of reference of this Committee, see p. 225.

¹⁴For list of Vice-Presidents and Officers of the Main Committees, see Annex II, pp. 318-19.

¹⁵For list of Members, see Appendix II, Roster of the United Nations.

of the program of the Economic and Social Council and of the specialized agencies, and may consider any economic and financial matters within the scope of the Charter. It may also consider the promotion of international co-operation in the economic field, including questions of higher standards of living, full employment and conditions of economic progress and development. It may also deal with the question of equilibrium and stabilization of prices.

The *Social, Humanitarian and Cultural Committee* considers the corresponding aspects of the work of the Economic and Social Council and of the specialized agencies, and any social, humanitarian, cultural, educational, health and related matters within the scope of the Charter.

The *Trusteeship Committee* considers items relating to the International Trusteeship System. It may also consider any matters arising under Chapter XI relating to Non-Self-Governing Territories.

The *Administrative and Budgetary Committee* considers matters pertaining to the budget of the organization, the changes in the assessments of Members and financial and budgetary arrangements with the specialized agencies. It also considers administrative questions and matters relating to the organization of the Secretariat.

The *Legal Committee* considers the legal and constitutional aspects of such matters as proposed amendments to the Charter, requests to the International Court of Justice for advisory opinions and legal problems referred from other committees. It may also consider measures to encourage the progressive development of international law and its codification.

2. Procedural Committees

There are two Procedural Committees: a Credentials Committee and a General Committee.

The *Credentials Committee*, which consists of nine members, is appointed at the beginning of each session by the General Assembly on the proposal of the President. The Committee examines and reports on the credentials of representatives.

The *General Committee* consists of fourteen members, no two of whom may be members of the same delegation, and is so constituted as to ensure its representative character. It comprises the President of the General Assembly, who presides, the seven Vice-Presidents and the Chairmen of the six Main Committees. The General Committee studies the provisional agenda and the supplementary list,* considers requests for the inclusion of additional

items in the agenda and reports to the plenary meeting. It assists the President of the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of agenda items, and in co-ordinating the proceedings of all committees of the General Assembly. It also assists the President in the conduct of the work of the General Assembly which falls within the competence of the President. It may not, however, decide any political question.

3. Standing Committees

Two Standing Committees are provided for in the General Assembly's rules of procedure: an Advisory Committee on Administrative and Budgetary Questions and a Committee on Contributions.

The *Advisory Committee on Administrative and Budgetary Questions* examines the budget of the United Nations and advises the General Assembly on other administrative and financial matters referred to it. It consists of nine members, including at least two recognized financial experts. The members of the Advisory Committee are appointed on the basis of broad geographical representation, personal qualifications and experience; they serve for three years. The members of the Committee retire by rotation and are eligible for re-election.

The *Committee on Contributions* is appointed to report to the General Assembly concerning the apportionment, under Article 17 of the Charter, of the expenses of the United Nations among Members, broadly according to capacity to pay. The Committee also reports to the General Assembly on the contributions to be paid by new Members; appeals made by Members for a change of assessment; and the action to be taken with regard to the application of Article 19 of the Charter, which deals with the question of Members in arrears in the payment of their financial contributions to the United Nations. The Committee consists of ten members who are elected on the basis of broad geographical representation, personal qualifications and experience; they serve for three years. The members of the Committee retire by rotation and are eligible for re-election.

*See Rules of Procedure, Annex IV, pp. 322-32, new Rules 13 and 17 (old Rules 13, 14 and 18). The General Assembly revised its rules of procedure, including the numbering of the rules, at the second regular session (see p. 37). As the second regular session was held under the rules of procedure as adopted at the first session, references in the text concerning the second regular session are made to the old rules. For text of rules of procedure adopted at the first session, see *Yearbook of the United Nations, 1946-47*, pp. 313-22; see also document A/71/Rev.1.

of the program of the Economic and Social Council and of the specialized agencies, and may consider any economic and financial matters within the scope of the Charter. It may also consider the promotion of international co-operation in the economic field, including questions of higher standards of living, full employment and conditions of economic progress and development. It may also deal with the question of equilibrium and stabilization of prices.

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The *Trusteeship Committee* considers items relating to the International Trusteeship System. It may also consider any matters arising under Chapter XI relating to Non-Self-Governing Territories.

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The *Legal Committee* considers the legal and constitutional aspects of such matters as proposed amendments to the Charter, requests to the International Court of Justice for advisory opinions and legal problems referred from other committees. It may also consider measures to encourage the progressive development of international law and its codification.

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items in the agenda and reports to the plenary meeting. It assists the President of the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of agenda items, and in co-ordinating the proceedings of all committees of the General Assembly. It also assists the President in the conduct of the work of the General Assembly which falls within the competence of the President. It may not, however, decide any political question.

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^aSee Rules of Procedure, Annex IV, pp. 322-32, new Rules 13 and 17 (old Rules 13, 14 and 18). The General Assembly revised its rules of procedure, including the numbering of the rules, at the second regular session (see p. 37). As the second regular session was held under the rules of procedure as adopted at the first session, references in the text concerning the second regular session are made to the old rules. For text of rules of procedure adopted at the first session, see *Yearbook of the United Nations, 1946-47*, pp. 313-22; see also document A/71/Rev.1.

D. SECOND REGULAR SESSION¹⁶1. *Opening of the Session and General Debate*

The second regular session of the General Assembly convened at Flushing Meadow, New York, on September 6, 1947.

The temporary President, Oswaldo Aranha, of Brazil, upon opening the session, stressed the heavy responsibility resting upon the United Nations "to clear away world-wide misgivings and perplexities" and to lay the foundations for real peace. "The problem, therefore, at this time," he stated, "is to impart to all peoples and to all men in all regions a thorough confidence in our Organization. Only thus can we disarm them for war and equip them for cordiality and peace." Recalling the universal desire for peace, Mr. Aranha expressed belief that there was but "a single road to peace, however, which all must follow. . . . The work that was begun at San Francisco must culminate in New York, here at the United Nations."

The Mayor of New York, William O'Dwyer, extended the City's greetings to the General Assembly.

At the 92nd plenary meeting on September 30, 1947, the President of the Assembly welcomed the President of the International Court of Justice, José Gustavo Guerrero; the Director-General of the Pan American Union, Alberto Camargo Lleras; and the representatives of the following specialized agencies: the International Labour Organisation (Sir Guildhaume Myrddin-Evans, Chairman of the Governing Body; Léon Jouhaux and J. D. Zellerbach, Vice-Chairmen; Edward Phelan, Director-General of the International Labour Office), the Food and Agriculture Organization of the United Nations (Sir John Boyd Orr, Director-General), the United Nations Educational, Scientific and Cultural Organization (Walter H. C. Laves, Deputy-Director) and the International Civil Aviation Organization (Edward Warner, Chairman of the Council).

This was the first session of the General Assembly at which specialized agencies were represented in accordance with the agreements approved by the General Assembly during the second part of its first session. Specialized agencies not yet in relationship with the United Nations and non-governmental organizations in category A were represented by observers.

In the course of its second session, which ended November 29, the General Assembly held 49 plenary meetings and 445 meetings of committees and sub-committees; it adopted 93 separate resolutions.

Thirty-nine countries participated in the general debate, which lasted from the 82nd plenary meeting on September 17 to the 90th plenary meeting on September 23. In the course of this debate the representatives outlined the general views of their governments on major problems confronting the United Nations, such as the voting procedure in the Security Council (the problem of the "veto"); the control of atomic energy; the regulation and reduction of armaments; the problems of Palestine, Korea, Greece and Indonesia; the widening rift between the Eastern and the Western Powers; the admission of new Members to the United Nations; problems of postwar reconstruction and of economic stability and development. Following is a list of delegations which participated in the general debate:

	Plenary Meeting	Date (in Sept. 1947)
Argentina	85th	19
Australia	83rd	18
Brazil	86th	19
Byelorussian S S R.	85th	19
Canada	83rd	18
Chile	83rd	18
China	83rd	18
Colombia	88th	22
Cuba	89th	22
Czechoslovakia	87th	20
Dominican Republic	89th	22
Ecuador	90th	23
Egypt	87th	20
El Salvador	84th	18
France	87th	20
Greece	86th	19
India	85th	19
Iraq	84th	18
Lebanon	87th	20
Liberia	87th	20
Mexico	82nd	17
Netherlands	87th	20
New Zealand	87th	20
Peru	84th	18
Philippines	83rd	18
Poland	82nd	17
Saudi Arabia	89th	22

¹⁶A more detailed account of the debates at the second regular session of the General Assembly is given in the *United Nations Weekly Bulletin*, Vol. III, Nos. 13-24.

Plenary Meeting	Date (in Sept. 1947)
Siam	87th
Sweden	86th
Syria	88th
Turkey	89th
Ukrainian S.S.R.	89th
Union of South Africa	86th
U.S.S.R.	84th
United Kingdom	88th
United States	82nd
Uruguay	82nd
Venezuela	84th
Yugoslavia	89th

At the conclusion of the general debate the Secretary-General addressed the Assembly. He supported the principle of universal membership of the United Nations and expressed the hope that action might be taken at an early date, if possible during the current session of the General Assembly, to bring into the United Nations all nations which had applied for membership. With regard to the political situation in general, the Secretary-General remarked that the cornerstone of the United Nations — Big Power co-operation — was being shaken by open differences between the Powers. Nevertheless he stated his emphatic opinion that this situation did not constitute a threat to the existence of the United Nations. The "veto" issue, moreover, he considered, was more a symptom than a cause of the differences among the Great Powers.

Big Power disagreement did, however, hamper the work of the United Nations, the Secretary-General declared. He deplored the fact that the United Nations had been able only to a limited degree to fulfil its great obligations in the economic and social fields. It would be a grave thing for humanity if political differences and political suspicions should deny the United Nations the power to accomplish its great humanitarian work. Just as it was co-operation among the Powers which created the organization, it was disunity among them which created the greatest difficulties today. It was intolerable, the Secretary-General stated, to think that these differences should ever be allowed to lead to war, and he appealed to the members of the General Assembly to find a way to return to the spirit of the Preamble of the Charter of the United Nations. "... to practice tolerance and live together in peace with one another as good neighbours..."

The Secretary-General urged that the most important administrative task awaiting the Assembly was to take a decision regarding the new United Nations headquarters.

2. Organizational Matters

a. ADOPTION OF THE AGENDA AND DISTRIBUTION OF AGENDA ITEMS TO COMMITTEES

At its 35th, 36th, 37th and 38th meetings on September 17, 19, 20 and 21 the General Committee considered the provisional agenda for the second session of the General Assembly (A/329), containing 43 items, the supplementary list (A/369), containing 19 items, two additional items proposed by the United States (A/BUR/85) and an additional item proposed by the U.S.S.R. (A/BUR/86). Of the total of 65 agenda items proposed, the General Committee recommended 61 for inclusion in the agenda of the second session of the General Assembly.

Of the remaining four items, one, "Reports from the Specialized Agencies", was postponed until the Economic and Social Council had considered the reports; an Argentine proposal that the Assembly should adopt a formal resolution granting India and Pakistan full membership within the United Nations was withdrawn; and two items proposed by Ecuador, concerning the Draft Charter of International Human Rights and a Draft Declaration on Duties and Rights of States, were deleted, since Ecuador requested that the first item should be transmitted to the Economic and Social Council and explained that the second should be considered as embodying its comments on the Draft Declaration on the Rights and Duties of States presented by Panama.

As the provisional agenda revealed that the probable work load would be unevenly distributed among the Main Committees of the General Assembly, the General Committee, upon the recommendation of the Secretary-General (A/BUR/83), decided at its 35th meeting on September 17, 1947, to recommend to the General Assembly the establishment of an *ad hoc* Committee on the Palestinian Question, on which all Members would have the right to be represented. All agenda items dealing with the Palestine question would be referred to this Committee, thus relieving the heavy agenda of the First (Political and Security) Committee.

The General Committee further decided to recommend to the General Assembly that an *ad hoc* Committee on Headquarters be established, consisting of the members of the Headquarters Advisory Committee appointed at the previous session (resolution 100(I) of December 14, 1946¹⁷),

¹⁷See *Yearbook of the United Nations*, 1946-47, p. 275.

namely Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, U.S.S.R., United Kingdom, United States and Yugoslavia.

At its 38th meeting on September 21, the General Committee agreed upon the allocation of agenda items among committees.

The General Assembly considered the report of the General Committee (A/392) at its 90th and 91st plenary meetings on September 23, 1947. The representatives of Iraq and Lebanon opposed the creation of an *ad hoc* committee to deal with the Palestine question. The General Assembly, however, by a vote of 29 to 11, with 6 abstentions, decided in favor of the establishment of an *ad hoc* Committee on the Palestinian Question and an *ad hoc* Committee on Headquarters.

The General Assembly approved all items recommended by the General Committee for inclusion in the agenda. Considerable discussion, however, took place on the question of including the following three items: (1) the problem of the independence of Korea, (2) suggestions to countries concerned with the peace treaty with Italy, and (3) threats to the political independence and territorial integrity of Greece. After considerable discussion the General Assembly voted to include these items in the agenda.¹⁸

At its 40th meeting on October 1, 1947, the General Committee decided to recommend to the General Assembly the inclusion of a further four additional items (A/BUR/88-91) in the agenda (A/392/Add.3). The General Assembly approved this recommendation at its 95th plenary meeting on October 1, 1947.

b. ELECTION OF OFFICERS OF THE GENERAL ASSEMBLY

(1) Election of the President

At its 81st plenary meeting on September 16, 1947, the General Assembly proceeded to elect its President for the second session. On the first ballot Oswaldo Aranha (Brazil) obtained 26, H. V. Evatt (Australia) 23 and Ján Masaryk (Czechoslovakia), six votes. On the second ballot, which was confined to the two candidates receiving the highest number of votes on the first ballot, Mr. Aranha obtained 29 votes and Mr. Evatt, 22. Mr. Aranha was thus elected President of the second session.

(2) Election of the Vice-Presidents

At its 81st plenary meeting on September 16, 1947, the General Assembly elected its seven Vice-Presidents. Six Members received the necessary

majority for election on the first ballot:

United Kingdom	48 votes
United States	48 votes
China	47 votes
France	47 votes
Mexico	44 votes
U.S.S.R.	44 votes

On the second ballot, confined to the two Members obtaining the highest number of votes short of a two-thirds majority, the Ukrainian S.S.R. (23) and Cuba (13), these two Members each obtained 27 votes. Neither country having obtained the majority necessary for election, the President, in accordance with rule 83¹⁹ of the provisional rules of procedure, decided between the candidates by lot. As a result, Cuba was elected as the seventh Vice-President of the General Assembly.

c. ELECTION OF OFFICERS AND MEMBERS OF COMMITTEES

(1) Main Committees

Each of the six Main Committees of the General Assembly met on September 16, 1947, to elect its Chairman. The Vice-Chairmen and Rapporteurs were elected at subsequent meetings. The results of the elections were as follows:

First (Political and Security) Committee

Chairman: Joseph Bech (Luxembourg), elected by 42 votes at the 58th meeting on September 16, 1947.

Vice-Chairman: Adolfo Costa du Rels (Bolivia), elected unanimously at the 59th meeting on September 24, 1947.

Rapporteur: Per Federspiel (Denmark), elected by 41 votes at the 59th meeting on September 24, 1947.²⁰
 Later replaced by Henrik Kaufmann (Denmark), elected unanimously at the 68th meeting on October 7, 1947.

Second (Economic and Financial) Committee

Chairman: Hernán Santa Cruz (Chile), elected unanimously at the 31st meeting on September 16.

Vice-Chairman: C. L. Patijn (Netherlands), elected unanimously at the 32nd meeting on September 24.

Rapporteur: Josef Hanc (Czechoslovakia), elected unanimously at the 32nd meeting on September 24.

Third (Social, Humanitarian and Cultural) Committee
 Chairman: Oscar Lange (Poland), elected unanimously at the 50th meeting on September 16.

Vice-Chairman: A. Dash Wilson (Liberia), elected unanimously at the 51st meeting on September 24.

Rapporteur: Charles Malik (Lebanon), elected unanimously at the 51st meeting on September 24, 1947.

¹⁸For details concerning these questions see pp. 81-88 on Korea; pp. 93-94 on the Italian peace treaty; pp. 63-75 on Greece.

¹⁹The rules of procedure of the General Assembly were revised during the second regular session; see Annex IV, rule 85, p. 328. This session was conducted under the old rules, see *Yearbook of the United Nations*, 1946-47, pp. 313-22, and doc. A/71/Rev.1.

²⁰Mr. Federspiel was recalled to Denmark.

Fourth (Trusteeship) Committee

Chairman: Sir Carl August Berendsen (New Zealand), elected unanimously at the 29th meeting on September 16.

Vice-Chairman: Kuzma V. Kiselev (Byelorussian S.S.R.), elected unanimously at the 30th meeting on September 24.

Rapporteur: Max H. Dorsinville (Haiti), elected unanimously at the 30th meeting on September 24.

Fifth (Administrative and Budgetary) Committee

Chairman: Sir Fazl Ali (India), elected unanimously at the 47th meeting on September 16.

Vice-Chairman: Joza Vilfan (Yugoslavia), elected unanimously at the 48th meeting on September 24.

Rapporteur: Gosta Bagge (Sweden), elected unanimously at the 48th meeting on September 24;²¹ later replaced by Richard Bergström (Sweden), elected unanimously at the 98th meeting on November 12.

Sixth (Legal) Committee

Chairman: Faris el-Khourri (Syria), elected unanimously at the 35th meeting on September 16.

Vice-Chairman: Max Henriquez-Ureña (Dominican Republic), elected by a large majority at the 36th meeting on September 24.

Rapporteur: Georges Kaeckenbeeck (Belgium), elected unanimously at the 36th meeting on September 24, 1947.

*(2) Procedural Committees**(a) CREDENTIALS COMMITTEE*

At its 80th plenary meeting on September 16, 1947, the General Assembly, upon the proposal of the temporary President, appointed the following countries to be members of the Credentials Committee: Chile,²² Czechoslovakia, Honduras, Iran, New Zealand, Norway, Poland, Siam, United Kingdom. At its first meeting on September 16, 1947, the Credentials Committee elected Iran as its Chairman.

The Committee reported to the 81st plenary meeting of the General Assembly that 35 delegations had fully satisfied the requirements, that fifteen Member States had submitted provisional credentials for their representatives and that five Member States had not submitted credentials. On the recommendation of the Committee the Assembly decided that representatives of countries which had submitted provisional credentials and those which had not yet submitted credentials should sit provisionally with all the rights of the other representatives.

The Credentials Committee met again on November 26, 1947, to examine the documents submitted since its first meeting. It reported to the closing meeting of the General Assembly, the 128th plenary meeting on November 29, 1947, that all Member States represented at the second session of the General Assembly had submitted full powers and credentials which satisfied the requirements of the rules of the General Assembly.

The Committee's report was adopted without discussion.

(b) GENERAL COMMITTEE

According to rule 32 of the provisional rules of procedure, the General Committee consists of the President of the Assembly, the seven Vice-Presidents and the Chairmen of the six Main Committees. The composition of the General Committee, therefore, was as follows:

Oswaldo Aranha (Brazil), President of the Assembly—Chairman

Chief representatives of the following countries (Vice-Presidents of the Assembly):

China	U.S.S.R.
Cuba	United Kingdom
France	United States
Mexico	

Chairmen of Main Committees:

Sir Fazl Ali (India)
Joseph Bech (Luxembourg)
Sir Carl August Berendsen (New Zealand)
Faris el-Khourri (Syria)
Oscar Lange (Poland)
Hernan Santa Cruz (Chile)

*(3) Standing Committees**(a) ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS*

At the second part of its first session (resolution 72 (I)) the General Assembly had appointed the following to be members of the Advisory Committee for Administrative and Budgetary Questions for a period of one year:²³

André Ganem (France)
S. K. Kirpalani (India)
Gustavo Martínez Cabañas (Mexico)

As the term of office of these three members was due to expire December 31, 1947, the General Assembly had to appoint three new members, to serve for a period of three years (A/365).

The General Assembly referred the question to the Fifth Committee. At the 57th meeting of the Fifth Committee on October 7, the Chairman called for nominations of three persons to be recommended as members of the Advisory Committee. At the time of the election, the 77th meeting of the Fifth Committee on October 25, three nominations had been submitted. The candidates obtained the following number of votes in the Fifth Committee:

André Ganem (France)	37 votes
Jan Papánek (Czechoslovakia)	38 votes
Nivaru Sundaresan (India)	38 votes

²¹Mr. Bagge resigned to resume his duties at the University of Stockholm.

²²Chile was later replaced by Bolivia.

²³See *Yearbook of the United Nations*, 1946-47, pp. 116-17.

In consequence the Fifth Committee recommended to the General Assembly that these three persons be appointed members of the Advisory Committee.

On the recommendation of the Fifth Committee the General Assembly at its 104th plenary meeting on November 1, 1947, adopted the following resolution without objection:

"The General Assembly

"1. Declares the following persons to be elected as members of the Advisory Committee on Administrative and Budgetary Questions under the terms of reference laid down in rule 40 of the provisional rules of procedure:

- Mr. André Ganem (France)
- Mr. J. Papanek (Czechoslovakia)
- Mr. N. Sundaresan (India)

"2. Declares these members to be elected for a three-year term."

(b) COMMITTEE ON CONTRIBUTIONS

At the first part of its first session the General Assembly had appointed the following to be members of the Committee on Contributions for a period of two years:²⁵

- Henri de Baumont (France)
- Sir Cecil Kisch (United Kingdom)
- Nedim El-Pachachi (Iraq)

As the term of office of these three members was due to expire on December 31, 1947, the General Assembly at its second session had to appoint three new members to serve for a period of three years.

The General Assembly referred the question to the Fifth Committee. At the 57th meeting of the Committee on October 7, 1947, the Chairman asked for nominations. Five names were submitted to the Committee. When a vote was taken at the 77th meeting of the Fifth Committee on October 25, 1947, each of the five candidates nominated received the following number of votes:

Harry Campion (United Kingdom)	42 votes
Rafik Asha (Syria)	32 votes
Henri de Baumont (France)	28 votes
Maria Z. N. Witteveen (Netherlands)	23 votes
Erik Lundberg (Sweden)	12 votes

As only two candidates had received the necessary two-thirds majority for election, a second ballot was taken. The vote was limited to the two candidates receiving the next highest number of votes on the first ballot. The result was: 21 votes for Henri de Baumont and 29 votes for Maria Z. N. Witteveen. The French delegation then expressed a desire to withdraw Mr. Baumont's candidacy. The Chairman ruled, however, that this was not permissible. When a third ballot was taken Mr. Baumont received 11 votes and Miss Witteveen

39. The Fifth Committee therefore recommended Miss Witteveen's appointment.

On the recommendation of the Fifth Committee (A/432) the General Assembly at its 104th meeting on November 1, 1947, adopted the following resolution (149 (II)) without objection:

"The General Assembly

"1. Declares the following persons to be elected as members of the Committee on Contributions under the terms of reference laid down in rule 42 of the provisional rules of procedure:

- Mr. R. Asha (Syria)
- Mr. H. Campion (United Kingdom)
- Miss M. Z. N. Witteveen (Netherlands)

"2. Declares these members to be elected for a three-year term."

(4) Ad hoc Committees

(a) Ad hoc COMMITTEE ON THE PALESTINIAN QUESTION

At its first meeting on September 25, 1947, the ad hoc Committee on the Palestinian Question elected the following officers by acclamation:

- Chairman: Herbert V. Evatt (Australia)
- Vice-Chairman: Prince Subha Svastivat (Siam)
- Rapporteur: Thor Thors (Iceland)

(b) Ad hoc COMMITTEE ON HEADQUARTERS

At its first meeting on September 24, 1947, the ad hoc Committee on Headquarters unanimously elected the following officers:

- Chairman: Warren Austin (United States)
- Vice-Chairman: Finn Moe (Norway)
- Rapporteur: Alexis Kyrrou (Greece)

d. ELECTION OF MEMBERS OF COUNCILS

(1) Election of Three Non-Permanent Members of the Security Council

At its second session the General Assembly had to elect three non-permanent members of the Security Council, as the terms of office of Australia, Brazil and Poland, which had been elected by the General Assembly during the first part of its first session on January 12, 1946,²⁷ were due to expire December 31, 1947. In accordance with Article 23, paragraph 2, of the Charter these countries were not immediately re-eligible.

As a result of the first ballot, taken at the 92nd plenary meeting of the General Assembly on Sep-

²⁵For membership of the Advisory Committee, see Annex III, p. 319.

²⁶See *Yearbook of the United Nations, 1946-47*, p. 59.

²⁷For membership of the Committee on Contributions, see Annex III, p. 319.

²⁸See *Yearbook of the United Nations, 1946-47*, pp. 59-60.

tember 30, 1947, the following Members received the necessary two-thirds majority:

Argentina	41 votes
Canada	41 votes

The second ballot was limited to the two Members receiving the highest number of votes short of the two-thirds majority required for election, the Ukrainian S.S.R. (33) and India (29). The Ukrainian S.S.R. received 29 votes and India 24. Two further ballots, taken at the 93rd plenary meeting of the General Assembly on September 30, 1947, likewise proved inconclusive. A proposal by the Chairman to proceed to the election of the members of the Economic and Social Council and the Trusteeship Council before completing the election of the non-permanent members of the Security Council was, however, rejected by the Assembly by a vote of 35 to 6, with 5 abstentions. Although two further ballots failed to resolve the deadlock, the Assembly by a vote of 30 to 14, with 2 abstentions, rejected a motion for adjournment. When the seventh ballot again was inconclusive the Assembly voted to adjourn. Two further ballots were taken at the 94th plenary meeting of the General Assembly on October 1, 1947, but failed to result in the election of either of the two candidates and the Assembly proceeded to the election of the members of the Economic and Social Council. Balloting for the election of a third non-permanent member of the Security Council was resumed at the 96th plenary meeting of the General Assembly on October 20, 1947. The tenth and eleventh ballots again resulted in a deadlock between the Ukrainian S.S.R. and India.

At the 109th plenary meeting of the General Assembly on November 13, 1947, the President of the Assembly announced that he had received a communication from the representative of India, stating that India desired to withdraw its candidature for a seat on the Security Council. Hence, on the 12th ballot the Ukrainian S.S.R. received 35 votes and India 2. The Ukrainian S.S.R., therefore, was elected a non-permanent member of the Security Council for two years.

The representative of India stated that India's candidature for a seat on the Security Council was based solely on its desire to see that this principal organ of the United Nations, on which special responsibilities were laid, was fully representative of all the important regions of the world; with the retirement of Australia from the Council, the Indian Ocean area would be left wholly unrepresented. On the other hand it was not India's desire that the work of the General Assembly should be

held up by continuing a deadlock which seemed to offer no chance of immediate solution. It was for these reasons that the Indian delegation had decided to withdraw from the contest.

The President of the Assembly thanked the representative of India for the above statement and congratulated the Indian delegation, which "by its gesture has made a contribution to the spirit of co-operation and unity of the General Assembly".²³

(2) Election of Six Members of the Economic and Social Council

The General Assembly at its second session had to elect six members of the Economic and Social Council. The terms of office of the following six countries which had been elected for two years during the first part of the first session of the General Assembly on January 12, 1946,²⁴ were due to expire on December 31, 1947:

Cuba	Norway
Czechoslovakia	U.S.S.R.
India	United Kingdom

These countries were, according to the Charter, eligible for re-election. The six new members to be elected were to serve for three years.

The Assembly proceeded to elect the members of the Economic and Social Council at its 94th plenary meeting on October 1, 1947. As a result of the first ballot the following Members received the required number of votes:

Brazil	55 votes
United Kingdom	49 votes
Denmark	45 votes
U.S.S.R.	45 votes

As only four countries had received the two-thirds majority necessary for election, a second ballot was taken which was confined to the five countries receiving the highest number of votes short of a two-thirds majority. They were Australia (37), Poland (29), Iran (26), Greece (13) and India (13). (According to the rules of procedure the second and subsequent ballots should be limited to twice the number of candidates as there are posts to be filled—four in this case. As Greece and India, however, had received the same number of votes, the Chairman ruled that the second ballot should include the five countries receiving the highest number of votes.) On the second ballot Australia received 38 votes and was consequently elected. Poland and Iran, the two Members receiving the next highest number of votes, received

²³For list of members of Security Council, see *Security Council*, p. 337.

²⁴See *Yearbook of the United Nations*, 1946-47, p. 60.

31 and 21 votes, respectively; the third ballot was therefore limited to these two Members, Poland receiving 36 votes and Iran 21. A fourth ballot resulted in the election of Poland by 39 votes, Iran obtaining 18 votes.³⁰

(3) *Election of Two Members of the Trusteeship Council*

On April 2, 1947, the Security Council approved the Trusteeship Agreement submitted by the United States in respect of the Pacific Islands formerly under Japanese Mandate. On July 18, 1947, the United States Government approved this Agreement. Hence, the United States, which had been a member of the Trusteeship Council by virtue of the fact that it is a permanent member of the Security Council (Article 86, paragraph 1b, of the Charter) became, as of July 18, 1947, a member of the Trusteeship Council administering a Trust Territory. In accordance, therefore, with the provisions of Article 86, paragraph 1c, of the Charter, which provides that the total number of members of the Trusteeship Council should be equally divided between those Members of the United Nations which administer Trust Territories and those which do not, it was necessary for the General Assembly during its second session to elect two additional members of the Trusteeship Council (A/356).

The Assembly proceeded to the election of two members of the Trusteeship Council at its 95th plenary meeting on October 1, 1947. As a result of the first ballot the following four Members received the highest number of votes:

Philippines	23 votes
Norway	23 votes
Costa Rica	20 votes
Siam	15 votes

As no country had received the two-thirds majority necessary for election on the first ballot, a second ballot was taken which was limited to these four Members. The result of the second ballot was as follows:

Philippines	34 votes
Norway	29 votes
Costa Rica	25 votes
Siam	22 votes

After two further ballots had proved inconclusive, the Assembly postponed further balloting. The fifth and sixth ballots were taken at the 96th plenary meeting of the General Assembly on October 20, 1947, but failed to break the deadlock.

The seventh ballot was taken at the 109th meeting of the General Assembly on November 13, 1947, and again failed to result in the election of

any of the four Members. The President pointed out that on the last ballot nineteen delegations had voted for only one Member, and he appealed to all delegations to vote for two Members so as not to continue the deadlock in the voting.

As a result of the eighth ballot the Philippines was elected a member of the Trusteeship Council by 41 votes, Costa Rica receiving 32 and Norway 15 votes.

On the ninth ballot, which was limited to these two Members, Costa Rica received 33 votes and Norway 24. Norway thereupon announced its withdrawal as a candidate for a seat on the Trusteeship Council. As a result Costa Rica was elected on the tenth ballot by 46 votes.³¹

At the 109th plenary meeting of the General Assembly, the President announced that the Sixth Committee had approved a recommendation that the rules of procedure be amended in such a way as to permit the newly elected members of the Trusteeship Council to take office immediately upon election rather than on January 1, 1948. The General Assembly approved this recommendation, in view of the fact that the Trusteeship Council's second session was to convene on November 29, 1947.

e. PROCEDURAL MATTERS

(1) *Proposal to Hold the Third Session of the General Assembly in Europe*

The delegations of France and Sweden jointly, on November 1, 1947, submitted a proposal to hold the third regular session of the Assembly in Europe (A/BUR/92/Rev.1). The Secretary-General, in consultation with a Committee of nine members designated by the President of the General Assembly, was to choose the city where the session should be held.

The General Committee, at its 41st meeting on November 3, 1947, agreed unanimously to recommend to the General Assembly that this proposal be considered as to its substance in plenary meeting and that it be referred to the Fifth Committee for study and report on its administrative and budgetary implications. The General Assembly approved the General Committee's recommendation at its 108th plenary meeting on November 3, 1947 (A/452).

On November 7, 1947, the Secretary-General submitted to the Fifth Committee an estimate of the additional cost of holding the third session of

³⁰For list of members, see *Economic and Social Council*, p. 501.

³¹For list of members, see *Trusteeship Council*, p. 727.

the General Assembly in Europe instead of at headquarters. Compared to the estimated costs at headquarters, the additional cost of holding the session in Geneva, the Secretary-General reported, would amount to \$1,336,344, and at a site other than Geneva to \$1,482,562, a difference of approximately \$146,000 (A/C.5/205). The Fifth Committee referred the Secretary-General's report to the Advisory Committee on Administrative and Budgetary Questions. Having studied the Secretary-General's report, the Advisory Committee reported that the additional cost of holding the session in Geneva probably would not exceed \$901,875, approximately \$430,000 less than the Secretary-General had estimated. The Advisory Committee agreed that holding a session at a place other than Geneva would probably involve an additional cost of approximately \$146,000 (A/C.5/214).

The Fifth Committee considered the Advisory Committee's report at its 97th meeting on November 12, 1947. The Secretary-General expressed the view that it would not prove possible to hold a session in Geneva at an additional cost of only \$901,875, as estimated by the Advisory Committee. If the Fifth Committee should accept the Advisory Committee's estimates, he felt that he should reserve his right to consult with the Advisory Committee in due course and to offer it evidence that its estimate was too low, and that it would be necessary to draw upon the Working Capital Fund. After considerable discussion, the Fifth Committee agreed to accept the Advisory Committee's estimate of an additional expense of \$901,875, if the session were held in Geneva, but in view of the many uncertainties in connection with the estimates and the Secretary-General's reservation about accepting the Advisory Committee's figure, it was considered that the Secretary-General should, in consultation with the Advisory Committee, have recourse to the Working Capital Fund if the appropriations finally provided by the General Assembly proved inadequate. The Fifth Committee agreed that holding a session in Europe at a location other than Geneva would increase the cost by approximately \$146,000 (A/473).

At its 113th and 114th plenary meetings on November 14 and 15, the General Assembly considered the question of holding the third regular session of the General Assembly in Europe. The representatives of France, Sweden, Poland and the U.S.S.R. expressed themselves in favor of the proposal on the ground that 1948 would be the last year prior to the establishment of the permanent headquarters of the United Nations in New York.

Since working conditions at the temporary headquarters were not entirely satisfactory—the chief difficulty being the long distance between New York, Flushing Meadow and Lake Success—it was considered that the work of the General Assembly would be completed more rapidly and more efficiently in a place where the members of delegations and of the Secretariat resided near their place of work, thus allowing the General Assembly to step up its schedule of meetings and consequently to shorten the duration of the session.

Concerning the budgetary implications of the proposal to hold the third regular session of the General Assembly in Europe, representatives supporting the proposal maintained that the extra expense falling on the United Nations would be offset by savings to many of the delegations because of the fact that representatives would not have to travel so far and also of the lower cost of living in Europe. The difficulties which certain countries experienced in obtaining dollar exchange would also be alleviated if the third regular session of the General Assembly were to be held in Europe.

Apart from these practical considerations, it was urged that holding a session of the General Assembly away from headquarters would be useful in order to stress the international character of the United Nations. In particular, the problems of the reconstruction and rehabilitation of Europe would be before the General Assembly and it was therefore desirable to give representatives an opportunity to observe conditions in Europe at first hand. At the same time Europeans could become better acquainted with the functioning and work of the United Nations.

Opposition to the French-Swedish proposal was expressed by the representatives of the United Kingdom, New Zealand, Australia, China and Canada, who considered that the additional cost of holding the next session of the Assembly in Europe would probably exceed the estimates of the Advisory Committee on Administrative and Budgetary Questions. The United Nations should not incur this extra expense at a time when every effort was being made to reduce the budget of the organization to the utmost extent possible. As to the delegations, it was maintained that not only was there little possibility of savings on their part, but that many of them would be burdened with extra costs because of the necessity of sending representatives to Europe in addition to maintaining their permanent offices in New York. In case the session were to be held in Geneva, Swiss francs would be as hard to obtain as dollars, so that "soft currency" countries would derive no

benefit from the move. Holding the session away from headquarters, moreover, would seriously impair the general efficiency of the work of the General Assembly. Except for impelling reasons, therefore, sessions of the General Assembly should not be held away from headquarters.

The representative of the Netherlands considered that as a rule Assembly sessions should be held at headquarters, but stated that his delegation might consider the French-Swedish proposal favorably on the condition that the exceptional character of the move be clearly stated in the resolution.

The representative of Cuba introduced an amendment (A/481) to the joint resolution which provided that the country where the session of the General Assembly was to be held should reimburse to the United Nations the additional cost of holding the session away from headquarters.

After lengthy discussion the General Assembly rejected the Cuban amendment by 27 votes to 16, with 11 abstentions. Before a vote was taken on the French-Swedish resolution (A/452) the President ruled that a simple majority only was required to carry the proposal, but that the appropriation for the cost of a European session would require a two-thirds majority. The Assembly adopted the French-Swedish resolution by a vote of 32 to 17, with 5 abstentions. The appropriation was approved at the Assembly's 121st plenary meeting on November 20, 1947, when the Assembly approved the third annual budget of the United Nations.

The text of the resolution (184(II)), adopted by the General Assembly at its 114th meeting on November 15, reads as follows:

"The General Assembly,

"Considering that, under the provisions of rule 5 of the provisional rules of procedure, the General Assembly may, in accordance with a decision adopted at a previous session, or at the request of the majority of the Members, be convened at a place other than the United Nations Headquarters,

"Decides that the third regular session of the General Assembly shall be held in Europe;

"Requests the Secretary-General, in consultation with a committee of nine members designated by the President of the General Assembly, to choose the city where the third regular session of the General Assembly shall be held."

On the proposal of the President, the General Assembly, at its 115th plenary meeting on November 15, 1947, appointed the following to be members of the Committee to be established in accordance with the above resolution: Australia,

Byelorussian S.S.R., Ethiopia, India, Lebanon, Netherlands, Norway, Panama, Uruguay. The Netherlands later withdrew from membership on the Committee; as The Hague was being considered as a possible site for the Assembly session, the Netherlands Government did not wish its representative to participate in the Committee's discussions.

In pursuance of the General Assembly's resolution the Secretary-General informally consulted a number of European delegations as to whether their governments would welcome the Assembly session's being held in their respective countries. The Governments of Belgium, Czechoslovakia, France, the Netherlands, and Switzerland informed him that they desired to receive the General Assembly. The Governments of Denmark and Sweden stated that they would be unable to receive the General Assembly in 1948.

On November 28, 1947, the Secretary-General sent the governments concerned a summary of the basic requirements for a regular session of the General Assembly in regard to conference space, office and hotel accommodation, transportation, local staff, etc., and asked them how far and in what manner these requirements could be met and what facilities each government felt it would be in a position to offer. After having studied these basic requirements, the Government of Czechoslovakia informed the Secretary-General that it did not feel prepared to offer the necessary facilities at this time.

Between January 9 and January 28, 1948, the Secretary-General, accompanied by a small staff of experts, visited Geneva, Berne, Paris, Brussels, The Hague, Amsterdam and Rotterdam.

On February 12, 1948, the Secretary-General submitted a detailed report to the nine-member Committee (A/524). As a result of his examination of the physical facilities offered by the various governments, the Secretary-General concluded that it would be physically possible to hold the third regular session of the General Assembly in any of the four following cities: Geneva, Paris, Brussels, The Hague. As conditions, however, varied greatly from one city to another, the Secretary-General submitted a review of his findings, taking into consideration such factors as cost, transportation, accommodation for visitors, recruitment of local personnel, currency exchange.

On the basis of the Secretary-General's report, the Committee unanimously agreed that Paris would be the most suitable location for the third regular session of the General Assembly and advised the Secretary-General to this effect. The

Secretary-General, accordingly, chose Paris as the site of the third regular session of the General Assembly and entered into the necessary negotiations with the French Government (A/526).

The French Government agreed to make available to the United Nations the Palais de Chaillot, near the Eiffel Tower, and to convert it at the expense of the French Government so as to provide a main Assembly Hall with approximately 3,000 seats, main committee rooms and all necessary sub-committee rooms. It was stated that, in addition, the building was large enough to provide all the necessary space for a delegates' lounge, press lounge, restaurant and Secretariat offices. As a result of the devaluation of the French franc it was expected that the estimated cost of holding the session in Paris—\$1,089,000—might be reduced.

(2) *Procedures and Organization of the General Assembly*

By resolution 102(I) of December 15, 1946, the General Assembly, at the second part of its first session, had instructed the Secretary-General to make a study of measures to economize the time of the General Assembly and a study of the provisional rules of procedure.³² The Assembly had invited all Member governments to forward to the Secretary-General any suggestions they might wish to make. This report was to be examined one week before the opening of the session by a Committee on Procedures and Organization of fifteen members to be designated by the Governments of: Argentina, Belgium, Canada, China, Cuba, Denmark, France, Greece, Haiti, Peru, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States and Yugoslavia.³³

In accordance with this resolution the Secretary-General, on July 8, 1947, submitted a report (A/316 and Add 1) containing:

(a) a summary of the Secretary-General's suggestions for steps that might be taken to economize the time of the General Assembly, in particular proposals with respect to the inclusion of items on the agenda, suggestions with a view to accelerating the debates and avoiding unnecessary repetition and recommendations as to the material arrangements which would tend to expedite the work of the Assembly, such as the increased use of simultaneous interpretation, the preparation and observance of strict schedules of meetings;

(b) the Secretary-General's suggested revision of the rules of procedure; and

(c) copies of suggestions received from the Governments of: Dominican Republic, Australia, Guatemala, Netherlands, Argentina, New Zealand, Denmark, United Kingdom and Norway.

The Committee on Procedures and Organization met for the first time at Lake Success on Sep-

tember 9, 1947. The Committee held fifteen meetings between September 9 and September 15.³⁴ It submitted a report to the second session of the General Assembly (A/388), which contained:

(a) a series of suggestions, the adoption of which would, in the opinion of the Committee, assist considerably in expediting the work of the General Assembly; and

(b) a proposed redraft of the provisional rules of procedure, based on the draft rules submitted by the Secretary-General.

According to an analysis submitted by the Canadian delegation (A/393), the revisions in the rules of procedure recommended by the Committee were substantial in their number and in their importance. Of the existing 117 rules of procedure, the Committee recommended the revision or deletion of 59. At the same time the Committee recommended a considerable number of new rules, the total number of rules being increased from 117 to 150. Some of the new rules were based upon existing rules, but twelve of them were entirely new.

Of the eighteen chapters of the rules of procedure, the Committee had considered all except the following:

(a) Chapter VII, dealing with Administrative and Budgetary Matters. The Advisory Committee on Administrative and Budgetary Questions had suggested a number of changes in this Chapter. The Committee on Procedures and Organization considered that the Fifth Committee of the General Assembly should study the rules contained in Chapter VII before their final adoption.

(b) Chapter IX (Languages) and Chapter X (Records). The Committee was informed that a special study was being made by the Secretariat of the application of the rules on languages and records and that a full report on these matters would be made to the General Assembly.

(c) Chapter XVII, concerning the admission of new Members to the United Nations. A committee established by the General Assembly during the second part of its first session had been entrusted with the task of preparing rules governing the admission of new Members after

³²At the first part of its first session, the General Assembly, on January 11, 1946, had adopted the *Provisional Rules of Procedure of the General Assembly*, which had been drawn up by the Preparatory Commission. During the first and second parts of the first session, various amendments were introduced into these rules, and certain new rules added. (See A/C.6/182 and *Yearbook of the United Nations*, 1946-47, pp. 56, 58, 60, 62-64, 69-70, 119, 120.) All the changes thus introduced during the first session are to be found in the *Provisional Rules of Procedure of the General Assembly*, issued by the Secretariat on April 28, 1947 (A/71/Rev.1); see *Yearbook of the United Nations*, 1946-47, pp. 313-22.

³³See *Yearbook of the United Nations*, 1946-47, pp. 121-22.

³⁴For details of the work of the Committee see docs. A/AC.12/1-15, A/AC.12/SR.1-15.

consultation with a corresponding committee of the Security Council (resolution 36(1)).⁴³

The Committee on Procedures and Organization submitted a draft resolution for adoption by the General Assembly which provided, *inter alia*, that the Assembly should adopt provisionally, for the second session of the General Assembly, the revised provisional rules of procedure recommended by the Committee on Procedures and Organization. The General Assembly should then establish a Committee on Rules of Procedure on which all members of the General Assembly should have the right to be represented, this Committee to hold its first meeting on October 13, 1947. This Committee should study the revised rules provisionally adopted by the Assembly and, on the basis of further comments and suggestions from the members of the General Assembly, from the Fifth Committee (regarding Chapter VII in particular) and from the Secretary General (regarding Chapters IX and X in particular), should submit to the General Assembly, before the conclusion of its second session, its recommendations for further revision of the revised provisional rules of procedure.

The General Committee considered the report of the Committee on Procedures and Organization (A/388) at its 39th meeting on September 29, 1947. The President expressed doubt as to whether at the present stage it would be wise to put into practice a new set of rules, as recommended by the Committee on Procedures and Organization. It was very important, he considered, that any revisions should be fully studied. He therefore submitted a draft resolution to take the place of the draft resolution submitted by the Committee on Procedures and Organization, which provided that the report of the Committee should be referred to the Sixth Committee for study and report and that Chapters VII, IX and X of the provisional rules should be referred to the Fifth Committee, which should report thereon to the Sixth Committee.

The representative of the U.S.S.R. likewise considered that further study of the rules was necessary, but that the rules proposed by the Committee on Procedures and Organization should be referred to the Sixth Committee only.

The representatives of the United Kingdom and of the United States, on the other hand, favored immediate adoption, on a provisional basis, of the revised rules of procedure, as recommended by the Committee on Procedures and Organization. The representative of the United States, however, proposed the creation of a separate committee on

rules of procedure. He maintained that the Sixth Committee had previously dealt with procedural questions, and the report of the Committee on Procedures and Organization should, therefore, be referred to the Sixth Committee.

The representative of the United Kingdom urged that if the matter were referred to the Sixth Committee for further study, it should at least be instructed to report to the General Assembly in time for the rules to be adopted at the second session. In addition, the President, in consultation with the General Committee, should consider carrying out the general suggestions and recommendations submitted by the Committee on Procedures and Organization with a view to economizing the time of the General Assembly.

The President agreed to amend his draft resolution in accordance with these two suggestions advanced by the representative of the United Kingdom. The General Committee (A/392/Add.2) agreed to recommend to the General Assembly the adoption of the resolution in its amended form as follows:

"The General Assembly

"1. Refers to the Sixth Committee Part III of the report of the Committee on Procedures and Organization for consideration and report as soon as possible;

"2. Refers to the Fifth Committee Chapter VII (Administrative and Budgetary Questions), Chapter IX (Languages), and Chapter X (Records) of the Provisional Rules of Procedure, and any recommendations of the Advisory Committee on Administrative and Budgetary Questions thereon;

"3. Instructs the Fifth Committee to submit to the Sixth Committee its recommendations, if any, for the revision of these chapters so that the Sixth Committee can make the rules of these chapters consistent in form and language with the other rules of the revised Provisional Rules of Procedure;

"4. Instructs the Sixth Committee to submit its recommendations, if any, on revisions of Chapters IX and X for incorporation into the Provisional Rules of Procedure;

"5. Instructs the Sixth Committee to submit to the General Assembly its recommendations on the revision of the Provisional Rules of Procedure in sufficient time before the conclusion of the Second Session to ensure their full consideration thereat; and

"6. Requests its President, in consultation with the General Committee, to consider means of carrying out the recommendations and suggestions contained in Part II of the report of the Committee on Procedures and Organization, and to report to the General Assembly thereon from time to time in his discretion."

The General Assembly approved the General Committee's report without objection at its 93rd plenary meeting on September 30, 1947.

⁴³See *Yearbook of the United Nations, 1946-47*, pp. 123-26. The new rules on the admission of new Members were studied and incorporated into the rules of procedure.

The Fifth Committee considered Chapters VII, IX and X of the revised rules of procedure in great detail at its 65th and 66th meetings on October 16, its 67th and 68th meetings on October 17, its 83rd and 84th meetings on November 3, its 85th meeting on November 4 and its 89th meeting on November 6.

On November 7, 1947, the Fifth Committee reported the results of its deliberations to the Sixth Committee (A/C.6/187). In connection with Chapter VII of the provisional rules of procedure, the Fifth Committee recommended a number of changes and additions. With regard to Chapters IX and X, the Fifth Committee considered that no changes were necessary.

The Sixth Committee, at its 40th meeting on October 2, 1947, appointed a sub-committee to study the rules of procedure proposed by the Committee on Procedures and Organization. The sub-committee was composed of the representatives of the Byelorussian S.S.R., Canada, China, Denmark, France, Syria, U.S.S.R., United Kingdom, United States, Uruguay and Venezuela (see (A/C.6/SR.40)).

Fourteen meetings of the sub-committee were devoted to a thorough examination of the provisional rules of procedure, with the exception of the three chapters that had been referred to the Fifth Committee and of Chapter XII (Admission of New Members), which the General Assembly had referred to the First Committee. During its 15th meeting the sub-committee studied the views of the Fifth Committee on Chapters VII, IX and X of the provisional rules of procedure and submitted recommendations aimed at making the rules in these chapters consistent with the other chapters of the provisional rules of procedure (A/C.6/182 and Corr. 1 and A/C.6/185).

The sub-committee thus submitted to the Sixth Committee a complete text (A/C.6/182 and Corr. 1) of the rules of procedure with commentaries showing the reasons for the changes proposed by the sub-committee in the text that had been drawn up by the Committee on Procedures and Organization.

In the course of its 56th and 57th meetings on November 12 and 13 the Sixth Committee examined the report of the sub-committee (A/C.6/182 and Corr. 1; A/C.6/185) as well as a number of amendments submitted by the delegations of India (A/C.6/188), Norway (A/C.6/183), the United Kingdom (A/C.6/184), the U.S.S.R. (A/C.6/186), the United States (A/C.6/W.6) and Yugoslavia (A/C.6/W.9). The Sixth Committee adopted (A/482) a number of

the amendments proposed, while rejecting others.

On the proposal of the United Kingdom the Sixth Committee approved by 25 votes to 6 a draft resolution which provided that the General Assembly adopt the rules as submitted by the Sixth Committee as its rules of procedure, these rules to enter into force on January 1, 1948.

At its 118th plenary meeting on November 17, 1947, the General Assembly, without objection, but with 6 abstentions, adopted the rules of procedure and the resolution proposed by the Sixth Committee.³⁸ The text of the resolution (173(II)) follows:

"The General Assembly

"Approves the text of the rules of procedure as set out in the Annex to this report;"

"Adopts these rules of procedure as its rules of procedure;

"Decides that they shall enter into force on 1 January 1948 with the exception of rules 127 and 135 which shall enter into force immediately."

(3) Drafting of Rules for the Calling of International Conferences

The sub-committee of the Sixth Committee to which the rules of procedure of the General Assembly were referred for study (see above) submitted to the Sixth Committee a draft resolution concerning the study of rules for the calling of international conferences. The Sixth Committee approved this draft resolution.

On the recommendation of the Sixth Committee (A/482 and Add. 1) the General Assembly, at its 118th plenary meeting on November 17, 1947, unanimously adopted the resolution (173(II)) as follows:

"The General Assembly

"Invites the Secretary-General to prepare, in consultation with the Economic and Social Council, draft rules for the calling of international conferences, as provided in paragraph 4 of Article 62 of the Charter, for consideration at the third session of the General Assembly."

(4) Simultaneous Interpretation

By resolution 75(I) of December 7, 1946,³⁹ the General Assembly requested the Secretary-General to equip a second conference room and a second committee room with simultaneous interpretation apparatus, but referred to the Advisory Committee on Administrative and Budgetary Matters the question whether, from a budgetary

³⁸The rules of procedure concerning the admission of new Members which had been referred to the First Committee were approved by the General Assembly at its 122nd plenary meeting on November 21, 1947. See p. 47.

³⁹For text of the revised rules (A/520), see Annex IV, pp. 322-32.

⁴⁰See *Yearbook of the United Nations*, 1946-47, pp. 223-24.

point of view, it would be advisable to install wireless in preference to telephonic equipment.

In January 1947, preliminary tests were conducted with wireless equipment in connection with the meetings of the Economic and Employment Commission and of the Economic and Social Council.

In the course of its session held from April 10 to 28, 1947, the Advisory Committee on Administrative and Budgetary Questions, on the recommendation of the Secretary-General, decided that further large-scale experiments with the wireless system, using rented equipment, should be made in a Council chamber. The Advisory Committee also decided that instead of a second committee room referred to in the General Assembly's resolution of December 7, 1946, a further conference room should be equipped for telephonic simultaneous interpretation, as experience had shown that it was not worth while to equip small committee rooms for simultaneous interpretation. Finally, the Advisory Committee urged that the Assembly should, during its second session, reach a final decision regarding the extent to which simultaneous interpretation should be used (A/CN.1/1, p. 15).

On November 26, 1947, the Secretary-General submitted a report to the second session of the General Assembly (A/383 and Corr. 1 and Rev. 1). All the experience gained during the year, the Secretary-General stated, had led to the conclusion that the wireless system of simultaneous interpretation was efficient from the technical point of view and that it offered the great advantages of mobility and eliminated the necessity of complex installation.

As to the extent to which simultaneous interpretation could usefully be employed, the Secretary-General stated that the simultaneous system was particularly well suited for formal debates, but that it had also proved useful in more informal meetings. The use of simultaneous interpretation would result in a greater economy of time than any other single measure that the General Assembly could adopt (A/316, p. 5). As to the interpreting staff required, the Secretary-General pointed out that simultaneous interpretation did not require a larger staff than consecutive interpretation, provided both systems were used in strict conformity with rules 53 and 54 of the provisional rules of procedure.²⁹ Hence the direct cost of simultaneous interpretation would be higher than that of consecutive interpretation only if greater service were rendered. The cost of purchase of equipment could

be written off over a fairly long period, while the cost of maintenance was low. The Secretary-General, therefore, submitted a draft resolution for adoption by the General Assembly which provided that simultaneous interpretation be adopted as a permanent service used alternatively or in conjunction with consecutive interpretation. The Secretary-General would be authorized to provide the personnel for four complete teams of interpreters and the necessary equipment, which was to include wireless equipment for use in the General Assembly Hall and the two Council Chambers, and to service conferences away from headquarters.

The General Assembly referred the Secretary-General's report to the Fifth Committee, which considered it at its 81st meeting on October 30, 1947. After some discussion of the comparative merits and demerits of the simultaneous and consecutive systems of interpretation, the Fifth Committee unanimously adopted the resolution proposed in the report of the Secretary-General.

On the recommendation of the Fifth Committee, the General Assembly, at its 115th plenary meeting on November 15, 1947, adopted, without opposition, the following resolution (152(II)):

"The General Assembly,

"Taking into account the experience gained with the system of simultaneous interpretation since its regular session of 1946 as a result of the authorization granted to the Secretary-General by resolution 75 (I) of 7 December 1946;

"Having considered the report of the Secretary-General on this matter,

"1. Decides that simultaneous interpretation be adopted as a permanent service to be used alternatively or in conjunction with consecutive interpretation as the nature of debates may require;

"2. Authorizes the Secretary-General to provide personnel for four complete teams of interpreters with the necessary technical staff as set forth in the budget estimates for 1948 and the equipment and maintenance for which provision is made in the supplementary estimates for 1948;

"3. Authorizes the Secretary-General to include in the equipment mentioned in paragraph 2 above, wireless equipment for use in the General Assembly Hall and in the two Council chambers, and to service conferences away from headquarters."

(5) Adoption of Spanish as One of the Working Languages of the General Assembly

On September 29, 1947, the representative of the Philippines submitted a draft proposal to amend the rules of procedure of the General Assembly so as to make Spanish a working lan-

²⁹Rules 45 and 46 of the revised rules of procedure adopted during the second session of the General Assembly. See Annex IV, p. 325.

guage of the General Assembly (A/BUR/88).⁴⁰

At its 40th meeting on October 1, 1947, the General Committee decided by 8 votes to 6 to recommend to the General Assembly that the draft proposal submitted by the Philippines be included in the agenda and that it be referred to the Fifth Committee (A/392/Add. 3). The General Assembly approved the General Committee's recommendation at its 95th plenary meeting on October 1, 1947.

At its 81st meeting on October 30, 1947, the Fifth Committee referred the proposal to the Advisory Committee on Administrative and Budgetary Questions.

The Fifth Committee considered the Advisory Committee's report (A/C.5/194) at its 89th meeting on November 7, 1947. The report indicated that the adoption of a third working language would entail an addition to the United Nations budget of approximately \$2,000,000 per annum, as well as giving rise to administrative, political and legal difficulties. Accordingly, the Advisory Committee recommended that the question should be referred to the Secretary-General for thorough study and report to the next regular session of the General Assembly.

The representatives of the Philippines and of Honduras emphasized the importance of the use of Spanish as a working language, but supported the suggestion of the Advisory Committee for further study. The Fifth Committee therefore adopted the Advisory Committee's report without objection (A/466).

On the recommendation of the Fifth Committee the General Assembly at its 115th plenary meeting on November 15 adopted, without objection, the following resolution (154(II)):

"The General Assembly,

"Taking into account the wide administrative and budgetary implications and the political and legal aspects of the adoption of Spanish as one of the working languages of the General Assembly,

"Requests the Secretary-General to study all aspects of the proposal and to report to the next regular session of the General Assembly."

(6) *Installation of the Assistant Secretary-General in Charge of Administrative and Financial Services*

At the 92nd plenary meeting of the General Assembly on September 30, 1947, Byron Price, who had been appointed Assistant Secretary-General in charge of Administrative and Financial Services by the Secretary-General in March 1947,⁴¹ took the oath of office in accordance with the procedure established by the General Assembly.

3. Political and Security Matters

a. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

(1) *Admission of Pakistan and Yemen*

By resolution of August 21, 1947, the Security Council recommended that the General Assembly admit Pakistan and Yemen to membership in the United Nations (A/350).⁴²

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the Security Council's recommendation to the First Committee (A/392), which considered the matter at its 59th meeting on September 24, 1947.

Concerning the admission of Pakistan the representative of Argentina expressed the view in the First Committee that Pakistan was already a Member of the United Nations, since, with India, it had inherited the Charter membership held by the previous Indian Government. On August 11, the Argentine representative stated, the Pakistan Chargé d'Affaires in Washington had sent a telegram to the United Nations claiming automatic membership in the organization but intimating that if the United Nations was not prepared to concede that right Pakistan would submit an application for membership in the United Nations. The Secretariat had taken the view that Pakistan constituted a new state, while India was regarded as retaining the Charter membership of British India.

The representative of Argentina maintained that the Secretariat's decision was illegal as only the General Assembly had the right to determine the status of Pakistan. The Secretariat's decision had offended the Government of Pakistan. It constituted an unfounded discrimination, since both India and Pakistan should have been regarded as Charter Members, or, alternatively, both should have been considered new Members.

On August 21, 1947, the representative of Argentina had submitted a draft resolution (A/345) for inclusion in the agenda of the second session of the General Assembly which provided that the General Assembly should declare both India and Pakistan to be Members of the United Nations. In the course of the discussion concerning this item which took place at the 37th

⁴⁰Under the terms of a resolution adopted by the General Assembly during the first part of its first session on February 21, 1946, English and French are the working languages of the United Nations. See *Yearbook of the United Nations, 1946-47*, pp. 63-64.

⁴¹See *Yearbook of the United Nations, 1946-47*, p. 120.

⁴²See pp. 481-82 and 484.

meeting of the General Committee on September 21, 1947, the Argentine representative had withdrawn his proposal. He then submitted to the First Committee a new draft resolution (A/C.1/187) which provided that the General Assembly declare Pakistan to be a Member of the United Nations as from August 15, 1947. The positions occupied by representatives of the former Government of India in commissions, committees and sub-committees up to August 15, 1947, were to be understood as being occupied as from that date by the representatives of India.

The majority of representatives on the First Committee favored the immediate admission of Pakistan, without further discussion of the complicated legal issues involved. It was pointed out that since India had retained membership of the Economic and Social Council, it seemed to have been tacitly agreed that it had assumed the international rights and obligations of former British India. The logical result was that Pakistan should submit an application for membership in the United Nations. The Committee, therefore, unanimously adopted a draft resolution (A.C.1/188) introduced by the representative of Australia which provided for the admission of Pakistan and Yemen as new Members of the United Nations.

On the proposal of the representative of Chile, the Committee agreed, after some discussion, to refer the legal problems raised by the representative of Argentina to the Sixth Committee for consideration and report, with the understanding, however, that the opinion of the Sixth Committee be sought for use in future cases only, and that it would have no bearing on the status of India or Pakistan as Members of the United Nations.

At the 92nd plenary meeting on September 30, 1947, the General Assembly voted unanimously to admit Yemen to membership in the United Nations. The vote on the admission of Pakistan was 53 to 1, with no absentions, the representative of Afghanistan voting in the negative. At the 96th plenary meeting of the General Assembly the representative of Afghanistan announced that his delegation wished to withdraw its negative vote.

The text of the resolution (108(II)) which the General Assembly adopted at its 92nd plenary meeting is as follows:

"The General Assembly,

"Taking note of the applications for membership submitted to the United Nations by Pakistan and Yemen, and of the recommendation of the Security Council that the Assembly admit Pakistan and Yemen to membership,

"Determines that Pakistan and Yemen are, in its judgment, peace loving States, within the meaning of Article 4 of the Charter, and are able and willing to carry out

their obligations under the Charter, and consequently

"Decides to admit Pakistan and Yemen as Members of the United Nations."

At its 39th meeting on September 29, 1947, and at its 42nd and 43rd meetings on October 6 and 8, 1947, the Sixth Committee considered the legal question raised by the First Committee (A/C.6/145):

"What are the legal rules to which, in the future, a State or States entering into international life through the division of a Member State of the United Nations should be subject?"

In the course of the discussion in the Sixth Committee, several representatives maintained that no definite rules could be laid down in advance and that each case would have to be considered on its own merits. On the recommendation of the Committee's Rapporteur (A/C.6/162), the Sixth Committee adopted the following general principles as embodying its views on the matter:

"1. That, as a general rule, it is in conformity with legal principles to presume that a State which is a Member of the organization of the United Nations does not cease to be a Member simply because its constitution or its frontier have been subjected to changes, and that the extinction of the State as a legal personality recognized in the international order must be shown before its rights and obligations can be considered thereby to have ceased to exist.

"2. That when a new State is created, whatever may be the territory and the populations which it comprises and whether or no they formed part of a State Member of the United Nations, it cannot under the system of the Charter claim the status of a Member of the United Nations unless it has been formally admitted as such in conformity with the provisions of the Charter.

"Beyond that, each case must be judged according to its merits."

The vote on the above principles was as follows: the first paragraph was adopted by 39 votes to 1, with 2 abstentions; the second paragraph by 39 votes to 0, with 3 abstentions; and the third paragraph by 45 votes to 0, with 2 abstentions.

By letter of October 8, 1947, the Chairman of the Sixth Committee conveyed the Committee's decision to the Chairman of the First Committee (A/C.1/212).

(2) Applications for Membership on Which No Recommendation by the Security Council Was Received by the General Assembly

By resolution 35(1) adopted during the second part of its first session, at its 49th plenary meeting on November 19, 1946, the General Assembly had requested the Security Council to re-examine the applications for membership in the United Nations of the People's Republic of Albania, the Mongolian People's Republic, the Hashemite

Kingdom of Transjordan, Ireland and Portugal, as the Security Council had failed to recommend these applicants for admission to membership in the United Nations.⁴³

The Security Council at its 81st meeting on November 29, 1946, accepted the recommendation of the General Assembly. At its 152nd meeting on July 8, 1947, the Council instructed its Committee on the Admission of New Members to reconsider the applications for membership in the United Nations of the five countries in question, and considered the Committee's report (S/479) at its 186th meeting on August 18, 1947. Voting separately on each application, the Security Council failed to recommend any of the five applicant States for admission to membership in the United Nations.⁴⁴

In the course of the year the Security Council also received new applications for membership from Hungary, Italy, Roumania, Austria and Bulgaria, which the Council likewise referred to its Committee on the Admission of New Members. The Security Council considered the Committee's report at its 190th meeting on August 21, 1947. None of the applicants was recommended by the Council for admission to membership in the United Nations. By resolution of August 21, 1947, the Security Council informed the General Assembly of the results of its deliberations (A/350).⁴⁵

After the Security Council had submitted its report dated August 21, 1947, it received an application for membership from Finland (S/559). The Security Council further received a letter dated September 20, 1947, from the representative of the United States requesting that the application of Italy be reconsidered by the Council, as well as a letter dated September 22, 1947, from the representative of Poland requesting that the applications of Hungary, Italy, Roumania and Bulgaria be reconsidered. Accordingly, the Security Council considered the applications of Finland, Hungary, Italy, Roumania and Bulgaria at its 204th, 205th and 206th meetings on September 25 and 29 and October 1, 1947, but again failed to recommend any of the applicants for admission to membership in the United Nations. By letter of October 8, 1947, the President of the Security Council transmitted to the President of the General Assembly a special report of the Security Council on the results of its deliberations (A/406).

The First Committee of the General Assembly considered the two reports of the Security Council at its 98th, 99th, 100th, 102nd and 103rd meetings

held on November 7, 8 and 10, 1947. In the course of the discussion, nineteen draft resolutions were submitted to the Committee.

(a) RESOLUTION SUBMITTED BY THE REPRESENTATIVE OF SWEDEN

The representative of Sweden introduced a draft resolution (A/C.1/183) which provided that the General Assembly ask the Security Council to reconsider, in the light of the principle of the universality of the United Nations, the applications of all states which the Council had previously failed to recommend for admission to membership, and to make recommendations to the General Assembly accordingly during its current session. Although commending the generosity which prompted the Swedish delegation to submit this proposal, several representatives expressed opposition on the ground that the proposal might imply admission of Members to the United Nations *en bloc*, a procedure which was not considered desirable. Each application, it was maintained, ought to be considered on its own merits.

(b) RESOLUTION SUBMITTED BY THE REPRESENTATIVE OF BELGIUM

In the course of the Security Council's consideration of the applications of Finland, Hungary, Italy, Roumania and Bulgaria at the 204th, 205th and 206th meetings of the Council,⁴⁶ the representative of Poland had proposed that these five countries be admitted together (S/565). The representative of the U.S.S.R., in supporting the Polish proposal, had stated that he considered that each of these applicants fulfilled all the requirements laid down in the Charter for admission to membership in the United Nations. In accordance with the Potsdam Agreement all these countries should therefore be admitted to membership in the United Nations at the same time.

When the representatives of Australia, the United States and the United Kingdom insisted on a separate vote on each application, the representative of the U.S.S.R. voted against the admission of Finland and Italy, on the ground that all former enemy states should be treated in the same way. But for the negative vote of a permanent member of the Security Council, Italy and Finland would have been recommended for admission to membership in the United Nations, having obtained nine affirmative votes each. The

⁴³See *Yearbook of the United Nations*, 1946-47, pp. 124-25.

⁴⁴For further details see pp. 480-81.

⁴⁵See *Security Council*, pp. 482-84.

⁴⁶See pp. 484-86.

other three countries failed to obtain seven affirmative votes.

The procedure followed in the Security Council was criticized by many representatives in the course of the discussion on membership applications in the First Committee of the General Assembly. The representative of Belgium, therefore, submitted a draft resolution (A/C.1/242) which provided that the General Assembly request the International Court of Justice to give an advisory opinion on the question whether a state, called upon to pronounce itself on the admission of a given state to membership in the United Nations, was juridically entitled to make its consent to the admission dependent on conditions not expressly provided by Article 4, paragraph 1, of the Charter; in particular, whether a member of the Assembly or of the Security Council could make its consent to the admission of a given state dependent upon the admission of certain other states to membership in the United Nations.

Certain representatives opposed the Belgian resolution on the ground that the question at issue was a political and not a juridical one, and that the General Assembly, therefore, was the only organ competent to express an opinion. To refer the question to the Court could serve no useful purpose.

(c) RESOLUTIONS SUBMITTED BY THE
REPRESENTATIVE OF ARGENTINA

The representative of Argentina argued that jurisdiction concerning the admission of new Members to the United Nations rested with the General Assembly and not with the Security Council. The recommendation of the Security Council called for in Article 4 of the Charter did not necessarily mean a positive recommendation, but merely an expression of opinion on the part of the Council. It was for the Assembly to decide whether to admit an applicant state to membership or not. The General Assembly could refuse to admit a state in spite of a favorable recommendation of the Security Council and *vice versa*. Furthermore, the Argentine representative argued, the voting procedure in the Security Council as laid down in Article 27 of the Charter applied only to questions within the jurisdiction of the Council. The admission of new Members not being within the Council's jurisdiction, the "veto" could not be applied to applications for membership. Hence the Argentine representative considered that an affirmative vote of any seven members of the Council for the admission of a new Member should be regarded as a positive recommendation. As Transjordan, Ireland, Portugal and

Italy each had received nine favorable votes in the Security Council and Austria eight, but had not been recommended for admission to membership in the United Nations as a result of the negative vote of the U.S.S.R., the representative of Argentina submitted three draft resolutions—concerning Transjordan, Ireland and Portugal (A/C.1/184); concerning Italy (A/C.1/185); and concerning Austria (A/C.1/222)—which provided that the General Assembly admit these five countries to membership in the United Nations. Albania, Mongolia, Hungary, Roumania and Bulgaria, on the other hand, the representative of Argentina pointed out, had failed to receive seven affirmative votes in the Security Council. He therefore submitted a draft resolution (A/C.1/186) providing that the General Assembly postpone consideration of the applications of these countries until its next session.

The proposals submitted by the Argentine representative were opposed in the First Committee on the ground that the General Assembly could not admit any state to membership in the United Nations without a positive recommendation from the Security Council and that the rule of unanimity applied to all questions before the Council except strictly procedural matters.

The Argentine representative subsequently withdrew his four draft resolutions in favor of the resolutions submitted by the representative of Australia (see below).

(d) RESOLUTION SUBMITTED JOINTLY BY THE
REPRESENTATIVES OF ARGENTINA, CHILE
AND BRAZIL

The representatives of Argentina, Brazil and Chile submitted a joint draft resolution (A/C.1/243) to the First Committee which provided that the General Assembly declare that in its judgment Ireland, Portugal, Transjordan, Austria, Italy, and Finland were peace-loving countries, which were able and willing to carry out the obligations contained in the Charter, and which should therefore be admitted to membership in the United Nations. The joint draft resolution was subsequently withdrawn in favor of the draft resolutions submitted by the representative of Australia.

(e) RESOLUTIONS SUBMITTED BY THE
REPRESENTATIVE OF AUSTRALIA

The representative of Australia stated that although the General Assembly could not admit a state to membership in the United Nations without a recommendation from the Security Council, it was the right and the duty of the General Assembly to express its views concerning the applications submitted to the organization. In decid-

ing questions of membership, the Australian representative maintained, it was inadmissible to take into consideration other conditions than those laid down in Article 4 of the Charter. The Security Council in refusing to recommend Transjordan, Ireland, Portugal, Italy and Finland for admission to membership, had acted upon completely irrelevant considerations. The representative of Australia therefore submitted five draft resolutions (A/C.1/245-249) which provided that, in the judgment of the General Assembly, Transjordan, Ireland, Portugal, Italy and Finland were peace-loving States within the meaning of Article 4 of the Charter, that they were able and willing to carry out their obligations under the Charter, and that they were, therefore, entitled to membership in the United Nations. The Security Council should, therefore, the draft resolutions provided, reconsider the applications of Transjordan, Ireland, Portugal, Italy and Finland in the light of this determination of the General Assembly.

The Australian representative did not include Austria in his proposals as he considered that the status of that country was not clear. The majority of the Security Council had been of the opinion that Austria was peace-loving and would be able to carry out its obligations under the Charter when the occupying forces were removed. But the Australian representative thought that Austria should not be admitted so long as its territory was occupied.

The representative of Turkey submitted two amendments (A/C.1/250-251) to the Australian draft resolution concerning Italy and Transjordan to the effect that the Security Council reconsider the applications of these two countries before the end of the current session of the General Assembly. The amendments were adopted by the First Committee. The Australian representative made certain drafting changes in his resolutions to meet the views of the representatives of the United Kingdom and of Argentina, Chile and Brazil. These delegations thereupon withdrew their own resolutions in favor of the Australian resolutions.

Opposition to the Australian draft resolutions was expressed on the ground that the General Assembly had no right to intervene in matters within the competence of the Security Council. The draft resolutions proposed by Australia would tend to exert pressure on the Council and their adoption, therefore, would create a bad precedent. A discussion of the merits of applications should take place in the General Assembly only after the

receipt of a recommendation from the Security Council.

(f) RESOLUTIONS SUBMITTED BY THE
REPRESENTATIVE OF THE UNITED KINGDOM

The representative of the United Kingdom submitted five draft resolutions (A/C.1/252-256) to the First Committee which provided that the General Assembly request the Security Council to reconsider the applications of Transjordan, Ireland, Portugal, Italy and Finland with a view to their admission to membership in the United Nations and inform the Assembly of the result. The United Kingdom representative subsequently withdrew his five draft resolutions in favor of those submitted by the representative of Australia.

(g) RESOLUTION SUBMITTED BY THE
REPRESENTATIVE OF THE UNITED STATES

The representative of the United States submitted a draft resolution (A/C.1/258) which provided that the General Assembly declare itself to be of the opinion that Austria was a peace-loving State within the meaning of Article 4 of the Charter and that consequently the General Assembly should request the Security Council to reconsider the application of Austria in the light of this expression of opinion of the Assembly.

(h) RESOLUTION SUBMITTED BY THE
REPRESENTATIVE OF POLAND

The representative of Poland expressed the view that the basic difficulty in the problem of admission of new Members was to obtain the agreement of all the permanent members of the Security Council as required by the Charter. He therefore suggested as the most practical way of solving the problem that the General Assembly recommend to the permanent members of the Security Council that they consult with a view to reaching agreement on admission to membership of the applicants which had not been recommended hitherto and submit their conclusions to the Security Council. The representative of Poland submitted a draft resolution to this effect (A/C.1/257) which also provided that the First Committee should not put to a vote any of the other resolutions which had been submitted.

After the general discussion was concluded the First Committee, at its 103rd meeting on November 10, 1947, voted on the various proposals which had been submitted in the course of the discussion. As the draft resolutions submitted by the representatives of Argentina and the United Kingdom and the joint resolution of the representatives of Argentina, Brazil and Chile had been withdrawn in favor of the Australian resolutions,

it remained for the Committee to vote on the draft resolutions submitted by the representatives of Sweden, Belgium, Australia, United States and Poland.

The draft resolution submitted by the representative of Poland was voted on first. The paragraph providing that none of the other resolutions be voted on was rejected by 43 votes to 8, with 3 abstentions. With the exception of this paragraph the Polish resolution was adopted by a vote of 24 to 14, with 15 abstentions. The Swedish resolution, voted next, was rejected by a vote of 26 to 13, with 14 abstentions. The draft resolution submitted by the representative of Belgium was then adopted by a vote of 26 to 13, with 14 abstentions. Each of the five Australian draft resolutions was voted upon in parts. All five resolutions were adopted by large majorities. Finally, the United States resolution was adopted by a vote of 43 to 8, with 3 abstentions.

The General Assembly considered the First Committee's report (A/471) at its 117th and 118th plenary meetings on November 17, 1947. On the recommendation of the First Committee the General Assembly adopted the following eight resolutions:

(1) By a vote of 46 to 1, with 5 abstentions, the General Assembly adopted the resolution proposed by the representative of Poland (resolution 113(II)A), which follows:

"The General Assembly,

Whereas pursuant to the provisions of Article 4, paragraph 2, of the Charter, admission to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council, and

"Whereas no new recommendation to the General Assembly by the Security Council with regard to admission has been made,

"Decides to recommend to the permanent members of the Security Council to consult with a view to reaching agreement on the admission to membership of the applicants which have not been recommended hitherto, and to submit their conclusions to the Security Council."

(2) By a vote of 40 to 8, with 2 abstentions, the General Assembly adopted the resolution proposed by the representative of Belgium (resolution 113(II)A), which follows:

"The General Assembly,

"Considering Article 4 of the Charter of the United Nations;

"Considering the exchange of views which has taken place in the Security Council at its two hundred and fourth, two hundred and fifth and two hundred and sixth meetings, relating to the admission of certain States to membership in the United Nations;

"Considering Article 96 of the Charter,

"Requests the International Court of Justice to give an advisory opinion on the following question:

Is a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article? In particular, can such a member, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State?

"Instructs the Secretary-General to place at the disposal of the Court the records of the above-mentioned meetings of the Security Council."

(3) By a vote of 43 to 8, with 1 abstention, the General Assembly adopted the Australian resolution concerning Ireland (resolution 113(II)C), which follows:

"The General Assembly,

"Having regard to resolution 35 (I) of 19 November 1946 recommending that the Security Council re-examine certain applications,

"Noting that nine members of the Security Council on 18 August 1947 supported a draft resolution recommending the admission to the United Nations of Ireland, but that no recommendation was made to the Assembly because of the opposition of one permanent member;

"Considering that the opposition to the above-mentioned application was based on grounds not included in Article 4 of the Charter,

"Determines that Ireland is on its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations, and

"Requests the Security Council to reconsider the application of Ireland, in the light of this determination of the Assembly."

(4) By a vote of 40 to 9, with 3 abstentions, the General Assembly adopted the Australian resolution concerning Portugal (resolution 113(II)D), which follows:

"The General Assembly,

"Having regard to resolution 35 (I) of 19 November 1946 recommending that the Security Council re-examine certain applications;

"Noting that nine members of the Security Council on 18 August 1947 supported a draft resolution recommending the admission to the United Nations of Portugal, but that no recommendation was made to the Assembly because of the opposition of one permanent member;

"Considering that the opposition to the above-mentioned application was based on grounds not included in Article 4 of the Charter,

"Determines that Portugal is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations, and

"Requests the Security Council to reconsider the ap-

plication of Portugal, in the light of this determination of the Assembly."

(5) By a vote of 44 to 8, the General Assembly adopted the Australian resolution concerning Transjordan (resolution 113(II)E), which follows:

"The General Assembly,

"Having regard to resolution 35 (I) of 19 November 1946 recommending that the Security Council re-examine certain applications;

"Noting that nine members of the Security Council on 18 August 1947 supported a draft resolution recommending the admission to the United Nations of Transjordan, but that no recommendation was made to the Assembly because of the opposition of one permanent member;

"Considering that the opposition to the above-mentioned application was based on grounds not included in Article 4 of the Charter,

"Determines that Transjordan is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations, and

"Requests the Security Council to reconsider, before the end of the present session of the General Assembly, the application of Transjordan, in the light of this determination of the Assembly."

(6) By a vote of 43 to 8, with 1 abstention, the General Assembly adopted the Australian resolution concerning Italy (resolution 113(II)F), which follows:

"The General Assembly,

"Noting that nine members of the Security Council on 1 October 1947 supported a draft resolution recommending the admission to the United Nations of Italy, but that no recommendation was made to the Assembly because of the opposition of one permanent member, although that member had previously expressed the belief that Italy was eligible for membership,

"Considering that the opposition to the above-mentioned application was based on grounds not included in Article 4 of the Charter,

"Determines that Italy is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations, and

"Requests the Security Council to reconsider, before the end of the present session of the General Assembly, the application of Italy, in the light of this determination of the Assembly."

(7) By a vote of 44 to 8, the General Assembly adopted the Australian resolution concerning Finland (resolution 113(II)G), which follows:

"The General Assembly,

"Noting that nine members of the Security Council on 1 October 1947 supported a draft resolution recommending the admission to the United Nations of Finland, but that no recommendation was made to the Assembly because of the opposition of one permanent member, although that member had previously expressed the belief that Finland was eligible for membership;

"Considering that the opposition to the above-mentioned application was based on grounds not included in Article 4 of the Charter,

"Determines that Finland is in its judgment a peace-loving State within the meaning of Article 4 of the Charter, is able and willing to carry out the obligations of the Charter, and should therefore be admitted to membership in the United Nations, and

"Requests the Security Council to reconsider the application of Finland, in the light of this determination of the Assembly."

(8) By a vote of 43 to 8, with 1 abstention, the General Assembly adopted the resolution proposed by the representative of the United States concerning Austria (resolution 113(II)H), which follows:

"The General Assembly,

"Noting that eight members of the Security Council on 21 August 1947 supported a draft resolution recommending the admission to the United Nations of Austria, at such time and under such conditions as the General Assembly might deem appropriate, but that no recommendation was made to the Assembly because of the opposition of one permanent member,

"Is of the opinion that Austria is a peace-loving State within the meaning of Article 4 of the Charter, and consequently

"Requests the Security Council to reconsider the application of Austria, in the light of this expression of opinion of the Assembly."

(3) *Protection of the Rights of the General Assembly in relation to the Admission of New Members*

By letter of August 19, 1947 (A/346), the representative of Australia requested that an item concerning "the protection of the rights of the General Assembly in relation to the admission of new Members" be included in the agenda of the second session of the General Assembly. At its 36th meeting on September 19, 1947, the General Committee voted 10 to 3, with 1 abstention, to recommend to the General Assembly that this item be included in the agenda (A/392).

The General Assembly referred the item to the First Committee. At the 116th meeting of the First Committee on November 19, 1947, the representative of Australia withdrew his proposal, as he considered that the Assembly had protected its own rights by adopting six resolutions affirming that in its judgment Ireland, Portugal, Transjordan, Italy, Finland and Austria were eligible for admission to membership in the United Nations.

(4) *Rules Governing the Admission of New Members*

By resolution 36(1) of November 19, 1946, the General Assembly had established a Committee on Procedure of the General Assembly and had requested the Security Council to appoint a com-

mittee to consult with the Assembly Committee with a view to preparing rules governing the admission of new Members which would be acceptable both to the General Assembly and to the Security Council.⁴⁷ The General Assembly appointed Australia, Cuba, India, Norway and the U.S.S.R. to be members of the Committee on Procedure. The Security Council, on November 29, 1947, instructed its Committee of Experts to appoint a small sub-committee to consult with the Assembly Committee. Accordingly China, Brazil and Poland were appointed to serve on the sub-committee.

The Assembly Committee convened at Lake Success on May 26, 1946. It subsequently held four joint meetings with the sub-committee of the Security Council's Committee of Experts, which were devoted to a general exchange of views. The Assembly Committee then held three meetings during which it drafted rules of procedure for the admission of new Members by revising the existing rules of the General Assembly and the Security Council.

The Committee on Procedure of the General Assembly used as a basis of discussion draft rules submitted by the representative of Australia. The Australian draft rules gave the General Assembly the main responsibility in the first and last instance regarding applications for admission to membership. Applications were first to be submitted to the General Assembly, which would then refer them to the Security Council. Moreover, the Security Council had to remain within the strict limits of its competence and confine itself to deciding whether the applicant state was able to carry out its obligations for the maintenance of peace and security contained in the Charter, whereas the General Assembly was competent to decide whether the applicant state was in general able and willing to carry out these obligations.

The majority of the Committee was unable to accept the Australian proposals. The Committee considered that it could not suggest any rules of procedure which would in effect define or limit the powers and jurisdiction of the Security Council in relation to the admission of new Members. Specifically, the Committee considered that the Security Council was entitled to consider applications first. To give to the Assembly the right to examine applications in the first instance would be contrary to Article 4, paragraph 2, of the Charter, as this might indirectly deprive the Council of the opportunity to examine these applications later.

The substantive changes in the existing rules

on the admission of new Members proposed by the General Assembly Committee consisted of the addition of a new rule 116 to the rules of procedure of the General Assembly and the addition of two paragraphs to rule 60 of the Security Council's rules of procedure. The additions to rule 60 provided that the Security Council should forward to the General Assembly a complete record of its discussions when it recommended an applicant state for membership and submit, in addition, a special report to the Assembly if it did not recommend admission or if it postponed the consideration of an application. The proposed new rule 116 of the rules of procedure of the General Assembly gave the Assembly the right to send back to the Security Council, for further consideration and recommendation or report, applications which had not been the object of a recommendation by the Council.

As the Chairman of the General Assembly Committee pointed out when he submitted the Committee's report to the First Committee of the General Assembly, the rules proposed by the Committee did not represent an innovation but merely the application of precedents previously established. Thus the Security Council had voluntarily submitted a special report to the General Assembly regarding the applications it had not recommended and had agreed to reconsider applications returned to the Security Council.⁴⁸

The text of the rules proposed by the Committee on Procedure of the General Assembly was forwarded to the Chairman of the sub-committee of the Security Council's Committee of Experts with an explanatory letter, dated June 30, 1947.

The Committee of Experts of the Security Council considered the rules for the admission of new Members proposed by the General Assembly Committee and proposed that, in addition to the changes introduced in the rules by the General Assembly Committee, the rules be amended so as to provide that applications for membership become effective on the date of approval by the General Assembly. The rules then in force had provided that membership becomes effective on the date that the applicant state presents an instrument of adherence subsequent to admission by the General Assembly. The Security Council proposed that such instrument of adherence should be submitted together with the original application. On August 27, 1947, the Security Council

⁴⁷See *Yearbook of the United Nations, 1946-47*, pp. 125-26.

⁴⁸See pp. 480-81, 484.

approved the revised text submitted by the Committee of Experts.

On September 2, 1947, the Assembly Committee held a joint meeting with the sub-committee of the Committee of Experts at which the Chairman of the sub-committee explained the changes which the Security Council had made in the rules of procedure proposed by the Assembly Committee. The General Assembly Committee met immediately after this joint meeting and adopted the changes made by the Security Council.

The General Assembly during its second session referred the report of the Committee on Procedure (A/384) to the First Committee, which considered it at its 116th meeting on November 19, 1947. The Chairman of the Committee on Procedure expressed the view that the rules proposed by the Committee would not solve the problems which certain Members had in mind when they requested an examination of the rules of procedure concerning the admission of new Members. The new provisions would in no way restrict the members of the Security Council in regard to membership applications. The problems which had arisen, the Chairman considered, stemmed from certain basic provisions of the Charter, and it would be foolish to consider that they could be solved by amendments to the rules of procedure. On the other hand, the Chairman was of the opinion that the proposed rules did represent an improvement, for they laid down a co-ordinated plan of action for which the present rules of procedure did not provide.

After a brief discussion the First Committee adopted the rules of procedure recommended by the Committee on Procedure. The proposed rules 113, 114 and 117 were adopted by 53 votes to 0. The new rule 116 was adopted by 50 votes to 1, with 2 abstentions.

At its 122nd plenary meeting on November 21, 1947, the General Assembly adopted the rules recommended by the First Committee. The Security Council revised its rules of procedure by a resolution adopted at its 222nd meeting on December 9, 1947.⁴⁹

The resolution (116(II)) adopted by the General Assembly on November 21, 1947, is as follows:

"The General Assembly

"Decides to adopt the following new rules, for insertion in the provisional rules of procedure of the General Assembly as adopted on 17 November 1947:

XVII. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

New rule 113

"Any State which desires to become a Member of the

United Nations shall submit an application to the Secretary-General. This application shall contain a declaration, made in a formal instrument, that it accepts the obligations contained in the Charter.

New rule 114

"The Secretary-General shall send for information a copy of the application to the General Assembly, or to the Members of the United Nations if the General Assembly is not in session.

New rule 116

"If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, the General Assembly may, after full consideration of the special report of the Security Council, send back the application to the Security Council, together with a full record of the discussion in the Assembly, for further consideration and recommendation or report.

New rule 117

"The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is approved, membership will become effective on the date on which the General Assembly takes its decision on the application."

b. ANNUAL REPORT OF THE SECURITY COUNCIL

In accordance with Article 24, paragraph 3, of the Charter, the Security Council submitted its annual report to the second session of the General Assembly (A/366). The Assembly referred the report to the First Committee for consideration.

At the 59th meeting of the First Committee on September 24, 1947, the Chairman pointed out that most of the contents of the Security Council's report would be covered during the Committee's discussion of its separate agenda items. The Committee, therefore, decided to discuss the Council's report after disposing of its other business.

At its 116th meeting on November 19, 1947, the First Committee, on the proposal of the representative of Norway (A/C.1/273), voted to recommend the following draft resolution to the General Assembly:

"The General Assembly

"Takes note of the report of the Security Council."

The General Assembly adopted this resolution (resolution 115(II)) at its 122nd plenary meeting on November 21, 1947.

c. RELATIONS OF THE MEMBERS OF THE UNITED NATIONS WITH SPAIN

At its 59th plenary meeting on December 12, 1946, the General Assembly had adopted resolution 39(1), which provided that the Franco Gov-

⁴⁹See pp. 490, 499. The new rules adopted by the Assembly became rules 123-124 and 126-27; see Annex IV, p. 330.

ernment of Spain should be debarred from membership in international agencies established by or brought into relationship with the United Nations. The resolution further provided that if within a reasonable time there was not established in Spain a government which derived its authority from the consent of the governed, committed to respect freedom of speech, religion and assembly, and to the prompt holding of an election in which the Spanish people, free from force and intimidation and regardless of party, might express their will, the Security Council should consider adequate measures to be taken in order to remedy the situation. The General Assembly also recommended that all Members of the United Nations recall from Madrid their Ambassadors and Ministers Plenipotentiary accredited there. Members should report to the Secretary-General and to the next session of the General Assembly what action had been taken in accordance with this recommendation.⁵⁰

Accordingly, the Secretary-General, in his annual report on the work of the organization, submitted information concerning action taken by Member Governments and by various organs of the United Nations and the specialized agencies with a view to implementing the General Assembly's resolution (A/315, pp 3-4). He reported that, in answer to a telegram of December 20, 1946, three states had reported that they had recalled Ambassadors or Ministers following the adoption of the General Assembly's resolution; nineteen states had informed the Secretary-General that they had no Ambassadors or Ministers Plenipotentiary accredited to Spain at the time of the adoption of the General Assembly's resolution; 30 states had informed him that they had no diplomatic relations with the Franco Government at the time of the adoption of the General Assembly's resolution. Liberia declared that it would adhere to the General Assembly's resolution and the Dominican Republic stated that proper consideration would be given to the resolution. Argentina had merely acknowledged receipt of the Secretary-General's telegram.

With regard to action taken by the Economic and Social Council and by the specialized agencies, the Secretary-General reported as follows:

"The Economic and Social Council and its Commissions have taken several steps towards the application of the General Assembly's resolution on Spain. The Social Commission, at its first session in February 1947, rejected a proposal that it consult with the International Penal and Penitentiary Commission, having observed evidence that the latter Commission had not severed its relations with the Franco Government. This decision

was approved by the Economic and Social Council at its fourth session.

"Further, the Council authorized the Committee on Negotiations with Specialized Agencies to enter into negotiations with the Universal Postal Union and the International Telecommunications Union 'at the appropriate time.' In this connexion the Council, noting that the United States of America had issued invitations to a Radio-Communications Administrative Conference and to a Plenipotentiary Conference of the International Telecommunications Union on 15 May and 1 July 1947 respectively, endorsed the action of the United States in not inviting the Franco Government to these conferences.

"The Franco Government of Spain was not invited by the host Government to attend the quinquennial Congress of the Universal Postal Union held in Paris during the months of June and July 1947. Both the Universal Postal Union and the International Telecommunications Union conferences are to consider proposed amendments to the membership clauses of their respective basic conventions which are expected to have the effect of excluding Spain from further participation in these organizations.

"In applying the General Assembly's resolution to arrangements for consultation with non-governmental organizations, the Economic and Social Council resolved that international non-governmental organizations having legally constituted branches in Spain, the policies of which are determined and controlled by the Franco Government, cannot be considered for consultative status. Having studied the question thoroughly, the Council concluded that international non-governmental organizations should be eligible for consultative relationship if:

"(i) They have only individual members in Spain who are not organized into a legally constituted branch;

"(ii) The branches in Spain, though properly constituted, have a purely humanitarian character and their policies are not determined and controlled by the Franco Government;

"(iii) Such branches are not active at the present time.

"The question of Spain has also arisen in connexion with the transfer to the United Nations of powers exercised by the League of Nations under the international agreements, conventions and protocols on narcotic drugs. The General Assembly resolution 54 (I) of 19 November 1946 dealing with this matter directed the Economic and Social Council and the Secretary-General, in view of resolution 32 (I) on Spain adopted by the Assembly in February 1946⁵¹, during the first part of its first session, to suspend all action under these international instruments with respect to the Franco Government. The Economic and Social Council, in considering at its fourth session that section of the first report of its Commission on Narcotic Drugs dealing with the transfer of relevant functions of the League of Nations, requested the Secretary-General to invite non-members of the United Nations, with the exception of Franco Spain, to become parties to the Protocol of Narcotic Drugs.

"One of the four specialized agencies which had concluded agreements with the United Nations; namely, the International Civil Aviation Organization, included Spain among its members. In resolution 50 (I) approving the agreements, the Assembly made its approval of the ICAO

⁵⁰See *Yearbook of the United Nations, 1946-47*, pp. 129-30.

⁵¹See *Yearbook of the United Nations, 1946-47*, p. 67.

agreement conditional upon action by that organization to debar Spain from membership and from participation in conferences or other activities.

The ICAO assembly, meeting in Montreal during May 1947, disposed of the matter by voting to amend its basic Convention so as to debar from membership any country not acceptable to the United Nations. Immediately following the approval of the amendment by the ICAO assembly, the Spanish delegation withdrew from further participation in that assembly.

"By virtue of the organization's compliance with the General Assembly resolution regarding Franco Spain, the Secretary-General of the United Nations informed the President of the Assembly that the agreement between that organization and the United Nations, as approved by the ICAO assembly, was considered to be in force as from 27 May 1947. The amended membership provision of the ICAO Convention requires ratification by two-thirds of the States members of the organization."

The question of the relations of Members of the United Nations with Spain was placed on the agenda of the second session of the General Assembly and was referred to the First Committee for consideration.

At the 103rd meeting of the First Committee on November 10, 1947, the representative of the Dominican Republic stated that the General Assembly had recommended the year before that the Security Council take action if it considered that the situation in Spain had become an actual danger to international peace and security. The Security Council had not taken any steps and the General Assembly would have to recognize that no new facts had arisen which might lead to the conclusion that the present Government of Spain constituted a threat to international peace and security. It was incorrect to consider the same matter twice in the light of the same circumstances and the Dominican representative therefore suggested that the item be removed from the General Assembly's agenda.

At the 104th meeting of the First Committee on November 11, 1947, the representative of Poland expressed the view that all the facts which led to the adoption of the General Assembly's resolution 39(I) of December 12, 1946, still existed. There could be no doubt that "a reasonable time", as provided in that resolution, had elapsed, and yet the basic Fascist character of the Franco regime in Spain had not changed at all. The United Nations, consequently, was called upon to take further measures. The representative of Poland therefore submitted a draft resolution (A/C.1/259), which provided that the Security Council consider the Spanish question within a month and that it take adequate measures, in conformity with Article 41 of the Charter, in order to remedy the present situation according to the General Assembly's resolu-

tion 39 (I) of December 12, 1946. The representative of Yugoslavia submitted an amendment (A/C.1/263) to the Polish draft resolution stressing that measures of an economic nature should be taken.

The representative of the Netherlands stated that it would be rather useless to adopt resolutions which appeared to condemn the Franco Government but which were of doubtful constitutionality and which might strengthen the position of Franco. He therefore believed that it would be wiser not to pass any resolution on the Spanish question during the present session, unless somebody had a constructive proposal to offer which might, with reasonable certainty, lead to the replacement of the Franco regime by a truly democratic government.

The representative of Czechoslovakia supported the Polish proposal, but considered it not strong enough. He thought that economic sanctions should be considered, and maintained that Franco could not remain in power very long if he were completely deprived of petrol, rubber and cotton from outside.

The representative of Venezuela thought that it was the duty of the United Nations to remain seized of the Spanish question. He would support any action which might lead to international co-operation in conformity with the Charter.

The representative of Pakistan agreed with the representative of the Netherlands that the methods proposed were not in accordance with the objective in mind. The Committee should be content with the present situation. He maintained that according to the Secretary-General's report the substance of the resolution of December 12, 1946, had been carried out to a greater degree than most resolutions of the General Assembly. But this had not influenced the Franco regime in any material degree and he doubted that any further step in the same direction was likely to influence the Spanish people towards the achievement of a democratic government.

The representative of Peru maintained that, under Article 2, paragraph 7, of the Charter, the United Nations had no right to intervene in the internal affairs of any regime until it became an international menace. There had been no significant change in Franco's foreign policy, and there was no question of any attempt by his regime to "expand abroad".

The representative of India criticized the Government of Argentina for having sent an ambassador to Spain after the adoption of the General Assembly's resolution, thus clearly flouting the

General Assembly's recommendation. The prestige of the United Nations would be undermined if Members did not carry out its resolutions. India believed, however, that Argentina was not alone responsible for weakening the organization's prestige, for the General Assembly, despite the defiance of its resolution, had elected Argentina to the Security Council without asking for a word of explanation. It was bad enough to have the resolution disregarded, but it was worse for the General Assembly to confer a mark of confidence upon the transgressor. If the members of the General Assembly insisted on making minute differentiations between moral and legal obligations, there was little prospect that the world would respect their resolutions.

The representative of Belgium opposed the Polish draft resolution as he considered that it called for action not in conformity with Article 2, paragraph 7, of the Charter. Moreover, the resolution appeared to be superfluous, inasmuch as the General Assembly's resolution of December 12, 1946, had provided for reconsideration of the question by the Security Council, although the time of action had been left to the discretion of the Council. In an effort at compromise, the representative of Belgium, at the 105th meeting of the First Committee on November 11, 1947, presented a draft resolution (A/C.1/261), sponsored jointly by the Belgian, Luxembourg and Netherlands delegations, which specified that the General Assembly, while noting the measures taken in virtue of the resolution of December 12, 1946, and regretting that the recommendations inviting all Members of the United Nations to recall their Ambassadors or Ministers Plenipotentiary from Madrid had not been fully applied, expressed its confidence that the Security Council would "exercise its responsibilities for the maintenance of international peace and security as soon as the Spanish Question should require the adoption of measures".

Considering that the least the General Assembly could do was to reaffirm the position it had taken at the preceding session, the representative of India introduced an amendment to the above draft resolution (A/C.1/262) altering the last clause to the effect that the General Assembly "expresses its confidence that the Security Council will, as recommended in the resolution dated December 12, 1946, consider the adequate measures to be taken to remedy the situation".

The representative of Yugoslavia expressed the opinion that the Franco regime constituted a latent danger to international peace. He considered that the Polish resolution, proposing that the Security

Council take appropriate measures in accordance with Article 41 of the Charter, met the situation adequately.

The representative of Mexico stated that in view of the fact that there was no majority support for taking measures more energetic than those set forth in the resolution of December 12, 1946, the Mexican delegation, in order to avoid aggravating disagreement among the United Nations, would refrain from proposing any more energetic resolution than that of the preceding year. He therefore proposed, jointly with the delegations of Cuba, Guatemala, Panama and Uruguay, a draft resolution (A/C.1/260/Rev. 1) whereby the General Assembly reaffirmed the resolution of December 12, 1946, and expressed its confidence that the Security Council would "exercise its responsibilities under the Charter should it consider that the situation in regard to Spain so required".

The representative of the United States opposed the Polish proposal, since it did not, in his opinion, aim at altering the situation in Spain by pacific means. The United States was opposed to any measures which would involve a change of regime by violence, which would impose sufferings on the Spanish people, or which might, if sanctions were imposed, give rise to endless repercussions. The measures taken by the United Nations, the United States representative stated further, had been used by Franco to consolidate his internal position. If the Polish resolution were adopted it would further strengthen the Franco regime. He considered the joint resolution of Belgium, Luxembourg and the Netherlands satisfactory; in his view it did not differ fundamentally from the resolution jointly submitted by Cuba, Guatemala, Mexico, Panama and Uruguay.

The resolution of December 12, 1946, the representative of the U.S.S.R. considered, had been a step forward and had strengthened the Spanish democratic elements in their struggle against Franco. The resolution, however, had not been respected by certain Member States, or had been respected only *pro forma*. In fact, the relations of certain countries with Franco Spain had become still closer, especially in the case of the United Kingdom and the United States. The commercial relations of these two countries with Franco Spain, the representative of the U.S.S.R. declared, involved political support on the part of these States. Furthermore, Argentina had sent a new Ambassador to Madrid, in defiance of the General Assembly's resolution. The General Assembly must see that the resolution of the preceding year was implemented. The Soviet representative thought

that the Polish resolution constituted the minimum that could be accepted.

The representative of the Byelorussian S.S.R. considered that the United Nations was obligated to strengthen the democratic forces in Spain and see to it that its resolutions were fully implemented. He supported the Polish resolution.

The representative of Nicaragua opposed the Polish draft resolution because he considered that it violated the principle of non-intervention. The representative of Panama stressed the need for unanimity which had prompted his delegation, jointly with those of Cuba, Guatemala, Mexico and Uruguay, to introduce a compromise resolution. *The representative of El Salvador announced that he would vote against the Polish resolution and against any other resolution which aimed at intervention in the internal affairs of Spain.* The representative of China favored a resolution which would renew moral condemnation of the Franco regime, but was opposed to military or economic sanctions.

The representative of France suggested that Belgium, Luxembourg, Netherlands, Cuba, Guatemala, Mexico, Panama and Uruguay, the authors of the two joint draft resolutions, should work out a common text which would command the support of the majority of the Members. This suggestion was supported by the representative of Guatemala.

The representative of Cuba proposed the creation of a drafting sub-committee, composed of the authors of all the proposals and amendments which had been submitted (Poland, Yugoslavia and India, in addition to the authors of the two joint draft resolutions mentioned above) in order that they might agree on a single text acceptable to the greatest number of Members (A/C.1/264). The First Committee adopted the Cuban proposal by 23 votes to 17, with 11 abstentions.

The drafting sub-committee (A/C.1/265) submitted the following draft resolution at the 107th meeting of the First Committee held on November 12, 1947:

"Whereas the Secretary-General in his annual report has informed the General Assembly of the steps taken by the States Members of the Organization in pursuance of its recommendations of 12 December 1946;

"The General Assembly

"Reaffirms its resolution adopted on 12 December 1946 concerning relations of Members of the United Nations with Spain, and

"Expresses its confidence that the Security Council will exercise its responsibilities under the Charter as soon as it considers that the situation in regard to Spain so requires."

The representative of Argentina announced at

the same meeting that he had instructions from his Government to make a statement regarding the opinion expressed by the representative of India, and to draw the attention of the Committee to the fact that a majority of the Members could not impose on the minority proposals that were contrary to the Charter. The Argentine Government maintained its position that the General Assembly's resolution of December 12, 1946, violated Article 2, paragraph 7, of the Charter. The Argentine representative therefore expressed surprise at the Indian delegation's inability to understand why the Argentine Government had not acted in conformity with the General Assembly's recommendation of the previous year. *The Assembly's recommendations were not obligatory, and the Argentine delegation had explicitly announced, before the resolution was adopted, that it considered the resolution to be contrary to the Charter.* The Argentine representative felt strongly that his Government was justified in upholding its attitude maintained in the previous year. Apart from other legal reasons for its attitude, Argentina could not relinquish its sovereignty, its independence and its right to adopt whatever attitude it desired.

The representatives of the Netherlands and of the United States announced that they could not vote for the second paragraph of the resolution presented by the sub-committee which reaffirmed the General Assembly's resolution of December 12, 1946. The representative of the United States explained his position on the ground that he did not believe that the reaffirmation of the resolution of December 12, 1946, would have the desired effect, or that it would result in the establishment of a democratic government in Spain, and his delegation did not wish to provide additional occasions for appeals to the national pride of the Spanish people which would tend to consolidate the Franco Government of which the United Nations disapproved. He submitted also that the reaffirmation of the previous year's resolution would in effect call upon the Security Council to consider measures to remedy the situation. To be effective, these measures could only be in the form of some kind of economic sanctions, and he took it that the majority of the Committee did not desire to see such measures taken against Spain at present.

The Committee voted on the draft resolution paragraph by paragraph. The first paragraph was adopted by 38 votes to 6, with 11 abstentions; the second paragraph by 30 votes to 14, with 11 abstentions; and the third by 37 votes to 6, with 12 abstentions. The resolution as a whole was adopted by 29 votes to 6, with 20 abstentions.

The General Assembly considered the First Committee's report (A/479) at its 118th meeting on November 17, 1947. Voting paragraph by paragraph, the Assembly adopted the first paragraph of the resolution recommended by the First Committee by a vote of 37 to 5, with 11 abstentions. The second paragraph did not receive the necessary two-thirds majority, the vote being 29 to 16, with 8 abstentions. The third paragraph was adopted by a vote of 36 to 5, with 12 abstentions. The resolution as a whole (without the second paragraph) was adopted by a vote of 36 to 5, with 12 abstentions. The text of the resolution adopted by the General Assembly (114(II)), therefore, is as follows:

"Whereas the Secretary-General in his annual report has informed the General Assembly of the steps taken by the States Members of the Organization in pursuance of its recommendations of 12 December 1946,

"The General Assembly

"Expresses its confidence that the Security Council will exercise its responsibilities under the Charter as soon as it considers that the situation in regard to Spain so requires."

d. TREATMENT OF INDIANS IN THE UNION OF SOUTH AFRICA

During the second part of the first session of the General Assembly, the delegation of India had asked the Assembly to consider the treatment of Indians in the Union of South Africa, charging that the Union Government had enacted discriminatory measures against Indians—in particular that the Asiatic Land Tenure and Indian Representation Act of 1946 restricted the rights of Indians in regard to trade and residence. These discriminatory measures, the Government of India charged, constituted a violation of certain international agreements (the so-called Capetown Agreements of 1927 and 1932) concluded between the Governments of India and of South Africa and of the principles of the Charter concerning human rights and freedoms.

The South African Government had denied the General Assembly's competence to deal with the Indian complaint, considering that it concerned a matter essentially within the domestic jurisdiction of the Union as laid down in Article 2, paragraph 7, of the United Nations Charter. The South African delegation had, therefore, proposed that the question be referred to the International Court of Justice.

Acting upon the application of the Indian Government, the General Assembly, after lengthy debate, adopted a resolution (44(I)) on December 8, 1946, which stated that because of the treat-

ment of Indians in the Union of South Africa friendly relations between the two Member States had been impaired and that unless a satisfactory settlement was reached, these relations were likely to be further impaired. The Assembly therefore expressed the opinion that the treatment of Indians in the Union should be in conformity with the international obligations under the agreements concluded between the two Governments and the relevant provisions of the Charter of the United Nations. The General Assembly requested the two Governments to report at the next session of the General Assembly the measures adopted to to this effect.⁵² The resolution proposing that Indian complaints be referred to the International Court of Justice was rejected.

In accordance with the General Assembly's resolution the Government of India on September 2, 1947 (A/373), and the Government of the Union of South Africa on September 15, 1947 (A/387), submitted reports to the second session of the General Assembly concerning developments subsequent to the adoption of the General Assembly's resolution of December 8, 1946.

The report submitted by the Government of India (A/373) stated that it had allowed a considerable period of time to elapse before it approached the South African Government with a view to implementing the General Assembly's resolution. The Indian Government wished to wait for an authoritative indication of the intentions of the South African Government with respect to the resolution. In his first public statement after his return to South Africa the Prime Minister, Field Marshal Smuts, the report stated, attributed the resolution of the General Assembly to ignorance and a "solid wall of prejudice" against the color policies of South Africa. According to him the General Assembly had taken the decision on this question under the influence of a "flood of emotion" and "mischievous propaganda". He accused the Assembly of having been unfair to the Union and of having denied it the most elementary and fundamental right of access to the International Court of Justice. However, the report submitted by the Indian Government stated, Field Marshal Smuts did not give any indication of the action he proposed to take in regard to the General Assembly's resolution. In a subsequent speech, on December 20, 1947, the report went on, Field Marshal Smuts denounced the United Nations as a body dominated by colored peoples. He further

⁵²For further details see *Yearbook of the United Nations, 1946-47*, pp. 144-48.

denounced the idea of human equality and said that this simply did not work in South Africa or anywhere else in the world. Speaking before Parliament, the Field Marshal had made it clear that the Government had no intention of repealing or modifying the Asiatic Land Tenure and Indian Representation Act of 1946.

According to the report of the Indian Government, the South African Parliament adopted a resolution approving the attitude taken by the Prime Minister. The report related further that the only result of the resolution adopted by the United Nations was the intensification of anti-Asiatic feeling in the Union. A movement was set afoot amongst Europeans to boycott Indian traders and to refuse employment to Indians in European concerns. The Union Government failed, however, to take any measures to cope with the situation. A proposal to grant Indians municipal representation in Durban was abandoned because of the opposition of the Natal Municipal Association, and the Indians refused limited representation on a communal basis. Meanwhile the Indian community continued its campaign of passive resistance to the Asiatic Land Tenure and Indian Representation Act.

The report of the Indian Government then reviewed the efforts made towards the implementation of the General Assembly's resolution. In a personal letter to Field Marshal Smuts, dated April 24, 1947, Pandit Jawaharlal Nehru, Minister for External Affairs and Commonwealth Relations, expressed the Government of India's readiness to enter into any discussion the Government of the Union of South Africa might see fit to initiate for implementing the resolution of the General Assembly and assured the Union Government of India's co-operation. In reply the Union Government requested that the Indian High Commissioner return to South Africa in order to confer with the Union authorities on the question at issue. The Government of India, however, favored a Round Table Conference of representatives of both Governments and declared itself unable to arrange for the return of the High Commissioner to South Africa until an improvement in the relations between the two countries had taken place. After a further exchange of letters the Government of India declared itself willing to agree to the return of the High Commissioner, if the Union Government accepted the General Assembly's resolution of December 8, 1946, as a basis of discussion. This the Union Government was not prepared to do, considering that such acceptance would imply an admission on the part of the Union

Government that they had broken the agreement between the two Governments and violated the principles of the Charter. "In view of the vagueness and generality of the charges against the Union and the high-charged emotional atmosphere in which they were discussed", Field Marshal Smuts stated in a letter of July 28, "the Union Government must be especially on their guard against compliance with your request and acceptance of so called implications of the resolution referred to." Hence the two Governments were unable to agree upon a common basis of discussion.

The Indian report concluded by stating that the position in 1947 was the same, if not worse, than it had been at the time of the passage of the Assembly's resolution of December 8, 1946. In the view of the Government of India, the Union Government had completely ignored the resolution of the General Assembly, and spokesmen of the Union Government had impugned the judgment and impartiality of the United Nations. The Government of India therefore requested that the United Nations should take note of these facts and decide upon appropriate measures to ensure implementation of the Assembly's resolution and respect for the provisions of the Charter relating to fundamental freedoms without distinction as to race, language, or religion.

The report submitted by the Government of the Union of South Africa (A/387) stated that the South African Government desired to make it clear at the outset that it submitted its report without prejudice to the position taken by it at the last session of the General Assembly in regard to the domestic nature of the matters involved and the consequent lack of jurisdiction on the part of the United Nations.

The Union Government had expected, the report indicated, that as a result of the General Assembly's resolution of December 8, 1946, the Indian Government would arrange for the return of its High Commissioner, who had been recalled for consultation in 1946. Despite repeated requests to this effect the Indian Government had declined to entertain the Union Government's suggestion, unless the Union Government accepted the implications of the General Assembly's resolution of December 8, 1946. From this it was apparent, the report stated, that the Union Government was being expected to express its readiness to submit to some general or specific condemnation implied in the resolution. In effect they were required to abandon their attitude in regard to the jurisdiction of the United Nations and not only

to accept that there had been a finding by the General Assembly that the South African Government had broken agreements between the two Governments and had violated the principles of the Charter, but also to adopt that finding as the only possible basis for negotiation. This the Union Government was not prepared to do. It maintained that no agreement had been broken and no principles of the Charter violated.

The South African Government maintained that the precise implications of the General Assembly's resolution were not clear and argued that if the resolution of the General Assembly must be taken to imply an adverse finding against the Union Government on the matters raised by the Indian Government (which included a variety of legislative and administrative matters), the following propositions would of necessity have to be accepted:

(1) Notwithstanding the uncontroverted evidence to the contrary submitted by the Union Government, the Declarations of 1927 and 1932 (the so-called Capetown Agreements) constitute international treaties.

(2) Agreements (assuming that the 1927 and 1932 Declarations were in fact agreements) entered into between States Members of the League of Nations which were not registered with the Secretariat of the League would, notwithstanding the provisions of Article 18 of the Covenant of the League, be binding and enforceable before the United Nations.

(3) Treaties as well as the provisions of the Charter are retrospectively violated by acts, inconsistent with their terms, committed before they were concluded or came into force. A considerable part of the legislation complained of was passed before the 1927 Declaration. All the legislation complained of, except the Asiatic Land Tenure and Indian Representation Act of 1946, was passed before the Charter came into force.

(4) The Charter bans with immediate effect not only all legislative and administrative distinctions based on race, but also all such distinctions based on sex, language or religion, and does so not merely in relation to fundamental human rights and freedoms but in relation to all rights and freedoms of whatsoever nature, and whatever the purpose or effect of such distinctions may be.

Concerning the last point, the South African Government maintained its view that the provisions of the Charter concerned only fundamental human rights and did not invalidate all distinctions based on race, sex, language or religion. Until fundamental human rights were defined and re-

ceived recognition in a binding form, the provisions of the Charter could not be said to extend to human rights other than those which were in international law accepted as being so fundamental that they were not merely of domestic importance, but the concern of the society of nations. To accept the view that all distinctions without exception were outlawed by the Charter would have far reaching effects upon Member States throughout the world. The South African Government did not believe that the General Assembly had intended to condemn any country where any form of distinction based on race, sex, language or religion was to be found.

If such a universal condemnation were the correct interpretation, it would follow that racial problems in multi-racial states were to be solved without any legislative or administrative racial distinctions, whatever the object or nature of those distinctions or whatever the cultural divergencies and the different stages of advancement of the races concerned might be. In the view of the Union Government, however, these distinctions provided the only practicable method for creating and stabilizing the conditions which were necessary for the harmonious development of all races to the full stature of each.

In South Africa these distinctions could not, in fact, be abolished without jeopardizing the natural development, if not the survival, of the races concerned, especially of the less advanced races, the South African representative declared. Specifically, in the view of the Union Government the repeal of the Asiatic Land Tenure and Indian Representation Act of 1946 would be a retrograde step, entailing on the whole a loss rather than a benefit to the Indian community, for, while imposing certain restrictions in the provinces of Transvaal and Natal, the Act provided for the relaxation of certain restrictions in the Transvaal and also conferred upon the Indians a limited franchise and representation in the Parliament of the Union and the Provincial Council of Natal.

In further support of the view that the implications of the General Assembly's resolution were uncertain and obscure, the report submitted by the Union Government stated that the debates before the General Assembly did not by any means disclose a unanimous intention on the part of delegations who were in favor of the resolution adopted on December 8, 1946, of conveying a condemnation of the Union Government. In fact, several representatives had stated that the compromise resolution finally adopted in place of a draft proposal submitted by the Indian Govern-

ment did not condemn South Africa and really amounted to nothing more than an offer of good offices. The Indian Government therefore was not justified in requiring the Union Government to accept a condemnation supposedly implied in the resolution.

The Union Government's report pointed out that although the Indian Government had continued to apply economic sanctions against the Union, the South African Government had refrained from imposing any retaliatory sanctions, which could have inflicted considerable harm upon India, and had in fact, wherever occasion offered, sought to promote better relations between the two governments.

As a direct result of the sanctions imposed by the Indian Government, those affected by them had started a boycott of Indian shops and undertakings, and public opinion in Natal had hardened to such an extent that the favorable prospects of extending a municipal franchise to Indians in the province had been wrecked, notwithstanding the efforts of the Administrator of Natal to have the necessary legislation passed.

Furthermore, the South African Government maintained that under Article 41 of the Charter the application of sanctions was entrusted to the Security Council. It could therefore be expected that the Government of India, having brought the matter before the United Nations, would be content to leave the full disposition of the matter to the organization. Instead, the Government of India, while on the one hand invoking the authority of an international tribunal, sought on the other hand to force a solution on the Union Government by their unilateral sanctions. The Union Government felt that it would be more in keeping with the objectives of the Charter and with the comity of nations if the Indian Government were to discontinue these sanctions so as more effectively to prepare the way for friendly discussions.

The South African Government's report concluded by stating that as a result of the insistence of the Indian Government on the acceptance by the Union Government of a condemnation said to be implied in the resolution of the General Assembly and the continuance of economic sanctions, no progress had been made towards the settlement of the differences between the two Governments. A possible way to restore friendly relations would have been for the two Governments to agree to re-examine the policies announced in 1927 and 1932 in the light of the experience gained in the attempt to carry out these policies. The Union Government

would at all times welcome discussions along such lines.

At its 91st plenary meeting on September 23, 1947, the General Assembly decided to refer the question of the treatment of Indians in the Union of South Africa for exclusive consideration and report by the First Committee. During the second part of the first session in 1946, this question had been referred for joint consideration by the First and Sixth Committees.

The First Committee considered the question at its 106th and 107th meetings on November 12, 1947, at its 108th meeting on November 14, its 109th meeting on November 15, and at its 111th and 112th meetings on November 17.

At the 106th meeting of the Committee the representatives of the Union of South Africa and of India outlined their positions, reviewing in the main the facts and arguments contained in the reports submitted by their respective Governments. The representative of South Africa maintained that it was not out of defiance of the United Nations, but rather on the basis of reasonable arguments, that the Union Government did not consider itself bound by the General Assembly's resolution. He stressed again that the two Governments had not been able to come to an agreement because the Government of India wished to open negotiations not on a footing of equality, but on the basis that the Government of the Union of South Africa was the defendant. The Government of the Union did not refuse to negotiate with the Government of India, but it was not prepared to admit that any agreement or provisions of the Charter had been violated and it considered that for the duration of the discussions the Government of India ought to lift the economic sanctions imposed on the Union of South Africa.

The representative of India pointed out that the severance of trade relations with South Africa had involved considerable loss to India, because its trade balance was a highly favorable one; this step had been necessary, however, in deference to public opinion, which was highly resentful of the measures of racial discrimination adopted against the Indians in South Africa. The representative of India stated that in its report to the second session of the General Assembly the Union of South Africa had reiterated the attitude it had taken the year before, which was tantamount to challenging the resolution of the General Assembly. The representative of India then submitted a draft resolution (A/C.1/244/Rev.1), which contained, *inter alia*, the following provisions:

The General Assembly,

Having considered the reports submitted by the Government of India and the Government of the Union of South Africa pursuant to the aforesaid resolution (of December 8, 1946);

Expresses its regret at the refusal by the Government of the Union of South Africa to accept the implementation of the resolution of the General Assembly dated 8 December 1946 as a basis of discussion with the Government of India, and at its failure to take any other steps for such implementation,

Reaffirms its resolution dated 8 December 1946,

Requests the two Governments to enter into discussions at a Round Table Conference on the basis of that resolution without any further delay and to invite the Government of Pakistan to take part in such discussions,

Requests that the result of such discussions be reported by the Governments of South Africa and India to the Secretary-General of the United Nations, who shall from time to time make inquiries from them and submit a report on the action taken on this resolution by the two Governments to this Assembly at its next session.

The draft resolution as originally submitted by the representative of India (A/C.1/244) had provided that the Secretary-General should report to the Interim Committee of the General Assembly, if such a Committee be in existence. This provision was deleted in the revised text presented to the First Committee.

In the course of the lengthy discussion which took place in the First Committee, the representatives of China, Byelorussian S.S.R., Egypt, France, Haiti, Iran, Mexico, Pakistan, Philippines, Poland, Syria, Ukrainian S.S.R., U.S.S.R. and Yugoslavia expressed themselves in favor of the Indian resolution. They maintained that racial discrimination practised in the Union of South Africa constituted a flagrant violation of the Charter of the United Nations as well as of the provisions of the international agreements concluded by India and South Africa. These representatives urged that the General Assembly should restate in clear terms the attitude it had taken previously on the subject and should at the same time request the two Governments to seek agreement through negotiations in accordance with the international agreements they had previously concluded and in conformity with the Charter of the United Nations.

The representative of Mexico considered that a condemnation of South Africa in general terms was not desirable and he therefore proposed (A/C.1/266) that the paragraph in the Indian draft resolution which provided that the General Assembly express its regret at the refusal of the Union Government to take steps towards the implementation of the General Assembly's resolution

of December 8, 1947, be deleted. The representative of India accepted this amendment.

Opponents of the Indian draft resolution expressed the view that the legal points which had been raised by the South African delegation in the course of the General Assembly's previous session still needed clarification. The matter therefore should be referred to the International Court of Justice. The representatives of New Zealand, Denmark, Belgium, Nicaragua, Greece, Argentina, Costa Rica, Canada, Ecuador and Brazil expressed themselves in favor of this course. The representatives of Belgium, Brazil and Denmark jointly submitted a draft resolution (A/C.1/267), which stated that, above all, it was necessary to determine the rights and obligations of the two States (India and South Africa) and that, according to the Charter and the Statute of the International Court of Justice, the Court was particularly designed to deal with such questions. The resolution therefore provided further that the General Assembly express the wish that the parties should continue their efforts with a view to reaching an agreement directly settling their dispute, and that, should they fail to reach such an agreement, they should submit the dispute to the International Court of Justice.

The United Kingdom representative stated that he would support the joint draft resolution, if the Indian resolution could not be amended so as to be acceptable to the South African delegation. The United States representative favored a recommendation that the parties should continue their efforts with a view to reaching agreement, but did not think that the matter should be referred to the International Court of Justice.

The representative of Norway submitted an amendment (A/C.1/269) to the Indian resolution which provided that the General Assembly call upon the two Governments to suspend all retaliatory action and without further delay to enter into discussions at a round table conference on the basis of the agreements concluded between them and of their obligations under the relevant provisions of the Charter. In case of failure, they should submit to the International Court of Justice the question of the extent of their obligations under the agreements concluded between them and under the relevant provisions of the Charter.

The representatives of Panama, Venezuela, Ecuador and Colombia favored the appointment of a sub-committee which would examine, in consultation with the delegations of India, Pakistan and the Union of South Africa, the basis on which negotiations for the settlement of the dispute could be initiated. The representative of Colombia

submitted a formal proposal to this effect (A/C.1/271).

The representative of Cuba submitted a draft resolution (A/C.1/270) which provided that the General Assembly recommend to the Governments of India and the Union of South Africa that they engage immediately in direct negotiations in order to solve the situation arising between them, and, should they fail in these negotiations, that they seek a solution by mediation, conciliation, arbitration, judicial settlement or other pacific methods that they might select.

The representative of Iraq submitted a draft resolution (A/C.1/268) reaffirming the principles of the Charter in regard to "human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion", and requesting all Member States to act in accordance with those principles. The representative of Iraq later withdrew this resolution, having accepted the view expressed by some delegations that, because of its general scope and in view of the fact that a similar resolution had been adopted by the General Assembly at the last session,⁵³ its adoption by the Committee would not be necessary.

Commenting upon the various proposals before the First Committee, the representative of India stated that the Indian Government could not agree to submit the matter to the International Court of Justice and was therefore opposed to the joint resolution of Belgium, Brazil and Denmark. India favored a round table conference and considered that the General Assembly's resolution should serve as a basis of discussion. The suggestion for a sub-committee, the Indian representative stated, did not seem to be helpful, as all such a committee could do would be to draft a resolution according to agreed principles, which were lacking. The Norwegian amendment called for the suspension of retaliatory action, but, the Indian representative stated, the measures adopted by the Indian Government were a last resort in the struggle against segregation which was a humiliation to India and the whole of Asia. The Cuban resolution, which had stated, *inter alia*, that the adoption of unilateral economic sanctions constituted a violation of the Charter, because such measures should be applied only by a decision of the Security Council, was likewise not acceptable to the Indian delegation, which considered that it was not accurate to compare sanctions on which the Security Council could decide and the right of any state to sever commercial relations with any other state.

The South African representative stated that the Indian resolution was unacceptable, as was any

resolution which contained a condemnation of his country. If the Indian delegation was prepared to enter into negotiations on the understanding that this would not prejudice the position of either side and would involve no indication of blame, the Union Government would be prepared to participate. He considered that the possibility of negotiations hinged upon such an assurance.

The First Committee voted on the various proposals before it at its 112th meeting on November 17, 1947. The Colombian proposal that a sub-committee be appointed was rejected by a vote of 26 to 13, with 8 abstentions. The Norwegian amendment to the Indian resolution was rejected by a vote of 27 to 8, with 12 abstentions. Voting paragraph by paragraph, the First Committee then adopted the Indian draft resolution as amended by the representative of Mexico. The resolution as a whole was adopted by a vote of 29 to 15, with 5 abstentions. The joint resolution of Belgium, Brazil and Denmark was rejected by 24 votes to 18, with 5 abstentions. In view of the adoption by the Committee of the Indian resolution, the representative of Cuba withdrew his draft resolution.

The General Assembly considered the report of the First Committee (A/492) at its 119th, 120th and 121st plenary meetings on November 20, 1947. At the 119th plenary meeting, the representative of Brazil presented a draft resolution sponsored jointly by the delegations of Belgium, Brazil, Cuba, Denmark and Norway (A/496), which provided that the General Assembly call upon the Governments of India and South Africa to continue their efforts with a view to reaching an agreement settling their dispute through a round table conference or other direct means, or if necessary, by mediation or conciliation, and should they fail to reach such an agreement, to submit to the International Court of Justice the question of the extent of their obligations under the agreements concluded between them and under the relevant provisions of the Charter.

This draft resolution, the Brazilian representative stated, embodied the spirit of conciliation which had prevailed during the debate that took place in the First Committee on the question of the treatment of Indians in the Union of South Africa. The majority of the First Committee had been of the opinion that direct negotiations between the parties offered the best method of settlement of their dispute. Both the joint draft resolution and the Indian resolution adopted by the First Com-

⁵³See *Yearbook of the United Nations*, 1946-47, p. 178.

mittee recommended a round table conference and other traditional methods of settlement. The difference between the two draft resolutions consisted in the fact that the joint resolution went a step further and recommended that in case the parties failed to reach agreement through negotiations, they should submit the question of the extent of their obligations to the International Court of Justice. It therefore did not contradict the Indian resolution, but supplemented it.

The representative of South Africa stressed that his Government had been, and still was anxious to negotiate a settlement, but, he stated, it had been faced not only with the serious obstacle of unilateral sanctions imposed by India, but also with an unrelenting attitude on the part of the Government of India, which insisted upon the admission by the Union Government—as a prerequisite to discussion—that it had failed to carry out agreements concluded with the Government of India and that it had violated the Charter of the United Nations.

The representative of South Africa opposed the resolution recommended by the First Committee because he considered that it did not give any indication that the Indian Government would discontinue its sanctions. Furthermore, the resolution prescribed the resolution of December 8, 1946, as the basis of discussion and in the view of the South African Government this could only mean that the Indian Government would construe adoption of the First Committee's resolution as an endorsement by the General Assembly that the South African Government must make the admission referred to. The proposed resolution, therefore, would achieve nothing. It would indeed be better, the South African representative stated, if no resolution were passed. With no resolution at all this year—that is, with nothing which could be construed as an endorsement by the General Assembly of the requirements of the Indian Government—there was nothing to prevent the Union Government from coming to terms with the Indian Government as to the basis upon which discussions could be initiated.

The South African representative announced that, while reserving his Government's position on the question of the jurisdiction of the General Assembly, he intended, as an earnest expression of goodwill and in appreciation of the conciliatory efforts of the Governments which had submitted the joint draft resolution, to vote in favor of that resolution.

The representative of India insisted that the resolution of December 8, 1946, must be accepted

as the basis of discussion at the round table conference, which should take place as soon as possible. It was necessary for the General Assembly to make it clear on what basis discussions at the round table conference should take place, for without a common basis of discussion a conference could not lead to a successful conclusion. Failure to reaffirm the resolution of the year before must be regarded as a departure from the stand taken previously by the General Assembly and this would undermine the prestige and influence of the United Nations, especially among the under-privileged, who after the adoption of the resolution of December 8, 1946, had looked to the United Nations with hope and encouragement.

The joint draft resolution, the representative of India considered, amounted to an invitation to the Union of South Africa to do nothing and to refuse participation in a conference and thus make the reference of the whole question to the International Court of Justice inevitable.

After lengthy discussion in which the representatives of El Salvador, Poland, United States, Ukrainian S.S.R., Mexico, Haiti, China, Iceland, Yugoslavia, U.S.S.R. and Philippines participated, the General Assembly, at its 120th plenary meeting on December 20, voted first on the resolution recommended by the First Committee and then on the joint draft resolution submitted by Belgium, Brazil, Cuba, Denmark and Norway. The vote on the First Committee's resolution was 31 in favor, 19 against, with 6 abstentions. The vote on the joint resolution was 29 to 24, with 3 abstentions. As neither resolution obtained a two-thirds majority, they were both declared lost.

At the 121st plenary meeting on November 20, 1947, the representative of India submitted the following draft resolution (A/507):

"The General Assembly,

"Bearing in mind its resolution of 8 December 1946,

"Requests the Governments of South Africa and India to discuss at a Round Table Conference all matters pending between them with a view to an amicable settlement in the light of the said Resolution and to invite the Government of Pakistan for such discussions; and

"Requests that the result of such discussions be reported by the Government of the Union of South Africa and India to the Secretary-General of the United Nations, who shall from time to time make inquiries from them and submit a report on the action taken on this resolution by the two Governments to the Assembly at its next session."

The representative of South Africa stated that in his view the matter had been disposed of and the General Assembly was not competent to consider a new resolution. This view was supported

by the representatives of the United States and the United Kingdom, who considered that the agenda item had been disposed of and that any new resolution must be referred to the General Committee, which, if the matter was considered urgent, could recommend its inclusion in the agenda.

The President of the General Assembly considered that although the two resolutions before the Assembly had been voted upon at the previous meeting the question itself had not been disposed of. There was no need to refer the new Indian resolution to the General Committee, as it had been introduced in connection with a question which was already on the agenda of the General Assembly.

The representative of India pointed out that when the General Assembly adjourned its 120th plenary meeting there was no resolution before the Assembly as both resolutions under consideration had been declared lost. He considered this a most unsatisfactory state of affairs and urged that the General Assembly come to some decision on this important matter.

It was finally agreed that the General Assembly should postpone consideration of the Indian resolution pending its circulation in written form among the delegations. Subsequently, however, the Indian delegation decided to withdraw its resolution, and it informed the Secretary-General of its decision by a letter dated November 21, 1947 (A/511).

e. VOTING PROCEDURE IN THE SECURITY COUNCIL

The question of the voting procedure in the Security Council had been discussed at great length in the course of the second part of the first session of the General Assembly. On December 13, 1946, the General Assembly adopted the following resolution (40(1)):

"The General Assembly,

"Mindful of the Purposes and Principles of the Charter of the United Nations, and having taken notice of the divergencies which have arisen in regard to the application and interpretation of Article 27 of the Charter:

"Earnestly requests the permanent members of the Security Council to make every effort, in consultation with one another and with fellow members of the Security Council, to ensure that the use of the special voting privilege of its permanent members does not impede the Security Council in reaching decisions promptly;

"Recommends to the Security Council the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions; and

"Further recommends that, in developing such prac-

tics and procedures, the Security Council take into consideration the views expressed by Members of the United Nations during the second part of the first session of the General Assembly."

By a note of August 28, 1947, the Secretary-General transmitted to the General Assembly a communication from the President of the Security Council informing the Assembly that the Council had examined the General Assembly's resolution and had referred it to its Committee of Experts for consideration and suggestions (A/368).

By letter of July 18, 1947 (A/330), the Argentine delegation requested that an item concerning "Convocation of a General Conference under Article 109 of the Charter to abolish the privilege of the veto" be included in the agenda of the second session of the General Assembly. On August 22, the Argentine delegation submitted a draft resolution (A/351), which provided that the proposed General Conference should convene three days after the end of the second session of the General Assembly.

By letter of August 19, 1947 (A/346), the representative of Australia requested the inclusion of the following item in the agenda of the second session of the General Assembly:

"The resolution of the second part of the first session of the General Assembly in relation to the exercise of the veto in the Security Council and the extent to which the recommendations contained in that resolution have been carried out"

At the 36th meeting of the General Committee on September 19, 1947, the representative of the U.S.S.R. opposed the inclusion of the Argentine proposal for the convocation of a General Conference to abolish the "veto". The principle of unanimity of the Great Powers, he asserted, was a cornerstone of the structure of the United Nations. Behind the campaign against the "veto", there was, in his view, an attempt to create a situation in which it would be easier to impose upon the U.S.S.R. the will of the other states. The U.S.S.R. could not overlook this tendency, nor did it feel able to put its confidence in the goodwill of the majority in the various organs of the United Nations. The Soviet delegation, moreover, was convinced that the principle of unanimity was in the interest not only of the U.S.S.R. but of all peace-loving peoples, because it forced the permanent members of the Security Council to look for solutions to their problems in a spirit of agreement. The principle acted also in the interest of the small Powers, for history showed that when unity among the great Powers was lacking the small nations were the first victims.

Several other representatives stated that they did not favor amendment of the Charter, but thought that the General Assembly should be given an opportunity to discuss the matter. The representative of Syria suggested that the Argentine proposal be amended so as to provide for the calling of a conference to "amend" rather than to "abolish" the "veto". By a vote of 9 to 2, with 3 abstentions, the General Committee decided to recommend to the General Assembly that the Argentine proposal, as amended by the representative of Syria, should be included in the agenda.

At the 37th meeting of the General Committee, the representative of Poland drew the attention of the members to the communication from the President of the Security Council (A/368) indicating that the Council had referred the General Assembly's resolution to its Committee of Experts, which still had the matter under consideration. It was, therefore, premature to consider the point raised by the Australian proposal, and the representative of Poland suggested that consideration of the matter be postponed to the next session of the General Assembly.

The representative of Australia stated that the purpose of the Australian Government in submitting this item was to give the General Assembly an opportunity to discuss the whole range of the subject of the "veto", as evidently many representatives considered the subject to be of cardinal importance.

The representative of the U.S.S.R. opposed the Australian item on the same ground as that on which he had opposed the Argentine proposal.

By a vote of 11 to 2, with 1 abstention, the General Committee decided to recommend inclusion of the Australian item in the General Assembly's agenda.

On the recommendation of the General Committee (A/392), the General Assembly at its 91st plenary meeting on September 23, 1947, referred the two items concerning the voting procedure in the Security Council to the First Committee, which considered them concurrently at its 112th meeting on November 17, its 113th and 114th meetings on November 18 and its 115th meeting on November 19, 1947.

At the 113th meeting of the First Committee on November 18, 1947, the representative of the United States expressed the view that the problem of the voting procedure in the Security Council presented great difficulties and that there was insufficient time during the current session of the General Assembly to study the whole question thoroughly. He therefore submitted a draft resolution

(A/C.1/272), which provided that the matter be referred to the Interim Committee established during the second session of the General Assembly.¹⁴ The Interim Committee should study all proposals which might be submitted to the second session of the General Assembly or to the Interim Committee itself and should report to the third session of the General Assembly. The Interim Committee should also consult with any committee which the Security Council might designate to co-operate with the Interim Committee in the study of the problem. The United States draft resolution provided further that the General Assembly request the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council "in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions".

In view of the fact that the delegation of the U.S.S.R. and several other delegations had indicated that they would not participate in the work of the Interim Committee, the representative of the United States indicated that he would be willing to agree to have the problem of the voting procedure in the Security Council referred to an *ad hoc* committee rather than to the Interim Committee, if the U.S.S.R. was prepared to participate in the deliberations of an *ad hoc* committee.

The representatives of Argentina, Australia, Brazil, Canada, China, Cuba, Denmark, France, Greece, Netherlands, Norway, Panama, South Africa, Philippines, Sweden, Turkey and United Kingdom expressed themselves in favor of the United States proposal. Certain of these representatives considered that the frequent exercise of the "veto" had paralyzed the working of the Security Council and, therefore, they desired a restriction of the use of the "veto" through a modification of the rules of procedure. These representatives considered that reference to the Interim Committee would provide the most suitable method of achieving their purpose.

Other representatives supporting the United States draft resolution stressed the fact that there had been a great deal of over-simplification in the discussion of the "veto". It was the general political situation and the lack of confidence among the Great Powers and not the "veto" which had caused difficulty. It was doubtful whether removal or modification of the "veto" would increase co-operation. The remedy for the situation was an improvement in international relations. The most

¹⁴See pp. 80-81.

effective approach would be consultation and agreement among the Great Powers. Despite these reservations these representatives agreed, however, that a careful study of the question by the Interim Committee might be of value.

The representative of Chile considered that the question was so important that it should be studied by the United Nations as a whole and not by the Interim Committee. He was therefore opposed to the United States draft resolution.

The representative of India thought it would be best to see how well the Interim Committee functioned before confronting it with such a difficult problem. The Indian delegation would therefore abstain from voting on the United States proposal.

The representative of Egypt did not favor the proposal to refer the question to the Interim Committee. He considered, however, that the General Assembly should request the permanent members of the Security Council to consult with one another. He therefore asked that the United States resolution be voted paragraph by paragraph.

The representative of Iceland thought that a general improvement in international relations was a prerequisite to any possible modification of the voting procedure in the Security Council. Discussion in the Interim Committee therefore could serve no useful purpose, although he could see no harm resulting from such discussion. He would therefore abstain from voting on the United States proposal.

The representatives of Byelorussian S.S.R., Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia objected to any proposal to refer the problem of the "veto" to the Interim Committee or to an *ad hoc* committee. The problem of the "veto", they considered, should not have been placed on the agenda of the second session of the General Assembly at all. Any proposal for a study of the "veto" by the Interim Committee or any other body merely screened an attempt to undermine the unanimity of the permanent members of the Security Council, which was the *sine qua non* of the existence of the United Nations.

Moreover, the representatives of the six above-mentioned countries considered that the Interim Committee was an illegal body, and they pointed out that they had previously announced that they would not participate in its work. The proposal to refer the question to the Interim Committee could only widen the rift between the majority and the minority and weaken the United Nations. The only way to increase harmony and agreement among the Great Powers was to give up discussing the "veto". The question, therefore, should be

deleted entirely from the agenda of the General Assembly.

The representative of the U.S.S.R. indicated that he was not prepared to consult with the other permanent members of the Security Council with regard to the "veto". He considered such consultations inappropriate and unnecessary.

Voting paragraph by paragraph, the First Committee at its 115th meeting on November 19, 1947, adopted the United States resolution. The resolution as a whole was adopted by a vote of 36 to 6, with 11 abstentions.

The representative of Argentina stated that in view of the adoption of the United States resolution it was superfluous to submit the Argentine draft resolution to a vote.

The representative of China had submitted a paper (A/C.1/202/Rev. 1) containing suggested procedural revisions designed to bring about an improvement in the practice of the Security Council. It was agreed that these proposals along with any others which might be submitted should be referred to the Interim Committee for further study.

The General Assembly considered the report of the First Committee (A/501) at its 122nd and 123rd plenary meetings on November 21, 1947.

At the 122nd plenary meeting the representative of the United States expressed the view that the resolution recommended by the First Committee was very simple and modest, inasmuch as it merely provided for a study of the "veto" question during the coming year, without in any way prejudging the substance of the matter. It was the purpose of the resolution to deal constructively, deliberately and calmly with a very controversial problem which could not be suppressed. If the problem were simply to be removed from the agenda, as had been suggested, it would only break out and flare up in other ways and in other directions, which would be more detrimental to the prestige of the United Nations.

The representative of the U.S.S.R. contended that the United States delegation had tried to minimize the significance of the resolution recommended by the First Committee in an effort to divert the attention of the General Assembly from the genuine political problems which were closely linked with the proposal under consideration.

It would appear, the U.S.S.R. representative stated, that certain states had accepted the principle of unanimity at San Francisco and had signed the Charter only to struggle against its basic principles as soon as it had been adopted. Such a procedure could only reflect on the sincerity and good faith

of these delegations. The attack upon the "veto" constituted a danger to the very existence of the United Nations. While the Argentine delegation openly urged the abolition of the "veto", the representatives of the United States and the United Kingdom professed to take their stand in favor of the principle of unanimity. In actual fact, however, they attempted carefully and cunningly, but consistently, to circumscribe that principle.

The United States, the United Kingdom, Australia and others, the U.S.S.R. representative maintained, tried to represent their campaign against the principle of unanimity as a campaign against the abuse of that principle, such abuse being ascribed to the U.S.S.R. The representative of the U.S.S.R. denied that there had been any abuse of the "veto". It had been said that the U.S.S.R. had exercised the "veto" 22 times. Actually the U.S.S.R. had exercised the right of "veto" in connection with four questions only: the Spanish question, the Greek question, the Corfu Channel question and the admission of new Members. The U.S.S.R. had been forced to use the "veto" repeatedly in regard to these questions, as they had been raised again and again with the aim of provoking a "veto". In all cases where the "veto" was utilized the representative of the U.S.S.R. had acted quite correctly, since he had been unable to adhere to the position of the majority of the Security Council. The accusations against the U.S.S.R. were made only in order to open the door to the elimination of the "veto", which was inconvenient to the majority which tried to dominate the organization.

The representative of the U.S.S.R. could not agree with the statement made by the representative of the United States in the First Committee that the Four Power Declaration of June 7, 1945, in regard to the "veto"⁵⁵ was not binding on the four sponsoring Powers at San Francisco. The rule of unanimity which had been accepted at San Francisco was based upon a full consciousness of the great responsibility in the maintenance of peace and security which rested upon the Great Powers, which alone had at their disposal all the economic and military means to enforce this responsibility.

Transmission of the "veto question" to the Interim Committee would be a flagrant violation of the Charter, the U.S.S.R. representative stated. It could only be considered as another step towards the liquidation of the principle of unanimity. The best interests of the United Nations would dictate that this question be removed from the agenda altogether.

At the 123rd plenary meeting of the General

Assembly, the representative of Czechoslovakia stated that his delegation was opposed to any effort to weaken the existing rules of voting in the Security Council and would therefore vote against the resolution recommended by the First Committee.

The representative of Argentina expressed the view that an attempt to reform the Charter in the sense of changing, modifying or qualifying the "veto" could not be construed to be a violation of the Charter. The Members of the United Nations could not be expected to uphold the Charter under any circumstance. The political conditions prevailing at present were not the same as in 1945. Experience had shown that those who had opposed the "veto" at San Francisco had been right. The "veto" was originally intended to maintain peace and to keep differences from arising, but the "veto" had not resulted in unanimity and had not worked in the interests of peace. Adverse comment from the U.S.S.R. delegation could not prevent the Argentine delegation from submitting its proposal to reform the Charter. Only those who would deny the right to modify the Charter were violating its principles.

The representative of Poland remarked that he opposed the resolution recommended by the First Committee because (1) he was opposed to the transmission of any item to the Interim Committee, as in his view the establishment of that Committee was incompatible with the provisions of the Charter, and (2) he was opposed to any change in the principle of unanimity, which was fundamental to the very existence and operation of the United Nations.

The principle of unanimity of the Great Powers, the representative of Poland stated, was designed to serve two purposes. It was to provide for the execution of the decisions of the Security Council, as no decision of the United Nations could really be put into practice unless all the big Powers were in agreement with that decision. The second purpose of the principle of unanimity was to prevent the United Nations from being used by one group of nations as a tool of their own policies against another group of nations. It was therefore not desirable even to discuss the removal of the principle of unanimity of the permanent members of the Security Council.

The representative of Yugoslavia expressed the view that the exercise of the "veto" by the U.S.S.R. was no evidence of a lack of goodwill on the part of the U.S.S.R. The U.S.S.R. was merely exercising

⁵⁵ See *Yearbook of the United Nations, 1946-47*, pp. 23-25.

the right applied by all Great Powers whenever they considered it opportune and necessary, i.e. the right to oppose a decision which might disregard or jeopardize their interests. This was a manifestation of a lack of agreement among the Great Powers, particularly of the disagreement which divided the United States and the U.S.S.R. The extension of the application of a simple majority rule, however, would not remedy the situation. The resolution proposed by the First Committee could only promote wider disagreement and the representative of Yugoslavia therefore appealed to the members of the General Assembly to vote against that resolution.

On the request of the representative of Egypt, the First Committee's resolution was voted on paragraph by paragraph. Only the last paragraph of the resolution was adopted without opposition. The resolution as a whole was adopted by a vote of 38 to 6, with 11 abstentions. Following is the text of the resolution (117(II)) as adopted by the General Assembly at its 123rd plenary meeting on November 21, 1947:

"The General Assembly, in the exercise of its power to make recommendations relating to the powers and functions of any organs of the United Nations (Article 10 of the Charter),

"Requests the Interim Committee of the General Assembly, in accordance with paragraph 2 (a) of resolution 111 (II) of the General Assembly of 13 November 1947, establishing that Committee," to:

"1. Consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by Members of the United Nations to the second session of the General Assembly or to the Interim Committee,

"2. Consult with any committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem;

"3. Report, with its conclusions, to the third session of the General Assembly, the report to be transmitted to the Secretary-General not later than 15 July 1948, and by the Secretary-General to the Member States and to the General Assembly,

"Requests the permanent members of the Security Council to consult with one another on the problem of voting in the Security Council in order to secure agreement among them on measures to ensure the prompt and effective exercise by the Security Council of its functions."

f. THREATS TO THE POLITICAL INDEPENDENCE AND TERRITORIAL INTEGRITY OF GREECE

(1) *Inclusion of the Item in the General Assembly's Agenda*

By letter of August 20, 1947 (A/344), the acting representative of the United States at the seat of the United Nations requested that the following item be included in the agenda of the second session of the General Assembly:

"Threats to the political independence and territorial integrity of Greece."

As the Security Council had been dealing with this question⁵⁷ and as in accordance with Article 12 of the Charter the General Assembly is not to make any recommendations in regard to a dispute or situation with which the Security Council is dealing, the representative of the United States submitted a draft resolution to the Security Council at its 202nd meeting on September 15 which provided that the Security Council request the General Assembly to consider the dispute between Greece on the one hand, and Albania, Yugoslavia and Bulgaria on the other, and to make any recommendations with regard to that dispute which it deemed appropriate under the circumstances. The vote on the resolution was 9 to 2, with the U.S.S.R. and Poland voting in the negative. The resolution therefore was not carried. By a procedural vote of 9 to 2 the Council then adopted a second resolution proposed by the representative of the United States that the Greek question be taken off the list of matters with which the Security Council is seized.

By letter of September 16, addressed to the President of the General Assembly (A/398), the Secretary-General notified the General Assembly that the Security Council had ceased to deal with the Greek question.

At the 35th meeting of the General Committee, the representative of the U.S.S.R. requested the deletion of the United States item concerning Greece from the General Assembly's agenda. Inclusion of this item, he considered, could not be justified, as no threat to the political independence and territorial integrity of Greece existed from her neighbors to the north. It was, rather, the situation within Greece which was becoming increasingly difficult due to the interference of foreign governments in the internal affairs of Greece, a situation which was aggravated by the presence of British troops.

Justifying the request made by his Government, the representative of the United States expressed the view that the General Assembly could not remain a mere spectator when a Member of the United Nations was being endangered by attacks from abroad. The inability of the Security Council to take effective action in this case placed a grave responsibility on the General Assembly, which alone could decide whether to include this item in its agenda.

By a vote of 12 to 2 the General Committee

⁵⁷See pp. 80-81.

⁵⁸See pp. 337-32.

decided to recommend to the General Assembly that the item concerning "threats to the political independence and territorial integrity of Greece" be included in the agenda.

The General Assembly considered the General Committee's recommendations (A/392/Add. 1) at its 91st plenary meeting on September 23, 1947. After some discussion, the General Assembly decided by a vote of 38 to 6, with 9 abstentions, to include the item in its agenda, and referred it to the First Committee for consideration.

(2) *Invitation to Representatives of Albania and Bulgaria*

The First Committee began discussion of the Greek question at its 60th meeting on September 25. The Committee had received requests from the representatives of Albania (A/C.1/192) and of Bulgaria (A/C.1/190) that they be permitted to participate in the discussion of this question. The representative of the United States suggested that the representatives of Albania and Bulgaria should not be heard unless they accepted in advance the obligations of pacific settlement provided for in the Charter. This proposal was supported by the representatives of Cuba, United Kingdom, Sweden, Dominican Republic, El Salvador, France, Iran and China. It was stated that although no provision was made in the Charter or the Assembly's rules of procedure for inviting a non-member state to take part in the Assembly's discussions, the General Assembly should be guided by the spirit of Articles 32 and 35 of the Charter.

The representatives of the U.S.S.R., Czechoslovakia, the Ukrainian S.S.R., Yugoslavia, the Byelorussian S.S.R. and Poland were opposed to the invitation's being made subject to any conditions. It was pointed out that the United States proposal would impose heavier obligations on non-member states than on Member States, as the latter were not bound by the General Assembly's recommendations.

In order to make it clear that the obligations of Albania and Bulgaria should not be greater than those of States Members of the United Nations, the representative of Belgium proposed the following text, which the representative of the United States accepted:

"The First Committee inquires of the representatives of Albania and Bulgaria if their Governments are prepared to agree to apply the principles and rules of the Charter in the settlement of the Greek question."

This resolution was adopted by 38 votes to 6, with 5 abstentions. The Albanian and Bulgarian representatives were informed of the Committee's decision (A/C.1/194/Corr. 1).

Replying by letter of September 27 (A/C.1/197), the representative of Albania stated that while respecting fully the principles of the United Nations Charter, his Government could not consent that Albania's right to submit explanations and deny the allegations of the opposing parties be made subject to any conditions whatsoever.

In his reply, also dated September 27 (A/C.1/198), the representative of Bulgaria remarked that certain representatives seemed to consider that the appearance of a Bulgarian representative before the Committee would be a special privilege granted the Bulgarian Government and therefore should have as its condition a statement concerning Bulgaria's acceptance of the principles of the Charter. Such a point of view, the Bulgarian representative considered, was improper. The General Assembly could not solve the problem before it without hearing the accused after having listened to the accusers.

At the 62nd meeting of the First Committee on September 27, 1947, the representative of Australia expressed the view that the replies from the Albanian and Bulgarian representatives were not in the affirmative since they asked to be heard unconditionally and that consequently these States could not be invited to participate in the Committee's debates with full powers. The Committee, however, should hear the Albanian and Bulgarian representatives.

The representatives of the United States and of Belgium shared the view that the replies of the two Governments were evasive and supported the Australian proposal that Albania and Bulgaria should be heard, but not on an equal footing with the representatives of states accepting the principles of the Charter.

The representatives of the U.S.S.R., Poland, Czechoslovakia, Yugoslavia, and the Ukrainian S.S.R. considered that the replies of the Albanian and Bulgarian representatives were perfectly clear. The two countries' representatives should therefore be authorized unconditionally to participate in the discussion of the Greek question.

The First Committee by a vote of 39 to 1, with 11 abstentions, adopted the following resolution (A/C.1/200) submitted by the representative of Belgium:

"The Governments of Albania and Bulgaria having failed to furnish a satisfactory reply to the request made to them by the First Committee, the latter has decided to hear the statements of the Bulgarian and Albanian delegations on the Greek question and requests them to place themselves at the disposal of the Committee in order to reply to any question which may be put to them."

By letters of October 2, 1947 (A/C.1/203 and A/C.1/204), the representatives of Albania and Bulgaria accepted the First Committee's invitation to present statements in connection with the Greek question. Consequently the Albanian and Bulgarian representatives were heard at the 64th meeting of the First Committee on October 2, 1947 (see below).

(3) *General Debate in the First Committee*

General debate on the Greek question lasted from the 60th meeting of the First Committee on September 25, 1947, until the 68th meeting on October 7. The Committee then devoted five further meetings to a detailed discussion of the proposals which had been introduced in the course of the general debate, concluding its consideration of the Greek question at its 73rd meeting on October 13, 1947.

At the 60th meeting of the First Committee on September 25, the representative of the United States cited the repeated use of the "veto" on the part of the U.S.S.R. in connection with the Greek question. In view of the inability of the Security Council to take a decision, the representative of the United States considered that the responsibility for the maintenance of international peace and security rested in this case with the General Assembly.

The representative of the United States recalled that in the report submitted by the Commission to the Security Council on May 27, 1947, eight members of the Commission had reached the conclusion that, according to the facts which had been collected, Yugoslavia had assisted the guerrillas in Greece; and that that was also true, although to a lesser extent, of Albania and Bulgaria. He therefore expressed the view that it seemed established that Albania, Bulgaria and Yugoslavia had violated the principle of international law according to which a state should not assist armed bands which were in rebellion against their legal government. The representative of the United States therefore submitted a draft resolution (A/C.1/191), the third and fourth paragraphs of which contained the following finding and recommendation:

"The General Assembly . . .

"Finds that Albania, Bulgaria and Yugoslavia in contravention of [the] principles of the Charter of the United Nations, have given assistance and support to the guerrillas fighting against the Greek Government;

"Calls upon Albania, Bulgaria and Yugoslavia to cease and desist from rendering any further assistance or support in any form to the guerrillas fighting against the Greek Government."

The resolution further provided (paragraphs

5-8) that the General Assembly call upon Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their dispute by peaceful means. To that end the Governments concerned should:

(1) establish normal diplomatic and good-neighboring relations,

(2) establish frontier conventions, for the control of their common borders,

(3) co-operate in the settlement of the problems arising from the presence of refugees in the four States concerned,

(4) study the practicability of concluding agreements for the voluntary transfer of minorities.

The resolution provided (paragraphs 9-14) that the General Assembly establish a Special Committee to observe the compliance by the four Governments concerned with the foregoing recommendations and to assist the four Governments in the implementation of these recommendations. The Special Committee, which should have its principal headquarters in Salonika, Greece, would be authorized to recommend to the Members of the United Nations that a special session of the General Assembly be convoked as a matter of urgency, if it considered that further consideration of the Greek question was necessary prior to the next regular session of the General Assembly.⁷⁸

Speaking at the 61st meeting of the First Committee on September 26, 1947, and again at the 68th meeting on October 7, the representative of Yugoslavia stated that the report of the Commission of Investigation established by the Security Council⁷⁹ contained no proof of the accusations against Yugoslavia, Albania and Bulgaria. He considered that a Fascist regime filled with quislings and Nazi collaborators had been established in Greece with the aid of British troops and that this regime was actively supported by the British Government. The terror instituted to maintain this regime in power was the real cause of the civil war in Greece. The United States intervention had aggravated even further the situation in Greece, and the Greek Government, encouraged by foreign assistance, continued its aggressive policy towards its northern neighbors.

The representative of Yugoslavia insisted that

⁷⁸The representative of the United States had submitted a similar resolution based on the recommendations of the Security Council's Commission of Investigation to the Security Council, see pp. 339, 344-45. For text of the resolution adopted by the Assembly, see pp. 74-75. With the exception of paragraphs 3 and 4 quoted above, the General Assembly adopted the text of the resolution submitted by the representative of the United States.

⁷⁹See pp. 338-39.

Yugoslavia had not aided the guerrillas fighting the Greek Government, but had merely given asylum to refugees in accordance with international law and the Yugoslav constitution. The accusations levelled against Yugoslavia were designed to hide the true responsibility of the Greek Government and of the United Kingdom and the United States for the civil war in Greece.

At the 62nd meeting of the First Committee on September 27, 1947, the representative of the U.S.S.R. declared that the accusations against Greece's northern neighbors were entirely unfounded. The evidence contained in the report of the Commission of Investigation was contradictory and inadequate and could not be used as the basis for a condemnation of Albania, Bulgaria and Yugoslavia. On the other hand, the representative of the U.S.S.R. considered that convincing evidence had been submitted to show that the present situation in Greece was the result of foreign interference in the internal affairs of Greece.

With the aid of British troops, reactionaries and Fascist collaborators had prevented the establishment of a democratic regime in Greece after the country's liberation from the German occupation. These anti-democratic forces continued in control of the Greek Government. As a result of the terror exercised by rightist bands against the democratic elements of Greece and against the national minorities, thousands of Greeks had fled to the mountains to fight against the regime imposed upon the Greek people by foreign interference. While the civil war in Greece, therefore, was the result of the policies of the present Greek regime, the rulers of Greece tried to lay responsibility for it upon Greece's northern neighbors.

The alleged frontier incidents were provoked by the Greek military clique, the representative of the U.S.S.R. declared, and the only way to put an end to such incidents was to request the Greek Government to cease its provocations and re-establish normal relations with Greece's northern neighbors. The outstanding problems between Greece and her northern neighbors could only be settled by direct negotiations between the countries concerned and not through the establishment of a special committee as proposed by the representative of the United States. The establishment of the committee was incompatible with the sovereignty of the States concerned and would, as previous experience had shown, result in interference in the domestic affairs of those countries.

The part played only recently by British troops in Greece, the representative of the U.S.S.R. stated

further, was now taken up by the United States, whose official policy with respect to Greece was one of undisguised interference in that country's affairs. The United States of America called its policy one of aid to Greece, but that policy had nothing to do with genuine aid and was ultimately directed at reducing Greece to economic and political servitude. The representative of the U.S.S.R. therefore submitted a draft resolution (A/C.1/199) which provided that on the basis of the report of the Commission of Investigation, the General Assembly considered it established:

(1) that the Greek authorities were to blame for the incidents that had occurred on the frontiers of Greece with Yugoslavia, Bulgaria and Albania;

(2) that the internal situation in Greece was the main cause of the acute situation in the northern frontier regions of Greece;

(3) that the existing situation in Greece was to a large extent the result of foreign interference in the internal affairs of Greece, which made it difficult to establish normal relations between Greece and its neighboring countries.

The resolution, therefore, provided further that the General Assembly recommend:

(1) that the Government of Greece take steps to put an end to the frontier incidents on her common frontiers with Yugoslavia, Bulgaria and Albania;

(2) that normal diplomatic relations be established between Greece on the one hand, and Bulgaria and Albania and Yugoslavia on the other;

(3) that the four Governments concerned renew previously existing or conclude new bilateral frontier conventions providing for the regulation of frontier incidents;

(4) that the four Governments settle the refugee question in a spirit of mutual understanding;

(5) that the Greek Government take measures to remove all discrimination in relation to citizens of Macedonian and Albanian nationality residing in Greek territory;

(6) that the Governments of Albania, Bulgaria, Yugoslavia and Greece report after three months on their compliance with the above recommendations.

The resolution provided that in addition the General Assembly recommend that all foreign troops and foreign military personnel be withdrawn from Greece. In order to guarantee the proper utilization of foreign economic aid to Greece the General Assembly should establish a Special Commission to guarantee by appropriate

supervision the utilization of such aid solely in the interests of the Greek people.⁶⁰

At the 63rd meeting of the First Committee on September 29, 1947, the representative of Greece stated that Greece would rest its case upon the facts established by the Security Council's Commission of Investigation⁶¹ and the conclusions of the majority of the Security Council. He declared that the Greek Government would fulfil its Charter obligations by executing in good faith whatever recommendation the Assembly might make and would co-operate with any Commission established to keep the Members of the United Nations currently informed. His Government believed the United Nations entitled to receive a similar declaration from Albania and Bulgaria.

The representative of Greece expressed the view that the apologists for Albania, Bulgaria and Yugoslavia had avoided the sole question before the Committee—whether or not those countries had given and were giving aid to armed bandits seeking to overthrow the Greek Government—because they could not deny the Commission's conclusions that Yugoslavia, and to a lesser extent Albania and Bulgaria, had supported the guerrilla warfare in Greece. Instead these apologists had abused Greece and the Governments of the United Kingdom and the United States for their assistance in maintaining Greek political independence and territorial integrity. He maintained that there was no justification for the attacks on the United Kingdom and the United States concerning aid furnished, at the request of Greece, to help preserve Greek freedom. The charge, moreover, that Greece was a warmonger, plotting a war between the East and the West, was utterly illogical, since any such war would wipe out Greece first of all.

The representative of Greece expressed the hope that the principles of the Charter would be applied to solve the Greek problem and stated that Greece looked forward to a future period of co-operation in southeastern Europe in the interest of the United Nations and world peace.

Speaking at the 64th meeting of the First Committee on October 2, 1947, the representative of Bulgaria stated that none of the charges which had been levelled against Bulgaria had been substantiated. The internal situation in Greece, he considered, was the real cause of the trouble in that country. If Greece and Bulgaria had been left to themselves, they could have settled their differences without any trouble, but this solution had been rendered difficult by the civil war in Greece and by the interference of the United States in Greece's affairs. In fact, the United States had to

claim the existence of an external threat in order to justify its intervention in Greece.

The representative of Bulgaria declared that his country had no aggressive intentions and that it did not engage in any activities unfriendly to Greece. Since its liberation, Bulgaria had devoted all its energies to the reconstruction of the country and to the development of its resources leading to the raising of its standard of living. The Greek question could be resolved satisfactorily if the First Committee rejected any idea of discrimination between the States concerned and refrained from establishing a special committee as proposed by the United States representative. An agreement for the settlement of frontier incidents together with the resumption of diplomatic relations with a Greek Government truly representative of the majority of the Greek people were the essential conditions for a solution of the problem and the establishment of lasting peace in the Balkans.

The representative of Albania stated that the United States draft resolution accusing the States to the north of Greece of having assisted Greek guerrillas was based upon the unfair conclusions of the Security Council's Commission of Investigation without regard to the facts. The answer to the Greek question, he asserted, was to be found in the internal situation of Greece itself, where the people were fighting against a terrorist government upheld by foreign troops and foreign financial assistance. The terrorist policies of the Greek Government were being applied throughout Greece and particularly against all democratic elements which had taken part in Greek resistance against the Fascist invaders. Obviously the blame for this situation could not be placed upon Greece's northern neighbors.

Parallel to the reign of terror inside Greece, the Greek Government was pursuing an aggressive expansionist policy towards Albania with the aid of Albanian war criminals and bandits. The aggressive policy of Greece was typified by the numerous frontier incidents provoked by the Greek Government. Greece's expansionist policy was supported by the British troops in Greece. The representative of Albania also drew attention to the problem of Albanian minorities in Greece.

Albania had no territorial claims or designs of any kind upon Greece, the Albanian representative assured the First Committee. The Albanian people desired to live in peace with the Greek people who

⁶⁰A resolution largely identical with the above had been submitted by the U.S.S.R. to the Security Council. See pp. 339-40.

⁶¹See pp. 338-39.

had fought side by side with them in the struggle against the Fascist invaders. He therefore hoped that the Committee would succeed in finding a just solution which would ensure peace in the Balkans.

The representative of France, speaking at the 63rd meeting of the First Committee on September 29, recalled the fact that the French representative on the Security Council's Commission of Investigation had not associated himself with the conclusions of the majority because he had considered that the Commission was not in a position to assess responsibilities. He considered that the formal finding of guilt on the part of Albania, Bulgaria and Yugoslavia contained in the United States draft resolution should be replaced by a reference to the Commission's findings without a condemnation of the States concerned by the Assembly itself. The representative of France therefore submitted the following amendment (A/C.1/201/Corr. 1) to replace paragraphs 3 and 4 of the United States resolution:

"Whereas the Commission of Investigation sent by the Security Council has found by a majority that Albania, Bulgaria, and Yugoslavia have given aid and assistance to the partisans fighting against the Greek Government,

"The General Assembly

"Calls upon Albania, Bulgaria, and Yugoslavia to do nothing which could furnish aid and assistance to the said partisans."

He expressed the view that such a modification should serve to make the United States resolution more acceptable to all parties. A decisive step towards peace would be taken if the four countries involved—Albania, Bulgaria, Greece and Yugoslavia—would agree to accept the Assembly's advice and if an authoritative and impartial commission were established to observe on the spot the implementation of the Assembly's recommendations and to lend its assistance to the four States.

A number of representatives supporting the United States resolution expressed the view that the Commission had established the fact of assistance by Albania, Bulgaria and Yugoslavia to the guerrillas fighting against the Government of Greece. Neither the character of the political regime in Greece, it was stated, nor the existence of civil strife in Greece, justified intervention on the part of Greece's northern neighbors. The situation along Greece's northern borders constituted a threat to international peace, and it was imperative that the General Assembly recommend action along the lines suggested in the United States draft resolution.

Other representatives favored the establishment

of a special committee as proposed by the United States delegation, but agreed with the representative of France that it was undesirable to attempt to fix the responsibility for the incidents which had occurred on the northern frontiers of Greece. It was therefore suggested that the countries concerned should be asked whether they would accept a solution based on the French proposal.

The representative of Sweden shared the view of other representatives that a commission should be established to maintain a continuous observation of developments in the Greek border areas and felt that such a commission should have the additional task of putting an end to further incidents by conciliatory measures.

The representative of Sweden considered that the frontier incidents complained of were not connected with the guerrilla warfare in Greece, but, as the Commission of Investigation had noted, resulted from the strained relations between the countries concerned. He further stated that the Commission's report had contained the view that the conflict was also largely attributable to the experience of Greece during the war and that the Macedonian problem played a large part in the present situation. The representative of Sweden therefore submitted a draft resolution (A/C.1/205) which provided that the General Assembly establish a committee which should not only investigate frontier violations, but which should also prepare a comprehensive report on the whole Balkan question. The committee should examine the underlying causes of the present situation in the Balkans and of the strained relations between Greece and her northern neighbors, and should recommend measures (in addition to those proposed in the United States resolution) "aimed at eliminating the causes of friction between the Governments concerned and with a view to guaranteeing the political and economic independence and the territorial integrity of Greece". Special consideration should be given to the Greek people and to their need of material help from abroad.

The representative of Cuba considered that the true cause of the grave situation in the Balkans was neither the internal political situation of Greece nor assistance to the guerrillas given by Greece's northern neighbors, but rather the rising antagonism between the United States and the U.S.S.R. Neither the U.S.S.R. nor the United States proposal would solve the Greek problem until the present tension in Albania, Bulgaria, Hungary, Poland, Roumania and Yugoslavia decreased. The Cuban representative therefore suggested that the General Assembly refrain from a finding of guilt and he

submitted a draft resolution (A/C.1/206/Corr. 1) which provided that the General Assembly request Albania, Bulgaria, Greece and Yugoslavia to co-operate in the pacific settlement of their dispute, in re-establishing diplomatic relations, in drawing up a frontier convention and in seeking a solution to the problem of refugees. The Assembly should establish a special committee to supervise the fulfilment of these recommendations. At the same time this committee should ascertain whether the Peace Treaties with Bulgaria, Hungary and Roumania had been fulfilled and it should further investigate if there was political and economic independence in Albania, Bulgaria, Greece, Hungary, Poland, Roumania and Yugoslavia and if these countries were completely free from foreign intervention in their internal and external affairs.

At its 69th meeting on October 8, 1947, the First Committee proceeded to a discussion of the draft resolutions which had been submitted, beginning with the United States resolution.

(4) *Consideration of Draft Resolutions*

The representative of the United States remarked that his Government was still convinced of the guilt of Albania, Bulgaria and Yugoslavia, but was prepared, in a spirit of conciliation, to accept the French amendment, provided the four parties to the dispute would implement the resolution and co-operate with the special committee. If the States concerned were unwilling to approve in advance the establishment of a committee the United States delegation would not be able to accept the French amendment and would fall back on its original proposal.

Anticipating acceptance by the countries concerned of the condition stated by the representative of the United States, the representative of the United Kingdom submitted an amendment (A/C.1/207) to the United States resolution to replace the finding of guilt contained in paragraph three of that resolution by a provision that the General Assembly had "ascertained that Albania and Bulgaria have promised cooperation" and that Greece and Yugoslavia were "bound by their signatures to the Charter". When the Governments of Albania, Bulgaria and Yugoslavia refused to give any undertaking concerning their co-operation with the proposed committee on the basis that it would infringe upon their sovereignty and was uncalled for by the existing situation, the representative of the United Kingdom withdrew his amendment and substituted another (A/C.1/207-Corr. 1)—similar to the French amendment—which provided that the General Assembly,

"Taking account of the report of the Commission of Investigation which found by a majority vote that Albania, Bulgaria and Yugoslavia had given assistance and support to the guerrillas fighting against the Greek Government;

"Calls upon Albania, Bulgaria and Yugoslavia to do nothing which could furnish aid and assistance to the said guerrillas"

The representative of the U.S.S.R. objected to the "bargain" proposed by the representative of the United States whereby the United States delegation would allegedly abandon its accusations against Albania, Bulgaria and Yugoslavia if these countries would agree to the establishment of a commission of investigation. He considered such an approach as completely unacceptable and regarded it as blackmail upon the northern neighbors of Greece. It was nevertheless highly revealing that the three proposals submitted by the French, Swedish and Cuban delegations must have arisen out of the conviction that the charges contained in the United States draft resolution were false. He considered further that it was most unusual for a delegation to impose conditions to the acceptance of the draft resolution which might be rejected by the Committee. The whole method revealed the weakness and insincerity of the United States proposal as well as its real aims.

The representative of France considered that the United States draft resolution, as amended by the French proposal, could not be considered as offensive to Albania, Bulgaria and Yugoslavia, since it placed those States on an equal footing with Greece. Its only essential difference from the resolution proposed by the representative of the U.S.S.R. was that it proposed the establishment of a special committee of investigation. The representative of the U.S.S.R. insisted, however, that the French text had the same effect as the United States draft resolution but was couched in more vague and indefinite terms.

The representative of Egypt proposed that a sub-committee be set up to list the points upon which agreement had been reached and to examine points of disagreement. As the majority of the Committee, however, wished to proceed to a vote on the United States resolution, the representative of Egypt agreed to the postponement of a vote on his proposal.

The representative of Belgium suggested that it would be better to vote first on the paragraphs on which there was agreement and then to discuss those which were in dispute. He therefore proposed that the United States resolution be discussed and voted upon in the following order:

(1) paragraph 5, which provided that the General Assembly call upon Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other, to co-operate in the peaceful settlement of their dispute and recommended measures to be adopted to this end;

(2) paragraphs 6 to 14, which provided for the establishment of a special committee and determination of its organization, composition and competence;

(3) paragraphs 1 to 4, which referred to views on past events.

The representative of the U.S.S.R. and several other representatives objected to the procedure of starting the detailed discussion and voting with paragraph 5 instead of from the beginning of the resolution. The rules of procedure provided for a vote upon the resolution paragraph by paragraph, in their natural order, but certainly excluded the possibility of the method by which a paragraph taken out of the middle of the resolution would be voted upon first. Such a method was illogical and illegal.

The Chairman put the Belgian proposal to a vote. It was accepted by the First Committee by a vote of 34 to 6, with 12 abstentions.

Voting paragraph by paragraph, the First Committee then adopted paragraphs 5 to 14 of the United States resolution.⁶² The question of the composition of the Special Committee, however, was left open for further discussion.

The representative of the United States proposed that the Special Committee be composed of the representatives of Australia, Brazil, Mexico, Netherlands, Pakistan, Poland and the five permanent members of the Security Council.

At the 70th meeting of the First Committee on October 9, 1947, the representative of the U.S.S.R. declared that he considered the terms of reference of the Special Committee to be incompatible with the principle of sovereign equality of states and the principles contained in the United Nations Charter. For this reason the U.S.S.R. delegation could not participate in the election of the members of the Special Committee and would not participate in the work of the Committee.

The representative of Yugoslavia stated that the establishment of the Special Committee was a hostile act towards Yugoslavia. The resolution blamed Yugoslavia for the alleged interference in the internal affairs of Greece and remained completely silent on the subject of the only existing interference in the affairs of Greece, that of the United States and the United Kingdom. The U.S.S.R.'s

refusal to participate in the work of the Special Committee was a friendly act towards Yugoslavia.

The representative of Poland stated that, while he appreciated that several delegations had nominated his country as a member of the Special Committee, his Government would not participate in the work of the Committee since it considered it to be illegal as well as detrimental to the interests of the Balkans.

The representatives of Czechoslovakia, the Byelorussian S.S.R. and the Ukrainian S.S.R. announced that they would not participate in the debate and in the voting on the membership of the Special Committee.

The representative of Cuba stated that he could not accept the United States proposal that the Special Committee consist of representatives of governments including the permanent members of the Security Council. He saw no reason why the latter should be represented on all committees of the United Nations. He therefore submitted an amendment (A/C.1/209) to the United States resolution which provided that the Special Committee consist of individuals appointed by the First Committee of the General Assembly, none of which should be nationals of the countries involved in the dispute. Several representatives expressed themselves in favor of the Cuban proposal that the members of the Committee should be elected on their individual merits.

The representative of the United States explained that his delegation had suggested the inclusion of the five permanent members of the Security Council because unanimity among them was essential if a lasting solution was to be achieved. The Balkan question was primarily political. The vitally important issues which might arise necessitated the participation of the permanent members of the Security Council. The other countries suggested by the United States delegation had been included on the basis of the differences of their geographical position and political systems in order that the Committee should be given a balanced composition.

The representative of Colombia considered it more appropriate not to include the five permanent members of the Security Council in the Special Committee. Whenever the permanent members had been instructed to study a question and to submit a report, he stated, they had been unable to agree. Moreover, one of the permanent members had already stated that it would not participate in the work of the Special Committee.

⁶²See p. 65.

The representative of Colombia therefore submitted an amendment (A/C.1/210) to the United States draft resolution which provided that the General Assembly establish a Committee to be composed of representatives of the six non-permanent members of the Security Council.

At the 71st meeting of the First Committee on October 10, 1947, the representative of Canada expressed the view that the Special Committee should have the greatest possible authority and that this could best be accomplished by including the five permanent members of the Security Council. He proposed (A/C.1/211) that the Special Committee should be composed of the members suggested by the representative of the United States: Australia, Brazil, China, France, Mexico, Netherlands, Pakistan, United Kingdom and United States, with two open seats for the U.S.S.R. and Poland, giving them an opportunity to participate later if they so decided. The representative of the United States supported the Canadian amendment.

At its 71st meeting on October 10 the First Committee voted on the various proposals concerning the composition of the Special Committee. The Cuban proposal was rejected by a vote of 22 to 4, with 19 abstentions. The Colombian proposal was rejected by a vote of 14 to 3, with 26 abstentions. The First Committee then adopted the Canadian amendment to the United States resolution by a vote of 32 to 1, with 12 abstentions.

Having decided on the composition of the Special Committee, it remained for the First Committee to discuss the first four paragraphs of the United States draft resolution.

The representative of Egypt re-introduced, in a somewhat modified form, his proposal for the appointment of a sub-committee (A/C.1/208). The sub-committee should, in the light of the discussions in the First Committee, prepare a text designed to replace paragraphs 2, 3 and 4 of the United States resolution. In addition, the sub-committee should extract from the various proposals before the Committee those parts which did not duplicate the text already adopted by the Committee and which were not inconsistent with that text and propose a single text covering such additional suggestions as were suitable for being put to a vote.

A number of representatives objected to the Egyptian proposal on the ground that it dealt with questions which the Committee had already settled by its previous vote on the United States resolution. The First Committee rejected the

Egyptian proposal by a vote of 23 to 6, with 18 abstentions.

At the 70th meeting of the First Committee on October 9, the representative of Colombia had introduced an amendment to delete the first four paragraphs of the United States resolution. The substitute text proposed by the Colombian representative (A/C.1/210) contained no finding of responsibility for the incidents which had taken place on the northern borders of Greece but stated that these disturbances "are only a part or an aspect of a broader international situation, other phases of which have not been investigated or discussed by this Committee". "The recommendations on the Greek question to be adopted by the General Assembly", the Colombian draft stated, "can most effectively be given effect with the co-operation of Greece and the United States on the one hand, and Albania, Bulgaria, Yugoslavia and the U.S.S.R. on the other". The Colombian text stated further that "other recommendations . . . at present beyond the purview of the First Committee" might be necessary to "ensure peace, security and orderly development in the Balkan Peninsula". The First Committee therefore should invite the Governments of Albania, Bulgaria and Yugoslavia to extend to the General Assembly definite assurance of their readiness to co-operate in carrying out the recommendations of the General Assembly in this matter. At the same time the First Committee should invite the representatives of France, the U.S.S.R., the United Kingdom and the United States to discuss the possibility of jointly submitting to the First Committee, or directly to the General Assembly, such amendments to the recommendations contained in the United States draft resolution as they might deem necessary.

Voting on the Colombian amendment at its 71st meeting on October 10, the First Committee rejected the first paragraph providing for the deletion of the first four paragraphs of the United States resolution by a vote of 29 to 6, with 16 abstentions. The other paragraphs therefore were not voted on.

At the 72nd meeting of the First Committee on October 11, the representative of France stated that in view of the similarity between the French and United Kingdom amendments only one text should be put to the vote. He was ready to accept the United Kingdom draft (A/C.1/207/Corr. 1), which should thus be considered as a joint Anglo-French amendment.

The representative of the United States declared that in a spirit of conciliation he was ready

to support the joint amendment. The First Committee adopted the first paragraph of the joint amendment by a vote of 32 to 7, with 13 abstentions, and the second paragraph by a vote of 34 to 7, with 11 abstentions. Voting paragraph by paragraph, the First Committee then adopted the first two paragraphs of the United States resolution as modified by the Anglo-French amendment.

The First Committee adopted the United States resolution as a whole by a vote of 36 to 6, with 10 abstentions.

In view of the adoption of the United States resolution, the representatives of Sweden and Cuba withdrew their draft resolutions.

At the 73rd meeting of the First Committee on October 13, the representative of the U.S.S.R. stated that he considered that the first condition for the re-establishment of peaceful relations between Greece and her northern neighbors was the withdrawal of British troops and British and American instructors from Greece. Moreover, it was necessary to make sure that United States economic aid was not a pretext for the establishment of military bases. That was why the Soviet delegation had proposed the establishment of a special commission to ensure that economic aid to Greece was used for purposes of reconstruction and for the benefit of the Greek people.

The representative of the U.S.S.R. stated that it was probable that the delegations of the United States and the United Kingdom would reject the Soviet proposal, fearing that the nature of their direct intervention in Greece might be established. Adoption of the Soviet proposal was, however, the U.S.S.R. representative considered, the only way to re-establish normal relations amongst the Balkan peoples and to eliminate threats to the peace.

The representatives of Czechoslovakia, Poland, Yugoslavia, Ukrainian S.S.R. and Byelorussian S.S.R. expressed themselves in favor of the U.S.S.R. resolution.

The representative of the United Kingdom stated that he was not afraid of the establishment of a commission to supervise aid to Greece and would be willing to discuss it, if the U.S.S.R. resolution were confined to that proposal. In reality, he stated, the proposal had been added to the U.S.S.R. resolution as an afterthought in order to get the resolution accepted by the Committee.

The representative of the United States remarked that the last two recommendations in the U.S.S.R. resolution, namely, withdrawal of foreign troops and creation of a commission to supervise economic aid to Greece, had been discussed in full

and rejected by the Security Council as unnecessary and unjustified.⁶³

Some representatives considered that in view of the adoption of the United States resolution by the First Committee, the U.S.S.R. resolution was automatically unacceptable, as it was in direct contradiction with the terms of the United States resolution.

Voting paragraph by paragraph, the First Committee rejected the U.S.S.R. resolution. The resolution as a whole was rejected by a vote of 40 to 6, with 11 abstentions.

In accordance with rule 112 of the provisional rules of procedure of the General Assembly, no resolution involving expenditure is to be voted by the General Assembly until the Fifth Committee of the Assembly has had an opportunity of stating what would be the effect of the proposal upon the budget of the United Nations.

By letter of October 18, 1947 (A/C.5/170), the President of the General Assembly requested the Chairman of the Fifth Committee to arrange for the Committee to discuss as a matter of urgency the question of the cost involved in the establishment of a Special Committee on the Balkans, as recommended by the First Committee. The Secretary-General submitted a report (A/C.5/172) to the Fifth Committee. On the assumption that the headquarters would be in Salonika and that 25 staff members would be sent to Salonika from headquarters, the Secretary-General estimated the cost of the Committee to be \$49,640 in 1947 and \$368,600 in 1948.

The Fifth Committee considered the Secretary-General's report at its 70th meeting on October 18, 1947. The representative of the U.S.S.R. stated that his delegation would not take part in the consideration of the estimates because:

(1) the Special Committee would not be able to settle the question at issue,

(2) the Balkan countries themselves with the exception of Greece had stated that they would not co-operate with the Committee,

(3) a different proposal for settling the question had been submitted to the First Committee.

The representative of the U.S.S.R. proposed that the Fifth Committee should refuse to allocate funds for the Special Committee.

The representative of Yugoslavia supported this proposal. He pointed out that the savings thus far achieved by the deliberations of the Fifth Committee would be largely negated by allocating funds for the Special Committee. The representa-

⁶³See pp. 340-46.

tive of Yugoslavia also expressed the view that approval of the budgetary estimates would mean support of the principle of foreign interference in the internal affairs of Greece.

The representative of Poland requested members of the Fifth Committee to vote against any appropriation for the Special Committee, as the appointment of such a Committee, in his view, violated the letter and the spirit of the Charter and infringed the sovereign rights of the nations concerned. The representative of Poland stated that his delegation would reserve the right to request the Secretary-General to ensure that no part of Poland's contribution to the United Nations budget would be devoted to the Special Committee, and that Poland's contribution should, in due course, be adjusted accordingly.

The representative of the Byelorussian S.S.R. supported the attitude of the U.S.S.R. delegation.

The U.S.S.R. proposal that the Fifth Committee should refuse to allocate funds for the Special Committee was rejected by a vote of 31 to 6, with 6 abstentions.

The representative of Pakistan pointed out that the Secretary-General's estimate made no provision for travel expenses and subsistence allowances of representatives on the Special Committee. He recalled that the travel expenses of representatives serving on technical commissions of the Economic and Social Council were met by the organization and that travel expenses and subsistence allowances of \$20 per diem for one representative and one alternate were paid by the United Nations in the case of the Special Committee on Palestine. The representative of Pakistan thought that if members of the Committee were required to pay all their expenses only those who were vitally interested might accept to serve, with a consequent risk of deadlocks. It should not be made difficult for non-partisan members to serve on such bodies as the Special Committee on the Balkans. He therefore favored payment from the United Nations budget of the travel expenses and part or all of the subsistence expenses of members of the Special Committee. The representatives of Mexico, Brazil, Guatemala, Belgium and China shared the views of the representative of Pakistan.

The representatives of the United Kingdom, the United States, Czechoslovakia and the Union of South Africa considered that the Fifth Committee should not make a decision in this case before having considered the broad questions of principle involved. The Fifth Committee should present alternative estimates to the General Assembly, including and excluding the payment of

travel and subsistence expenses, discussing the principles involved at a later stage.

The representative of Pakistan and several other representatives, however, considered that the Fifth Committee should make a positive recommendation to the General Assembly. Accordingly, the representative of Belgium proposed to add to the Secretary-General's estimates the sum of \$193,200 (\$23,200 for 1947 and \$170,000 for 1948) to cover travelling expenses and subsistence allowances at the rate of \$20 per diem for one representative and one alternate representative of each country represented on the Special Committee. The representative of the United Kingdom suggested that the Fifth Committee recommend that the United Nations pay the expenses of one representative only of each country.

The representatives of the Netherlands and France asked that in voting on the Belgian proposal it be understood that neither principle nor precedent were involved. By a vote of 15 to 9, with 14 abstentions, the Fifth Committee adopted the Belgian proposal. With this addition the estimate presented by the Secretary-General was approved by a vote of 32 to 6, with 7 abstentions. The Fifth Committee therefore informed the General Assembly that the estimated cost of the Special Committee would be \$72,840 in 1947 and \$538,600 in 1948, or a total of \$611,440. In its report to the General Assembly (A/415) the Fifth Committee pointed out that its decision did not constitute an appropriation, but only information to the General Assembly concerning the effect of the proposal on the budget of the United Nations. If the General Assembly should approve the establishment of a Special Committee, the Fifth Committee would refer the estimates to the Advisory Committee on Administrative and Budgetary Questions for further study and report. The Advisory Committee subsequently considered the estimates. In its report to the Fifth Committee (A/C.5/216), the Advisory Committee stated that it was virtually impossible to forecast the scope of the Special Committee's activities. It therefore recommended that the total estimate, as submitted by the Fifth Committee, should be accepted, although the Advisory Committee did not agree with all the details of the estimates.

(5) *Consideration by the Assembly of the Reports of the First and Fifth Committees*

The General Assembly considered the reports of the First and Fifth Committees (A/409 and A/415) at its 97th and 98th meetings on October 20 and at its 99th and 100th meetings on October 21, 1947.

At the 97th plenary meeting the representative of the U.S.S.R. detailed the reasons for which his delegation rejected the resolution recommended by the First Committee, which he considered to be just as unacceptable as the original resolution introduced by the representative of the United States. The recommendations adopted by the First Committee, the representative of the U.S.S.R. considered, could not lead to a solution of the Greek question, but were, on the contrary, likely to become the source of new complications. He therefore re-submitted the draft resolution he had introduced in the First Committee (A/416).

At the same meeting, the representative of Poland expressed the view that the establishment of a Special Committee was not designed to serve the purpose of conciliation, but would become a means of further intervention in the affairs of Greece and its relations with its northern neighbors. He therefore repeated his declaration made before the First Committee that the Polish Government would not take part in such a Committee, if it should be established by the General Assembly. The prerequisite for the establishment of a democratic regime in Greece and a just solution of the Greek problem was the withdrawal from Greece of all foreign troops and military missions. The representative of Poland therefore submitted the following draft resolution (A/411):

"The General Assembly,

"Having considered the question of threats to the political independence and territorial integrity of Greece and the views expressed by the various delegations;

"Recommends that all foreign troops be immediately withdrawn and all foreign military missions, instructors and other military experts be recalled immediately from the territory of Greece;

"Requests all Governments concerned to report, not later than 1 January 1948, to the Secretary-General on the implementation of this recommendation."

In the course of the discussion which took place at the 98th, 99th and 100th plenary meetings of the General Assembly, the representatives of Czechoslovakia, Yugoslavia, the Byelorussian S.S.R. and the Ukrainian S.S.R. expressed opposition to the resolution recommended by the First Committee. The representatives of the United States, Australia, Greece, France and the United Kingdom spoke in support of that resolution and urged its adoption by the General Assembly.

Before the General Assembly proceeded to vote on the proposals before it, the representative of the U.S.S.R. repeated his announcement that his Government would not take part in the work of the Special Committee to be established.

The General Assembly adopted the First Com-

mittee's report by a vote of 40 to 6, with 11 abstentions. The resolution submitted by the representative of Poland was rejected by a vote of 7 to 34, with 16 abstentions. The U.S.S.R. resolution was rejected by a vote of 6 to 41, with 10 abstentions.

The text of the resolution (109(II)) adopted by the General Assembly at its 100th plenary meeting on October 21 is as follows:

"1. Whereas the peoples of the United Nations have expressed in the Charter of the United Nations their determination to practise tolerance and to live together in peace with one another as good neighbours and to unite their strength to maintain international peace and security; and to that end the Members of the United Nations have obligated themselves to carry out the purposes and principles of the Charter,

"2. The General Assembly of the United Nations, "Having considered the record of the Security Council proceedings in connexion with the complaint of the Greek Government of 3 December 1946, including the report submitted by the Commission of Investigation established by the Security Council resolution of 19 December 1946 and information supplied by the Subsidiary Group of the Commission of Investigation subsequent to the report of the Commission;

"3. Taking account of the report of the Commission of Investigation which found by a majority vote that Albania, Bulgaria and Yugoslavia had given assistance and support to the guerrillas fighting against the Greek Government,

"4. Calls upon Albania, Bulgaria and Yugoslavia to do nothing which could furnish aid and assistance to the said guerrillas;

"5. Calls upon Albania, Bulgaria and Yugoslavia on the one hand and Greece on the other to co-operate in the settlement of their disputes by peaceful means, and to that end recommends:

"(1) That they establish normal diplomatic and good neighbourly relations among themselves as soon as possible;

"(2) That they establish frontier conventions providing for effective machinery for the regulation and control of their common frontiers and for the pacific settlement of frontier incidents and disputes;

"(3) That they co-operate in the settlement of the problems arising out of the presence of refugees in the four States concerned through voluntary repatriation wherever possible and that they take effective measures to prevent the participation of such refugees in political or military activity;

"(4) That they study the practicability of concluding agreements for the voluntary transfer of minorities;

"6. Establishes a Special Committee:

"(1) To observe the compliance by the four Governments concerned with the foregoing recommendations;

"(2) To be available to assist the four Governments concerned in the implementation of such recommendations;

"7. Recommends that the four Governments concerned co-operate with the Special Committee in enabling it to carry out these functions;

"8. Authorizes the Special Committee, if in its opin-

ion further consideration of the subject matter of this resolution by the General Assembly prior to its next regular session is necessary for the maintenance of international peace and security, to recommend to the Members of the United Nations that a special session of the General Assembly be convoked as a matter of urgency;

"9. Decides that the Special Committee

"(1) Shall consist of representatives of Australia, Brazil, China, France, Mexico, the Netherlands, Pakistan, the United Kingdom and the United States of America, seats being held open for Poland and the Union of Soviet Socialist Republics;

"(2) Shall have its principal headquarters in Salonika and with the co-operation of the four Governments concerned shall perform its functions in such places and in the territories of the four States concerned as it may deem appropriate;

"(3) Shall render a report to the next regular session of the General Assembly and to any prior special session which might be called to consider the subject matter of this resolution, and shall render such interim reports as it may deem appropriate to the Secretary-General for transmission to the Members of the Organization; in any reports to the General Assembly the Special Committee may make such recommendations to the General Assembly as it deems fit;

"(4) Shall determine its own procedure, and may establish such sub-committees as it deems necessary;

"(5) Shall commence its work within thirty days after the final decision of the General Assembly on this resolution, and shall remain in existence pending a new decision of the General Assembly.

"10. The General Assembly

"Requests the Secretary-General to assign to the Special Committee staff adequate to enable it to perform its duties, and to enter into a standing arrangement with each of the four Governments concerned to assure the Special Committee, so far as it may find it necessary to exercise its functions within their territories, of full freedom of movement and all necessary facilities for the performance of its functions."

g. ESTABLISHMENT OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY

By letter of September 17, 1947 (A/BUR/85), the representative of the United States requested the inclusion of the following item in the agenda of the second session of the General Assembly:

"Establishment of an Interim Committee of the General Assembly on Peace and Security."

At the 38th meeting of the General Committee on September 22, 1947, the representative of the U.S.S.R. opposed the inclusion of this item in the agenda. The General Committee, however, by a vote of 12 to 2, decided to recommend to the General Assembly that the item proposed by the representative of the United States be included in the agenda.

After a brief discussion, the General Assembly at its 91st plenary meeting on September 23, 1947, decided to include the proposal for the establish-

ment of an Interim Committee in its agenda and referred it to the First Committee.

The First Committee took up consideration of this question at its 74th meeting on October 14, 1947. The representative of the United States submitted a draft resolution (A/C.1/196) which provided that the General Assembly establish an Interim Committee, composed of all the Members of the United Nations, for the period between the closing of the second session of the General Assembly and the convening of the third regular session. The functions of the Committee were to be the following:

"(a) To consider, as it may determine, such situations as may come to its attention within the purview of Article 14, or such questions as are brought before the General Assembly by the Security Council pursuant to Article 11 (2), and to report thereon, with its recommendations to the General Assembly;

"(b) To consider and to make recommendations to the General Assembly upon general principles of co-operation in the maintenance of international peace and security under Article 11 (1) and to initiate studies and make recommendations for the purpose of promoting international co-operation in the political field under Article 13 (1) (a);

"(c) To consider whether occasion may require the calling of a special session of the General Assembly and if it deems that such session is required, to so advise the Secretary-General;

"(d) To conduct investigations and appoint commissions of inquiry within the scope of its duties and functions as it may deem useful and necessary;

"(e) To study, report and recommend to the Third Regular Session of the General Assembly on the advisability of establishing a Committee of the General Assembly on a permanent basis to perform the duties and functions of the Interim Committee with any changes considered desirable in the light of its experience;

"(f) To perform such other functions and duties as the General Assembly may assign to it."

General debate on the United States proposal lasted from the 74th meeting of the First Committee to the 78th meeting on October 18. The representatives of Australia, Dominican Republic, Uruguay, China, Belgium, Turkey, El Salvador, India, Greece, Netherlands, Sweden, Philippines, Argentina, Brazil, United Kingdom, France, Costa Rica, Canada, Mexico and Cuba expressed themselves in favor of the United States proposal entirely or in principle.

In support of the United States resolution it was maintained that, subject to the primary responsibility of the Security Council, the Charter conferred upon the General Assembly broad responsibilities for international peace and security. In view of the inability of the Security Council to

"The title of the Committee was changed subsequently to 'Interim Committee of the General Assembly'."

function efficiently, it was the duty of the General Assembly to exercise its jurisdiction. As to the General Assembly itself, its agenda was already overloaded and the efficient performance of the Assembly's functions required more preparatory work in the intervals between sessions of the General Assembly.

The powers pertaining to the General Assembly, it was stated, were clearly set forth in Articles 10, 11, 13, 14 and 35 of the Charter.⁶⁵ The only limitations upon the General Assembly's jurisdiction in matters relating to the maintenance of international peace and security were contained in Articles 11 (2) and 12, which provide that questions on which action was necessary must be referred to the Security Council and that the General Assembly shall not make recommendations with regard to any dispute or situation of which the Security Council is seized unless the Security Council requests the Assembly to do so. Under Article 22, it was argued further, the General Assembly was empowered to establish any subsidiary organs it deems necessary for the performance of its functions. That the Interim Committee was indeed a subsidiary organ, and not a duplication of the General Assembly itself, as had been charged by representatives opposing the United States proposal, was evident from the fact that the Interim Committee could engage only in preliminary study and make recommendations to the General Assembly for its final decision. The Interim Committee could not make recommendations directly to Member States or to the Security Council, or to any other organ of the United Nations. Its functions thus being circumscribed, there was no question of the Interim Committee's encroaching upon the jurisdiction of the Security Council. By permitting the General Assembly to discharge its functions more effectively, the establishment of the proposed Interim Committee would increase the confidence of the peoples of the world in the United Nations.

The representative of the U.S.S.R., supported by the representatives of Czechoslovakia, the Byelorussian S.S.R., Poland, the Ukrainian S.S.R. and Yugoslavia criticized the United States proposal on a number of grounds, the main arguments being as follows:

The establishment of the Interim Committee would weaken the United Nations and thus assist the warmongers in undermining the organization. Nobody could accept as sincere and well-founded the argument made by the supporters of this proposal to the effect that the establishment of the Interim Committee was to relieve the heavy

agenda of the General Assembly. To reveal the insincerity of this argument it was sufficient to point out that the United States had brought for the consideration of the General Assembly a number of questions which were clearly outside the purview of the United Nations, such as the question of the independence of Korea and the Italian Peace Treaty. The real purpose of the proposal was to create a new organ, which was to circumvent and act as a substitute for the Security Council, on which the Charter placed the primary responsibility for the maintenance of international peace and security.

The United States, realizing that a direct attack upon the Security Council and the rule of unanimity was doomed to failure because of the requirements of the Charter regarding the revision of its provisions, had resorted to an underhanded method of achieving its end. This objective of the proposal was clearly revealed in the original name of the Committee, which read "Interim Committee on Peace and Security", and although the name had been subsequently changed, this could not hide the real design of the United States to substitute this Committee for the Security Council.

The functions of the Interim Committee were in their essential part identical with those of the Security Council. That Committee was to deal not only with "situations", but also with "disputes", and therefore Article 14 of the Charter could not legitimately be claimed as the source of its authority. The functions of the Committee were derived from Article 34, and thus infringed flagrantly upon the jurisdiction and responsibility of the Security Council. The terms of reference of the Interim Committee allowed it to conduct investigations and to appoint commissions whenever it deemed it necessary or useful. Thus, these provisions not only conflicted with those of the Council, but were in fact wider than those of the Council, which limited the investigation under Article 34 by specifying that the purpose of such an investigation was the determination whether or not the disputes or situations were likely to endanger international peace and security.

The essential functions allocated to the Interim Committee showed that it was not a subsidiary organ and proved beyond any doubt that it was to be on an equality in jurisdiction and in the scope of its responsibilities with the General Assembly and the Security Council. These functions included the investigation and study of facts arising in connection with the maintenance of interna-

⁶⁵ See Appendix I for text of Charter.

tional peace and security. The "following through" functions, also included in the terms of reference of the Committee, consisting as they did of control and supervision over the implementation of the recommendations of the General Assembly, likewise went beyond the scope of a subsidiary body, the more so since these functions might involve taking measures arising from its findings in the exercise of this control. Another function of the Committee identical to a function of the General Assembly was to make recommendations on the general principles of co-operation in the maintenance of international peace. Finally, the Committee, itself, was to make a recommendation regarding its status and duration. It therefore could hardly be justified as an experiment of a temporary nature.

The examination of these major functions led to the conclusion that they were incompatible with the functions of a subsidiary organ as provided for in Article 22 of the Charter and with rule 100 of the provisional rules of procedure. On the contrary, they went beyond the functions of the General Assembly and infringed upon the jurisdiction of the Security Council.

On the basis of this analysis the position of these delegations was summed up as follows. The establishment and the terms of reference of the Interim Committee violated the Charter and conflicted with the jurisdiction of the Security Council, which in accordance with Article 24, paragraph 1, had the primary responsibility for the maintenance of international peace and security. The articles which were referred to by the supporters of this proposal did not allow for the establishment of such an organ, which, as could be seen from the definition of its terms of reference, was not a subsidiary body, and as far as many of its functions were concerned, went beyond the powers of the General Assembly and the Security Council. In addition to the text of the proposal, the circumstances leading to its submission, as well as the statement made to the press by the United States representatives prior to this action, showed conclusively that the real purpose of this draft resolution was a campaign against the Security Council and for the substitution of the Interim Committee. The expressions of doubt, even by those delegations which supported the proposal, proved further that it lacked legal basis and consequently circumvented the major provisions of the Charter.

In conclusion, the representatives of these countries stated that the establishment of the Interim Committee constituted a violation of the Charter, endangered the unity of the organization and its

future and threatened the principles to which all Members subscribed when adopting the Charter. For these reasons, they declared they would not participate in the work of the Interim Committee.

The representative of Pakistan proposed that the question of the establishment of an Interim Committee be carefully examined before the next session of the General Assembly and that a final decision should be taken only at that session. The representative of Haiti suggested that the First Committee, before taking any decision, request the Sixth Committee to give an opinion concerning the legal aspects of the question.

A number of representatives who supported the United States resolution in principle stressed the need for clearly defining and limiting the Interim Committee's functions, so as to preclude any question of its assuming the major functions belonging to the General Assembly, or of its impinging on the primary responsibility of the Security Council for the maintenance of peace and security. A number of suggestions and proposals designed to limit the scope of the Interim Committee's activities were brought forward.

The representative of China suggested (see A/C.1/SR.75) that the functions of the Interim Committee should be limited to the two following categories:

(1) To make, on behalf of the General Assembly, preparatory studies of, and inquiries into, any questions or situations brought to its attention within the purview of Article 14 or under Article 11, which questions or situations would, if the committee did not exist, have to be deferred until the next regular session of the General Assembly or until a special session is convoked;

(2) To follow up the work of the General Assembly by watching progress in the implementation and carrying out of the resolutions adopted by the General Assembly.

He also considered that it would be desirable to obtain the agreement of any Members on whose territory the Interim Committee wished to carry out an inquiry. The task of any sub-committee of inquiry should be limited to the finding of facts for consideration by the General Assembly.

The representative of France suggested that, apart from questions specially entrusted to it by the Assembly, the Interim Committee should be entitled to deal only with questions which a state had requested to be included in the agenda of the next session of the Assembly. Even these questions would have to be carefully sifted, so that the Committee would retain for examination only questions of an urgent nature or requiring lengthy preparatory study. A two-thirds majority vote of its members should be required for the Interim Committee to take cognizance of a question.

The representative of Mexico considered that the Interim Committee should not be given any powers of initiative. Also, the Interim Committee should not consider and make recommendations to the General Assembly upon general principles of co-operation in the maintenance of international peace and security (Article 11, paragraph 1), and upon international co-operation in the political field (Article 13, paragraph 1a) as proposed in the United States draft resolution. Inquiries initiated by the Interim Committee should be carried on at the headquarters of the United Nations only.

The representative of the United Kingdom submitted an alternative draft resolution (A/C.1/215) which defined the functions of the Interim Committee as follows:

"(a) To consider such matters as may be referred to it by the present session of the General Assembly and to report thereon to the General Assembly;

"(b) To consider any dispute or any situation which may be placed on the agenda of the next regular session of the General Assembly by any Member acting in virtue of Articles 11 (2), 14 or 35 of the Charter, provided always that the Committee previously determines by a two-thirds majority any matter so discussed to be both urgent and important,

"(c) To consider whether occasion may require the summoning of a special session of the General Assembly and if it deems that such session is required so to advise the Secretary-General in order that he may obtain the views of Members thereon;

"(d) To conduct investigations and appoint Committees of Enquiry within the scope of its functions provided that the decision to take such action is approved by two-thirds of the members of the Committee and if the investigations or enquiry are to take place elsewhere than at the headquarters of the United Nations the state or states in whose territory they are to take place consent thereto;

"(e) To report to the next regular session of the General Assembly on the advisability of establishing a permanent committee of the General Assembly to perform the duties and functions of the Interim Committee with any changes considered desirable in the light of experience."

The representative of Canada submitted an amendment (A/C.1/217) to the United States resolution to the effect that the Interim Committee should not take action arising under Article 11, paragraph 1, and Article 13, paragraph 1a, of the Charter, as proposed in the United States resolution. On the other hand, it was proposed that the Committee should perform the following functions:

"(1) To consider and report to the General Assembly on the implementation of resolutions referred to it by the General Assembly for such consideration and report;

"(2) To give preliminary consideration, as the committee may determine, to any item which has been placed on the provisional agenda of the General Assembly, and

to make reports and recommendations to the General Assembly as a result of this consideration."

The representative of Argentina proposed (A/C.1/216) that the functions of the Interim Committee be enlarged to include consideration of trusteeship and administrative matters under Articles 16, 17 and 19 of the Charter.

The representative of Bolivia expressed some doubt as to the propriety of basing the establishment of an interim committee on Article 22 of the Charter. He therefore submitted a draft proposal (A/C.1/214), which stated that Article 20 of the Charter did not limit the duration of the regular annual session of the General Assembly and that it was therefore permissible for the General Assembly not to close its current session if in its opinion circumstances so required. The Bolivian representative therefore proposed that the General Assembly resolve:

"(a) to divide the present session of the General Assembly of the United Nations into two parts;

"(b) to authorize the President of the Assembly to adjourn or close the first part of the second session;

"(c) to authorize the President of the Assembly and the Secretary-General by common agreement to convoke the second part of this session at a suitable date in order to enable the General Assembly to continue to discharge the duties conferred upon it by virtue of Articles 11, 13 and 14 of the Charter;

"(d) the President of the General Assembly and the Secretary-General are likewise authorized, if necessary, to convoke the First Committee of the Assembly before the second part of this session of the General Assembly with a view to carrying [on] the latter's work. . . ."

The functions of the First Committee in this case were to be the same as those proposed for the Interim Committee in the United States draft resolution. In addition, the First Committee was to inform the President of the General Assembly and the Secretary-General of its opinion regarding the date for summoning the second part of the second session of the General Assembly. It was also to study the possibility of establishing a committee of the General Assembly on a permanent basis and to report and make recommendations thereon to the second part of the second session of the General Assembly. The representative of Australia proposed (A/C.1/213/Corr.1) that a drafting sub-committee be appointed "for the purpose of examining the United States proposal, any amendments thereto, and other proposals on the same subject, and reporting thereon to the Committee, along with any recommendations it thinks fit".

At its 78th meeting on October 18, the First Committee adopted the Australian proposal by a

vote of 38 to 0, with 4 abstentions. The Chairman proposed that the sub-committee be composed of the representatives of the following fifteen countries: Argentina, Australia, Bolivia, Canada, China, Czechoslovakia, France, India, Lebanon, Mexico, Netherlands, Norway, U.S.S.R., United Kingdom and United States. The representatives of the U.S.S.R. and Czechoslovakia declared that their delegations did not consider it possible to participate in the work of the sub-committee, as they were opposed to the United States resolution in principle and none of the amendments suggested could render it acceptable. The Chairman therefore amended his proposal to the effect that the sub-committee should be constituted by the representatives of the thirteen other countries he had mentioned, and that seats be left open for the representatives of the U.S.S.R. and Czechoslovakia. This proposal was adopted by a vote of 38 to 0, with 3 abstentions. The representatives of the U.S.S.R. and Czechoslovakia did not take their seats during the meetings of the sub-committee.

The sub-committee held sixteen meetings under the chairmanship of L. B. Pearson (Canada). It adopted the United States draft resolution as a basis of discussion and considered the amendments which had been submitted in the course of the general debate in the First Committee, as well as a number of additional amendments. At the end of its session the sub-committee considered the Bolivian proposal by which the General Assembly would not be formally adjourned, thereby making unnecessary the establishment of an Interim Committee. While recognizing certain advantages in this method of approach, the majority of the sub-committee considered that it gave rise to some legal and practical difficulties, and expressed a preference for the United States proposal. The Bolivian representative therefore accepted the majority view. The sub-committee adopted by 9 votes in favor, with 4 abstentions, a resolution which its Rapporteur (T. Wold, Norway) submitted with an explanatory report (A/C.1/240).⁶⁵

The First Committee discussed the sub-committee's report (A/C.1/240) at its 94th and 95th meetings on November 5, and at its 96th and 97th meetings on November 6.

Presenting the sub-committee's report, the Rapporteur pointed out a number of limitations on the Interim Committee's functions which the sub-committee had adopted and which had not been contained in the original United States draft resolution. Thus it was clearly laid down in the resolution that the Interim Committee was a subsidiary organ of the General Assembly established

in accordance with Article 22 of the Charter. It was made clear that the Interim Committee would only consider a question on the General Assembly's agenda in pursuance of Articles 11 (2), 14 or 35 of the Charter if it had been previously determined that the matter was important and required preliminary study, this determination to be made by a two-thirds majority of the Members present and voting. It was further laid down in the resolution that the Interim Committee could conduct investigations or appoint commissions of inquiry only if the decision were taken by a two-thirds majority of the Members present and voting. In addition, inquiries could not be conducted without the consent of the state or states in whose territory an inquiry was supposed to be conducted.

The representatives of Denmark, United States, Australia, India, China, Norway, France, United Kingdom, Sweden, El Salvador, Netherlands and Bolivia expressed the view that the proposal as it had emerged from the sub-committee was entirely within the limits of the Charter; they would therefore vote in favor of the draft resolution before the First Committee. The representatives of the U.S.S.R., Czechoslovakia, Poland and Yugoslavia reiterated their opposition to the proposal for the establishment of an Interim Committee. The changes introduced by the sub-committee, they maintained, were only minor and did not change the substance of the resolution to which these representatives objected. They would therefore vote against the sub-committee's draft resolution.

By a vote of 43 to 6, with 6 abstentions, the First Committee adopted the proposal submitted by the sub-committee.

After the vote had been taken, the representatives of the U.S.S.R., the Ukrainian S.S.R., Poland, Czechoslovakia, the Byelorussian S.S.R. and Yugoslavia declared that the establishment of an Interim Committee of the General Assembly was a violation of the Charter, which contained no provision for the setting up of such an organ, and that, because of the illegality of the proposed Interim Committee, their Governments would not participate in its work.

In accordance with rule 112 of the provisional rules of procedure of the General Assembly, the Fifth Committee has to present a report on the budgetary implications of any proposal involving expenditure before a vote is taken in plenary meeting. Accordingly, the Secretary-General presented a report (A/C.5/209) to the Fifth Committee in which he estimated the cost of the Interim Committee in 1948 to be \$191,000. For

⁶⁵For text of the resolution see pp. 80-81.

purposes of the estimate the Secretary-General assumed that the Interim Committee would meet twice a week for 36 weeks and that summary records would be prepared and published in the five official languages.

The Fifth Committee considered the Secretary-General's report at its 95th meeting on November 10, 1947. The representative of the U.S.S.R. stated that his delegation had voted against the establishment of an Interim Committee and would therefore vote against any appropriation for it. The representative of Poland declared that his delegation would not participate in the establishment of an Interim Committee. He reserved the right to ask the Secretary-General to ensure that no part of Poland's contribution to the United Nations budget would be used for the maintenance of the Interim Committee. The representatives of Yugoslavia, the Ukrainian S.S.R. and the Byelorussian S.S.R. supported the statement of the representative of the U.S.S.R.

The representative of the United Kingdom proposed that the Fifth Committee inform the General Assembly that the expense involved in the establishment of the Interim Committee would be approximately \$180,000 and that the Secretary-General's estimates should be transmitted to the Advisory Committee on Administrative and Budgetary Questions for detailed study.

The Fifth Committee adopted the United Kingdom proposal by a vote of 34 to 6, with 4 abstentions, and informed the General Assembly accordingly (A/463).

The Advisory Committee subsequently reported to the Fifth Committee (A/C.5/215) that it considered that an amount of \$21,600 included in the Secretary-General's estimates for local transportation should be eliminated, as the Advisory Committee thought that in this case local transport could be provided from the resources of Members' permanent delegations. The Advisory Committee recommended that the balance of the estimates, \$169,500, be accepted, subject to review by the Administration after experience with the Interim Committee had been gained.

The General Assembly considered the reports (A/454 and Corr.1; A/463) of the First and Fifth Committees at its 110th and 111th plenary meetings on November 13, 1947. After a lengthy discussion in which the representatives of the United States, the U.S.S.R., Australia, the United Kingdom, Nicaragua, Pakistan, Poland, the Byelorussian S.S.R., France, the Ukrainian S.S.R., Yugoslavia and the Netherlands participated, the General Assembly adopted the resolution recom-

mended by the First Committee by a vote of 41 to 6, with 6 abstentions. The text of the resolution (111(II)) is as follows:

"The General Assembly,

"Conscious of the responsibility specifically conferred upon it by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 35), the promotion of international co-operation in the political field (Article 13) and the peaceful adjustment of any situations likely to impair the general welfare or friendly relations among nations (Article 14);

"Deeming it necessary for the effective performance of these duties to establish an interim committee to consider such matters during the period between the closing of the present session and the opening of the next regular session of the General Assembly, and report with its conclusions to the General Assembly,

"Recognizing fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24),

"Resolves that

"1. There shall be established, for the period between the closing of the present session and the opening of the next regular session of the General Assembly, an Interim Committee on which each Member of the General Assembly shall have the right to appoint one representative;

"2. The Interim Committee, as a subsidiary organ of the General Assembly established in accordance with Article 22 of the Charter, shall assist the General Assembly in the performance of its functions by discharging the following duties:

"(a) To consider and report, with its conclusions, to the General Assembly on such matters as have been referred to it by the General Assembly;

"(b) To consider and report with its conclusions to the General Assembly on any dispute or any situation which, in virtue of Articles 11 (paragraph 2), 14 or 35 of the Charter, has been proposed for inclusion in the agenda of the General Assembly by any Member of the United Nations or brought before the General Assembly by the Security Council, provided the Committee previously determines the matter to be both important and requiring preliminary study. Such determination shall be made by a majority of two-thirds of the members present and voting, unless the matter is one referred by the Security Council under Article 11 (paragraph 2), in which case a simple majority will suffice;

"(c) To consider, as it deems useful and advisable, and report with its conclusions to the General Assembly on methods to be adopted to give effect to that part of Article 11 (paragraph 1), which deals with the general principles of co-operation in the maintenance of international peace and security, and to that part of Article 13 (paragraph 1a), which deals with the promotion of international co-operation in the political field;

"(d) To consider, in connexion with any matter under discussion by the Interim Committee, whether occasion may require the summoning of a special session of the General Assembly and, if it deems that such session is required, so to advise the Secretary-General in order that he may obtain the views of the Members of the United Nations thereon;

"(e) To conduct investigations and appoint commissions of enquiry within the scope of its duties, as it may deem useful and necessary, provided that decisions to conduct such investigations or enquiries shall be made by a two-thirds majority of the members present and voting. An investigation or enquiry elsewhere than at the headquarters of the United Nations shall not be conducted without the consent of the State or States in whose territory it is to take place;

"(f) To report to the next regular session of the General Assembly on the advisability of establishing a permanent committee of the General Assembly to perform the duties of the Interim Committee as stated above with any changes considered desirable in the light of experience;

"3. In discharging its duties the Interim Committee shall at all times take into account the responsibilities of the Security Council under the Charter for the maintenance of international peace and security as well as the duties assigned by the Charter or by the General Assembly or by the Security Council to other Councils or to any committee or commission. The Interim Committee shall not consider any matter of which the Security Council is seized;

"4. Subject to paragraphs 2 (b) and 2 (e) above, the rules of procedure of the General Assembly shall, so far as they are applicable, govern the proceedings of the Interim Committee and such sub-committees and commissions as it may set up. The Interim Committee shall, however, have authority to adopt such additional rules as it may deem necessary provided that they are not inconsistent with any of the rules of procedure of the General Assembly. The Interim Committee shall be convened by the Secretary-General not later than six weeks following the close of the second regular session of the General Assembly. It shall meet as and when it deems necessary for the conduct of its business;

"5. The Secretary-General shall provide the necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions."

b. THE PROBLEM OF THE INDEPENDENCE OF KOREA

By letter of September 17, 1947 (A/BUR/85), the delegation of the United States requested that the following item be included in the agenda of the second session of the General Assembly: "The Problem of the Independence of Korea".

In the course of the general debate, at the 82nd plenary meeting of the General Assembly on September 17, 1947, the representative of the United States explained the reasons which had led his delegation to request the inclusion of this item in the agenda of the second session of the General Assembly. At Cairo, in December 1943, he stated, the United Kingdom and China had joined in declaring that in due course Korea should become free and independent. This multilateral pledge was reaffirmed in the Potsdam Declaration of July 1945, and subscribed to by the U.S.S.R. when it entered the war against Japan. In Moscow, in Decem-

ber 1945, the Foreign Ministers of the U.S.S.R., the United Kingdom and the United States concluded an agreement designed to bring about the independence of Korea. This agreement was later adhered to by the Government of China. It provided for the establishment of a temporary trusteeship over Korea. A Joint U.S.S.R.-United States Commission was to meet in Korea, and through consultation with Korean democratic parties and national organizations to decide on methods for establishing a Provisional Korean Government. The Joint Commission was then to consult with that Provisional Government on methods of giving aid and assistance to Korea, any agreement reached to be submitted for approval to the four Powers adhering to the Moscow Agreement.

The representative of the United States declared that for about two years the United States Government had been trying to reach agreement with the U.S.S.R. Government, through the Joint Commission and otherwise, on methods of implementing the Moscow Agreement and thus bringing about the independence of Korea. These efforts, however, had been fruitless and the independence of Korea was no further advanced than it was two years before. The United States representative asserted further that in an effort to make progress the United States Government had recently made certain proposals designed to achieve the purposes of the Moscow Agreement and requested the Powers adhering to that Agreement to join in discussion of these proposals. China and the United Kingdom agreed to this procedure, the United States representative stated, but the U.S.S.R. Government did not. It appeared evident, therefore, the United States representative concluded, that further attempts to solve the Korean problem by means of bilateral negotiations would only serve to delay the establishment of an independent and united Korea. As a result, the United States delegation had brought the question before the General Assembly of the United Nations.

The representative of the U.S.S.R. replied that while the United States delegation tried to attribute to the U.S.S.R. Government the blame for the futility of the work of the Joint U.S.S.R.-United States Commission on Korea, it was the United States Government itself which was responsible for the failure of the Commission. The United States proposal to bring the question before the General Assembly was a violation of the Moscow Agreement. The United States was attempting to conceal its own unilateral and completely unjustifiable actions under the prestige of the General Assembly of the

United Nations. The representative of the U.S.S.R. therefore objected to the inclusion of this item in the agenda of the second session of the General Assembly.

The General Committee considered the question of the inclusion of the United States proposal in the General Assembly's agenda at its 38th meeting on September 21. The representative of the U.S.S.R. again expressed opposition to the United States proposal, maintaining that the interpretation given by the representative of the United States in the course of the general debate was incorrect. If the United States was dissatisfied with the results of the negotiations, the proper procedure would have been to place the question before the other three Powers concerned, namely the U.S.S.R., the United Kingdom and China. The proposal to place the question before the General Assembly was illegal, in view of the fact that there was in existence an international agreement with regard to that question.

The representative of Poland likewise opposed the inclusion of the Korean question in the General Assembly's agenda, while the representatives of China, Syria and the United Kingdom supported the request of the United States delegation. By a vote of 12 to 2, the General Committee recommended to the General Assembly to include the United States proposal on Korea in its agenda.

The General Assembly considered the General Committee's recommendation at its 90th and 91st plenary meetings on September 23, 1947. After a discussion in which the representatives of the U.S.S.R., Australia, the United States, China and the United Kingdom participated, the General Assembly decided by a vote of 41 to 6, with 6 abstentions, to include the item concerning Korea in its agenda and referred it to the First Committee for consideration and report.

The First Committee began consideration of the Korean question at its 87th meeting on October 28, 1947. The representative of the United States reviewed again the events which had led up to the present situation in Korea and which had prompted the United States Government to submit the Korean problem to the General Assembly. He then referred to a proposal brought forward by the U.S.S.R. delegation on September 26, 1947, that Soviet and American troops should be withdrawn simultaneously from Korea and that the trusteeship system established as a result of the Moscow Agreement of 1945 should be abandoned. The representative of the United States said that his Government had replied that the withdrawal of troops had to form part of the general problem of the estab-

lishment of an independent government of Korea. The United States Government was anxious to withdraw its troops from Korea, but such a withdrawal must be subsequent to the establishment of machinery leading to the formation of a single government representing the Korean people.

The representative of the United States therefore submitted a draft resolution (A/C.1/218) which provided for elections to be held by the occupying Powers in the northern and southern zones of Korea and the constitution of national security forces before the withdrawal of the occupation troops. The application of that resolution should be supervised by a United Nations Temporary Commission instructed to report to the General Assembly. The elections should be held very soon, if possible before March 31, 1948. Finally, the resolution proposed the election of a Korean National Assembly, the formation by that Assembly of a National Government for the two zones, the assumption by that Government of the functions of the military commanders of the two zones and the withdrawal of the occupying forces, all these steps to be taken under the supervision of the United Nations. The representative of the United States expressed the view that this resolution, if adopted, would enable the Korean people to elect a stable government with due regard to the obligations undertaken by the four Great Powers under the Moscow Agreement.

The representative of the U.S.S.R. stated that his delegation still held the view that it was not within the competence of the General Assembly to consider the problem of Korea, but that it was a question to be decided by the states concerned.

Reviewing the causes for the breakdown of negotiations between the United States and the U.S.S.R., the representative of the U.S.S.R. stated that under the terms of the Moscow Agreement, the Joint Soviet-United States Commission was instructed to seek the co-operation of the Korean democratic political parties and social organizations with a view to the establishment of a provisional democratic government of Korea. The Commission, however, had failed to achieve any result in 1946 because of the unwillingness of the Government of the United States to arrive at a solution on the basis of that Agreement. Upon resumption of negotiations by the Joint Commission in May 1947, the U.S.S.R. delegation proposed that the Commission should proceed to consider statements from the Korean political parties and social organizations and consult them with a view to selecting those to be admitted by the Commission. The United States delegation, however, refused to com-

ply with the Moscow Agreement regarding the selection of the political parties and social organizations entitled to be heard by the Commission. Subsequently, in August 1947, the U.S.S.R. delegation proposed the establishment of a Korean Constituent Assembly, consisting of the representatives of the democratic political parties and social organizations, for the purpose of constituting a Provisional Korean Government. This proposal likewise was rejected by the Government of the United States. In September 1947, the U.S.S.R. delegation, in its effort to reach an agreement with the United States, submitted another compromise proposal based upon the Moscow Agreement. That offer remained unanswered.

In spite of the present attempts of the United States to shift the blame for the breakdown of negotiations upon the U.S.S.R., it had been clearly demonstrated that the United States was responsible for preventing the creation of a democratic Korean Government in accordance with the Moscow Agreement.

Although his Government considered that the Korean problem, which had been submitted by the United States for consideration by the United Nations, the U.S.S.R. representative continued, was outside the competence of the General Assembly, now that this problem had been placed on the agenda, the U.S.S.R. delegation would submit proposals of its own for its solution.

In the opinion of the U.S.S.R. delegation, Korea could not establish its government freely until after the complete withdrawal of foreign troops. The representative of the U.S.S.R. therefore submitted a proposal (A/C.1/232) that the General Assembly recommend to the Governments of the United States and the U.S.S.R. the simultaneous withdrawal of their troops from southern and northern Korea, respectively, at the beginning of 1948, thereby leaving to the Korean people itself the establishment of a National Government of Korea.

The representative of the U.S.S.R. submitted a second proposal (A/C.1/229) which provided that, inasmuch as the Korean question could not be fairly resolved without the participation in the discussion of the representatives of the indigenous population, the First Committee invite elected representatives of the Korean people from northern and southern Korea to take part in the discussion of this question. (These proposals were advanced orally by the representative of the U.S.S.R. at the 87th meeting of the First Committee. They were submitted in writing at the 89th meeting.)

The First Committee engaged in a preliminary

discussion of these proposals at its 87th and 88th meetings on October 28. Since the U.S.S.R. draft resolution concerning the invitation to elected Korean representatives to participate in the discussion was a procedural proposal, the First Committee, at the request of the representative of the U.S.S.R., agreed to discuss that draft resolution first. Discussion of the resolution and amendments thereto took place at the 89th meeting of the First Committee on October 29 and at the 90th and 91st meetings on October 30.

The representatives of Poland, Czechoslovakia, the Byelorussian S.S.R., the Ukrainian S.S.R. and Yugoslavia supported the U.S.S.R. proposal on the ground that a broad and objective consideration of the problem of the independence of Korea would be impossible without the participation of true representatives of the Korean people. They considered that the fact that the representatives of the Jewish Agency for Palestine and of the Arab Higher Committee had been invited to appear before the First Committee when the question of the future government of Palestine was under discussion set a precedent in this respect which should be followed.

The representatives of Canada, Belgium, Australia and the United Kingdom agreed in principle that the Korean people should be consulted. They considered, however, that it was not practical to invite elected representatives to participate in the discussion in the First Committee. For such representatives to be heard by the General Assembly might involve a delay of a year. The representatives of the four countries mentioned wondered whether the First Committee was to adjourn its discussion of the Korean question while the representatives were to be chosen. As the representative of the U.S.S.R. had maintained that free elections were impossible in the presence of occupation troops, opponents of the U.S.S.R. proposal questioned further how the U.S.S.R. representative proposed that the representatives which were to take part in the Committee's discussion of the Korean question should be chosen. It was also maintained that the United States draft resolution provided for consultation of the Korean people through free elections, so that the U.S.S.R. resolution was really superfluous.

At the 89th meeting of the First Committee on October 29, the representative of the United States submitted an amendment (A/C.1/230) to the second U.S.S.R. draft resolution (A/C.1/229) proposing that a United Nations Temporary Commission on Korea be established to facilitate and expedite the participation of the representatives of the Korean people in the consideration of the Korean

question and to ensure that the Korean representatives were in fact duly elected by the Korean people and not mere appointees of the military authorities in Korea, the Commission "to be present in Korea with right to travel, observe and consult throughout Korea". It would thus be the Commission rather than the First Committee which would hear the views of the Korean representatives.

The representatives of China, the United Kingdom, Australia, Haiti, Belgium, the Dominican Republic and El Salvador supported the United States amendment. The representatives of France, New Zealand, Czechoslovakia, Poland, the U.S.S.R., the Ukrainian S.S.R. and the Byelorussian S.S.R. considered that the United States amendment really pertained to the substance of the United States proposal submitted at the 87th meeting of the First Committee and was not properly an amendment to the U.S.S.R. proposal which related to a matter of procedure. The representative of France suggested that the representative of the United States withdraw his amendment so that an immediate vote could be taken on the U.S.S.R. proposal. The representative of the U.S.S.R. and several other representatives maintained that the United States amendment contained the essence of the original United States draft resolution, namely the establishment of a Temporary Commission, and protested against any attempt by the United States delegation to settle the substance of the question before the Committee by an inappropriate rider to a procedural motion. They insisted that the United States amendment be treated as a separate proposal.

The representative of China submitted an amendment (A/C.1/231) to the United States amendment which provided for a change in wording to the effect that the Temporary Commission on Korea "observe" (instead of "ensure") that the Korean representatives "are" (instead of "will be") in fact duly elected by the Korean people. The representative of the United States accepted this amendment.

At the 90th meeting of the First Committee on October 30, the representative of the Byelorussian S.S.R. submitted an amendment (A/C.1/234) to the United States amendment to add a provision that the elected representatives of the Korean people be invited to take part in the consideration of the Korean question "in the First Committee and at the plenary meetings of the General Assembly".

At the same meeting the representative of the Ukrainian S.S.R. submitted a draft resolution (A/C.1/233) which provided that the First Committee discuss the United States amendment to the U.S.S.R. resolution at the time when the substance of the Korean question would be discussed.

At the 91st meeting of the First Committee on October 30, the Chairman, at the suggestion of the representative of Venezuela, put to a vote the question as to whether the United States amendment to the U.S.S.R. proposal should be considered a separate resolution. The Committee decided by 43 votes to 6, with 4 abstentions, that the United States proposal should be regarded as an amendment to the U.S.S.R. proposal.

The resolution of the representative of the Ukrainian S.S.R. was then put to a vote and was rejected by a vote of 40 to 6, with 5 abstentions. The Byelorussian amendment to the United States amendment was rejected by a vote of 36 to 6, with 9 abstentions.

The representatives of Yugoslavia, the U.S.S.R., the Ukrainian S.S.R., Czechoslovakia, the Byelorussian S.S.R. and Poland stated that, as the Korean question could not properly be discussed in the First Committee and the General Assembly without participation of Korean representatives, they were unable to take part in the voting on the United States amendment.

Voting paragraph by paragraph, the First Committee then adopted the U.S.S.R. proposal as amended by the representative of the United States. The amended text as a whole was adopted by a vote of 41 to 0, with 7 abstentions. The original U.S.S.R. text concerning the participation of elected Korean representatives in the General Assembly's discussion (A/C.1/229) was also put to a vote and was rejected by 35 votes to 6, with 10 abstentions.

The representative of the U.S.S.R. declared that if a Commission on Korea were to be set up after the General Assembly had considered the question, without participation in the discussion of representatives of the Korean people, the U.S.S.R. would not be able to take part in the work of the Commission. He then submitted a draft resolution (A/C.1/235) proposing that examination of the Korean question be deferred. This resolution was rejected by a vote of 33 to 6, with 12 abstentions. After this vote had been taken the First Committee resumed debate on the substantive resolutions of the United States (A/C.1/218) and the U.S.S.R. (A/C.1/232).

The representatives of Philippines, France, Canada, Mexico, Netherlands, El Salvador and China expressed themselves in favor of the United States proposal. It was pointed out that there was general agreement concerning the objective of immediate independence for Korea. The disagreement was merely concerned with the procedure to be followed. The United States resolution recommended

the holding of elections under the observation of a United Nations organ as a step leading towards the independence of Korea and, finally, withdrawal of troops, while the U.S.S.R. proposal recommended the immediate withdrawal of troops and the holding of unsupervised elections. Representatives supporting the United States proposal considered that withdrawal of all occupation troops from Korea before the people had had time to take over the government would create a vacuum and would lead to chaos and disunity. The argument that elections could not be held freely in the presence of foreign troops was not considered valid. The presence of a United Nations Commission would guarantee that the elections would be held freely while the presence of the occupation forces would maintain order until the Koreans could organize their own security forces. It was not certain, the representatives favoring the United States proposal considered, that a mere withdrawal of occupation troops would lead to the establishment of an independent Korean Government. Adoption of the U.S.S.R. proposal, therefore, might prevent the parties to the Moscow Agreement from fully discharging the responsibility they had assumed to ensure the full independence of Korea.

The representatives of the U.S.S.R., Yugoslavia, Czechoslovakia, the Ukrainian S.S.R., the Byelorussian S.S.R. and Poland opposed the United States resolution and supported the U.S.S.R. proposal for immediate withdrawal of all occupation forces. They maintained that it was impossible to hold free elections in the presence of foreign troops. The United States, it was charged, wished to prevent free elections in order to perpetuate its reactionary policy in Korea. The United States desired to establish a puppet government which would be under the domination of the United States. The United States, it was charged further, was responsible for the failure of the Joint U.S.S.R.-United States Commission to accomplish its purpose. Under the terms of the Moscow Agreement the Governments of the U.S.S.R. and the United States had taken it upon themselves to consult with democratic parties and social organizations. The representative of the United States in the Joint Commission, however, had insisted upon consultations with anti-democratic parties and organizations, which, moreover, had fought against the Moscow Agreement. On the other hand, the United States objected to consultations with truly democratic parties and organizations.

Contrasting the state of affairs in northern and southern Korea, the representatives supporting the U.S.S.R. proposal maintained that the United States

authorities in southern Korea had suppressed every attempt at democratic reform. The so-called Legislative Council of Southern Korea did not contain any representatives of the workers or peasants, but was composed of landowners, high officials, former collaborators and other reactionaries. More than half of its members were appointed and the remainder had been elected as a result of violence and coercion. There had been no agrarian reforms, taxation was heavy, and labor legislation was practically non-existent. Terrorist organizations of the right attacked trade-union leaders, democratic newspapers were suppressed and there was widespread persecution of democratic leaders, so that there were tens of thousands of internees in camps in southern Korea—even more than under the Japanese occupation. The same thing had happened in southern Korea as was happening in Greece. The Japanese collaborators, traitors and quislings were left free and in positions of honor, while the true democrats were kept under constant terror.

In northern Korea, on the other hand, it was maintained, great democratic reforms had been carried out. Electoral people's committees were created, universal suffrage and the secret ballot were introduced, women were given equal rights and illiteracy was being eliminated. Agrarian reforms were undertaken, allotting to the Korean people land which had belonged to Japanese colonists. Former Japanese commercial and industrial enterprises were nationalized and transferred to the Korean people. Social legislation had been enacted which had greatly improved the position of the workers.

The representative of the U.S.S.R. and those supporting his proposal considered that the establishment of a commission to supervise elections was an unjustified interference in the internal affairs of the Korean people. The only guarantee of free and fair elections would be a withdrawal of all occupation forces, as proposed by the representative of the U.S.S.R., allowing the Korean people to organize their own government on a democratic basis.

The representative of Egypt stated that he would support the proposal for withdrawal of all occupation troops.

The representative of India stated that the U.S.S.R. proposal for the immediate withdrawal of occupation forces could, in his view, lead only to confusion, since there was no Korean Government which could take over the administration of the country. On the other hand, the United States proposal that the National Government, when constituted, should form its own national security

forces and then arrange for the simultaneous withdrawal of the occupation troops seemed to him to be unduly vague. Consequently, he proposed, as a compromise between the two proposals, that the following procedure be observed: (1) A general election should be held, not on a zonal basis but on a national basis under the control of the United Nations Temporary Commission, so as to remove the political and moral barrier which had been created by the division of the country. (2) It was important that the election should be held on the basis of adult suffrage without any political discrimination and by secret ballot, in order to avoid any attempt to deny the vote to certain classes of people classified as undemocratic. (3) The National Assembly should meet immediately after it had been elected to form a National Government. (4) The National Government, immediately upon its formation, should constitute its own national security forces and dissolve all military and semi-military formations not included therein. (5) A definite time-limit should be fixed for the withdrawal of occupation troops.

At the 92nd meeting of the First Committee on November 4, the representative of the United States introduced a revised draft resolution (A/C.1/218/Rev. 1) taking into account the resolution adopted by the First Committee at its 91st meeting on October 30,⁶⁷ and also incorporating suggestions made by several delegations, and in particular the suggestions of the representative of India. While expressing satisfaction that the United States delegation had accepted his principal suggestions, the representative of India noted that the United States draft resolution provided that the elections be conducted by the occupying Powers. He considered that in this case the elections would probably be held on a zonal basis, and not on a national basis, as he had suggested. He therefore submitted an amendment (A/C.1/237) to the United States proposal to omit reference to the "occupying Powers".

Two other amendments were submitted. An amendment proposed by the representative of the Philippines (A/C.1/236) provided that the General Assembly call upon all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly; and thereafter to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea. An amendment proposed by China (A/C.1/238) provided that the withdrawal of the occupation forces should

be arranged "in consultation with the four Powers parties to the Moscow Agreement".

At the 94th meeting of the First Committee on November 5, 1947, the Chairman put the U.S.S.R. resolution to the vote. It was rejected by a vote of 20 to 6, with 7 abstentions.

The First Committee then adopted the Philippine amendment to the United States resolution by a vote of 34 to 0, with 3 abstentions. The amendment submitted by the representative of India was adopted by a vote of 34 to 0, with 4 abstentions.

The representative of China withdrew his amendment providing for consultation with the Powers parties to the Moscow Agreement in arranging for the withdrawal of occupation forces and submitted an alternative amendment providing for consultation with the United Nations Temporary Commission on Korea. A second amendment submitted by the representative of China provided for some drafting changes which were further modified at the suggestion of the representative of France. The representative of the United States accepted these amendments. The first Chinese amendment was adopted by the First Committee by a vote of 30 to 0, with 7 abstentions. The second amendment, as modified by the representative of France, was adopted by a vote of 44 to 0, with 4 abstentions.

The representative of the United States then suggested that the Temporary Commission on Korea be composed as follows: Australia, Canada, China, El Salvador, France, India, Philippines, Syria and Ukrainian S.S.R. The representative of the Ukrainian S.S.R. declared that his Government would not participate in the work of the Commission, as representatives of Korea had not been invited to attend the Committee's debate.

The First Committee adopted the United States resolution as a whole, including the amendments previously voted, by a vote of 46 to 0, with 4 abstentions.

The representatives of the U.S.S.R., the Ukrainian S.S.R., Poland, the Byelorussian S.S.R., Czechoslovakia and Yugoslavia did not take part in the voting on the United States resolution and amendments thereto, because they considered that the absence of elected representatives of the Korean people at a time when questions affecting the independence of their country were being discussed contravened the provisions of the Charter and the right of self-determination of peoples.

In accordance with rule 112 of the provisional rules of the General Assembly, the Fifth Committee has to submit a report to the General Assembly

⁶⁷For the text of the resolution as amended by the First Committee, see p. 88.

on the financial implications of any proposal involving expenditure. On November 8, 1947, the Secretary-General submitted to the Fifth Committee a report (A/C.5/208) in which he estimated the cost of the Temporary Commission on Korea to be \$79,550 in 1947 and \$433,820 in 1948. This estimate was based on the assumption that the Commission would function from December 1, 1947, to December 31, 1948, that its headquarters would be in Seoul, Korea, but that the Commission and Secretariat staff would be required to travel extensively within Korea. The Secretary-General estimated that a staff of 25 persons would be sent from headquarters and that additional personnel, locally recruited, would be needed from time to time to the extent of eight full-time posts. Replacements would need to be found for the staff members sent from headquarters.

The Fifth Committee considered the Secretary-General's report at its 95th and 96th meetings on November 10 and 11, 1947. The representative of the U.S.S.R. stated that his delegation would vote against any expenditures for the proposed Temporary Commission on Korea. Since the position of the U.S.S.R. delegation had been stated clearly in the First Committee, the representative of the U.S.S.R. would not participate in a detailed analysis of the budgetary estimates for the Temporary Commission. The representative of Poland stated that he reserved the right of his delegation to ask the Secretary-General that the Polish contribution should not be used for the purpose of subsidizing this Temporary Commission and that, if an appropriation for this item were included in the total budget of the United Nations, his delegation would not be able to vote for the budget. The representatives of Yugoslavia, the Byelorussian S.S.R. and the Ukrainian S.S.R. associated themselves with the views of the U.S.S.R. delegation.

A number of delegations raised the question of payment of travel expenses and subsistence allowances for the members of the proposed Temporary Commission on Korea, as no item for the payment of such expenditures had been included in the Secretary-General's estimates. The Assistant Secretary-General for Administrative and Financial Services informed the Fifth Committee that should it decide to include the cost of travel and subsistence at the rate of \$20 per diem for one representative and one alternate for each of the nine members of the Commission, as had been done in the case of the Special Committee on the Greek Question, the increased cost would be \$37,800 for 1947, and \$131,760 for 1948, bringing the

total cost for 1947 to \$117,350 and for 1948 to \$565,580.

On the motion of the representative of the United Kingdom, the Fifth Committee agreed by a vote of 27 to 6, with 5 abstentions, that the cost of the proposal to establish a Temporary Commission on Korea would be approximately \$100,000 for 1947 and \$550,000 for 1948. The Fifth Committee informed the General Assembly accordingly (A/461) and referred the Secretary-General's estimates to the Advisory Committee on Administrative and Budgetary Questions for further study and report.

The Advisory Committee subsequently reported (A/C.5/216) to the Fifth Committee that it considered that 100-per-cent replacement of headquarters staff would probably not be required and that the total estimates, therefore, could be reduced to \$76,550 in 1947 and \$401,520 in 1948. If it should be decided that the United Nations should pay the travel and subsistence expenses of one representative and one alternate from each state represented on the Commission, the total estimates would amount to \$114,350 in 1947 and \$533,280 in 1948.⁶³

At its 111th and 112th plenary meetings on November 13 and 14, the General Assembly considered the First Committee's report (A/447) and the resolution recommended by the Committee for adoption by the General Assembly, as well as the Fifth Committee's report (A/461) concerning the financial implications of the establishment of a Temporary Commission on Korea. At the 112th plenary meeting the representative of the U.S.S.R. resubmitted his proposal, previously rejected by the First Committee, for the simultaneous withdrawal of U.S.S.R. and United States troops from Korea early in 1948 (A/477).

After a discussion in which the representatives of U.S.S.R., United States, China, Czechoslovakia, Yugoslavia, Byelorussian S.S.R., Panama, Poland, Norway and Ukrainian S.S.R. participated, the General Assembly adopted by a vote of 43 to 0, with 6 abstentions, the resolution recommended by the First Committee. The representatives of the U.S.S.R., Czechoslovakia, the Byelorussian S.S.R. and Poland had previously announced that they would not participate in the vote. The General Assembly then rejected the U.S.S.R. proposal by a vote of 34 to 7, with 16 abstentions.

The text of the resolution (112(II)) adopted by the General Assembly at its 112th plenary meeting on November 14 follows:

⁶³Concerning budget appropriation, see pp. 155-57.

A

"Inasmuch as the Korean question which is before the General Assembly is primarily a matter for the Korean people itself and concerns its freedom and independence, and

"Recognizing that this question cannot be correctly and fairly resolved without the participation of representatives of the indigenous population,

"The General Assembly

"1. Resolves that elected representatives of the Korean people be invited to take part in the consideration of the question;

"2. Further resolves that in order to facilitate and expedite such participation and to observe that the Korean representatives are in fact duly elected by the Korean people and not mere appointees by military authorities in Korea, there be forthwith established a United Nations Temporary Commission on Korea, to be present in Korea, with right to travel, observe and consult throughout Korea.

B

"The General Assembly,

"Recognizing the urgent and rightful claims to independence of the people of Korea;

"Believing that the national independence of Korea should be re-established and all occupying forces then withdrawn at the earliest practicable date;

"Recalling its previous conclusion that the freedom and independence of the Korean people cannot be correctly or fairly resolved without the participation of representatives of the Korean people, and its decision to establish a United Nations Commission on Korea (hereinafter called the "Commission") for the purpose of facilitating and expediting such participation by elected representatives of the Korean people,

"1. Decides that the Commission shall consist of representatives of Australia, Canada, China, El Salvador, France, India, Philippines, Syria, Ukrainian Soviet Socialist Republic;

"2. Recommends that the elections be held not later than 31 March 1948 on the basis of adult suffrage and by secret ballot to choose representatives with whom the Commission may consult regarding the prompt attainment of the freedom and independence of the Korean people and which representatives, constituting a National Assembly, may establish a National Government of Korea. The number of representatives from each voting area or zone should be proportionate to the population, and the elections should be under the observation of the Commission;

"3. Further recommends that as soon as possible after the elections, the National Assembly should convene and form a National Government and notify the Commission of its formation;

"4. Further recommends that immediately upon the establishment of a National Government, that Government should, in consultation with the Commission: (a) constitute its own national security forces and dissolve all military or semi-military formations not included therein; (b) take over the functions of government from the military commands and civilian authorities of north and south Korea, and (c) arrange with the occupying Powers for the complete withdrawal from Korea of their armed forces as early as practicable and if possible within ninety days;

"5. Resolves that the Commission shall facilitate and expedite the fulfilment of the foregoing programme for

the attainment of the national independence of Korea and withdrawal of occupying forces, taking into account its observations and consultations in Korea. The Commission shall report, with its conclusions, to the General Assembly and may consult with the Interim Committee (if one be established) with respect to the application of this resolution in the light of developments;

"6. Calls upon the Member States concerned to afford every assistance and facility to the Commission in the fulfilment of its responsibilities;

"7. Calls upon all Members of the United Nations to refrain from interfering in the affairs of the Korean people during the interim period preparatory to the establishment of Korean independence, except in pursuance of the decisions of the General Assembly; and thereafter, to refrain completely from any and all acts derogatory to the independence and sovereignty of Korea."

i. MEASURES TO BE TAKEN AGAINST PROPAGANDA AND THE INCITERS OF A NEW WAR

In the course of the general debate, at the 84th plenary meeting of the General Assembly, on September 18, 1947, the representative of the U.S.S.R. stated that his delegation believed it necessary to raise before the General Assembly the important question of measures to be taken against the steadily increasing propaganda in favor of a new war. The war psychosis, which, the representative of the U.S.S.R. declared, was being instigated by militarist and expansionist circles in certain countries, and particularly in the United States, was continually spreading and assuming a more threatening character. All means of psychological influence were being used—news-papers, magazines, radio and films—with the aim of preparing world public opinion for a new war. But the purpose of all this propaganda was the same, namely to justify the furious armament race which was being carried on by the United States, including the production of atomic weapons; to justify the limitless desires of influential circles in the United States to carry out its expansionist plans, the keystone of which was a senseless plan of world domination.

The warmongers were indulging in propaganda about the alleged necessity of fighting a war danger supposed to come from other countries. They were trying to frighten people by vicious fabrications about alleged preparations by the U.S.S.R. to attack the United States, although they knew only too well that the U.S.S.R. was not threatening an attack on any country, but on the contrary, was devoting all its forces to the cause of rehabilitation of the areas destroyed or damaged by the war and that the whole population of the U.S.S.R.—workers, peasants, intellectuals—unanimously condemned any attempt to bring about a

new war. Although the U.S.S.R. was engaged exclusively in the work of peaceful reconstruction, the warmongers stubbornly preached that a new war was inevitable in order to forestall the alleged aggressive policies of the U.S.S.R. and of other eastern European countries.

Contending that preparation for a new war had already passed the stage of propaganda, the representative of the U.S.S.R. stated that military and technical measures were being put into effect, such as the construction of new military bases, the redeployment of armed forces in accordance with the plans of future military operations, and the manufacture of new armaments on an expanded scale. Simultaneously, military blocs and so-called agreements for mutual defence were being concluded and measures for the unification of armaments were being elaborated.

The representative of the U.S.S.R. stated that the representative of American capitalist monopolies were most active in the promotion of war propaganda and he cited figures to show huge profits made by American corporations during the war. Having secured decisive influence during the war, the capitalist monopolies had retained this influence. The thousands of millions of governmental subsidies and protection which the monopolies enjoyed were facilitated by their close connection with senators and members of the Government, many of whom were officials in the monopolistic corporations.

The quest of the capitalist monopolies for profits, the efforts made to preserve and expand at all costs those branches of war industry which enable them to make large profits, could not but influence the direction of the foreign policy and strengthen the military expansionist and aggressive tendencies of this policy to satisfy the ever-growing appetites of the industrial monopolist circles. Such was the fertile ground for war propaganda. The exponents of that propaganda were not only high-ranking representatives of influential American industrial and military circles, influential organs of the press and highly placed politicians, but also official representatives of the United States Government. In this connection he named some highly responsible American officials who, he stated, had no scruples, not only in making deliberately slanderous attacks on the Soviet Union and the countries with new democracies, but also urged systematically the inevitability and necessity of a new war.

The representative of the U.S.S.R. also stated that large press organs, owned or controlled by American capitalists, were waging war propaganda,

and that various scientific institutions and universities in the United States were also guilty of spreading such propaganda. The most important thing was not that such propaganda was made, but that it met with no real rebuff, thus encouraging the instigators of a new war to still further provocations.

American reactionaries, however, were not alone in their efforts, the representative of the U.S.S.R. declared. Certain British circles were also working against the cause of peace and a warmongering campaign had been carried on for a long time in Turkey. This "provocative hubbub" was being vigorously supported by the Greek reactionary press.

The representative of the U.S.S.R. considered it a matter of urgency that the United Nations should adopt measures directed against war propaganda. He therefore submitted the following draft resolution (A/BUR/86) for consideration by the General Assembly:

"1. *The United Nations condemn* the criminal propaganda for a new war carried on by reactionary circles in a number of countries and, in particular, in the United States of America, Turkey and Greece, by the dissemination of all types of fabrications through the press, radio, cinema, and public speeches, containing open appeals for aggression against the peace-loving democratic countries.

"2. *The United Nations regard* the toleration of, and—even more so—support for this type of propaganda for a new war, which will inevitably become the third world war, as a violation of the obligation assumed by the Members of the United Nations whose Charter calls upon them 'to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace' and not to endanger 'international peace and security, and justice' (Article 1, paragraph 2; Article 2, paragraph 3).

"3. *The United Nations deem it essential* that the Governments of all countries be called upon to prohibit, on pain of criminal penalties, the carrying on of war propaganda in any form, and to take measures with a view to the prevention and suppression of war propaganda as anti-social activity endangering the vital interests and well-being of the peace-loving nations.

"4. *The United Nations affirm* the necessity for the speediest implementation of the decision taken by the General Assembly on 14 December 1946 on the reduction of armaments,¹⁰ and the decision of the General Assembly of 24 January 1946 concerning the exclusion from national armaments of the atomic weapon and all other main types of armaments designed for mass destruction,¹¹ and considers that the implementation of these decisions is in the interests of all peace-loving nations and would be a most powerful blow at propaganda and the inciters of a new war."

At its 38th meeting on September 21, 1947, the

¹⁰Resolution 41 (I): See *Yearbook of the United Nations, 1946-47*, p. 139.

¹¹Resolution 1 (I): See *ibid.*, p. 64.

General Committee decided unanimously and without discussion to recommend that the U.S.S.R. proposal be included in the agenda of the second session of the General Assembly. The General Assembly adopted the General Committee's recommendation at its 91st plenary meeting on September 23, 1947, and referred the U.S.S.R. proposal to the First Committee for consideration and report.

The First Committee considered the matter at its 79th meeting on October 22, its 80th and 81st meetings on October 23, its 82nd and 83rd meetings on October 24, its 85th meeting on October 25 and its 86th meeting on October 27.

Opening the discussion at the 79th meeting of the First Committee on October 22, 1947, the representative of the U.S.S.R. stated that various reasons had been invented to oppose the U.S.S.R. proposal by reactionaries who saw their warmongering business endangered. For instance, the suppression of war propaganda by law was declared incompatible with fundamental human rights and with freedom of speech and of the press. The instigation of war, however, the representative of the U.S.S.R. considered, was a crime against humanity and must not be masked by the cry that censorship was incompatible with human rights. The legal suppression of war propaganda had nothing to do with freedom of the press or democratic rights. A free press in civilized countries did not preclude limitations imposed in the interest of society, public morals and public welfare. Hence, the assertion that the legal suppression of war propaganda violated democratic principles was inadmissible and was a mere pretext to justify unwillingness to put an end to such propaganda.

The majority of representatives agreed that the United Nations should condemn war propaganda because such propaganda was detrimental to friendly relations among nations. They objected, however, to the form of the U.S.S.R. resolution. The terms of that resolution and the vehement arguments of the U.S.S.R. representative in its support, it was maintained, were in direct contradiction with the aims of the resolution. It appeared, certain delegates opposing the U.S.S.R. resolution contended, that the U.S.S.R. delegation was more interested in the propaganda value of its resolution than in curing the evil itself. The U.S.S.R. resolution, it was objected further, contained an unjustified attack against certain countries. The representatives of the United States, Turkey and Greece in particular protested against the accusations brought forward against their countries.

As to the proposal that the United Nations call

upon the governments of all countries to prohibit, on pain of criminal penalties, the carrying on of war propaganda, it was maintained that such a provision constituted a violation of the freedom of the press, and the majority of representatives asserted that their governments would not tolerate a form of censorship, such as this proposal implied. In democratic countries with an uncontrolled press, it was maintained, self-discipline and not coercion must form the basis of control. While it was admitted that certain individuals or newspapers might abuse their freedom, it was charged that the press of the U.S.S.R. and of other Eastern European countries had engaged in a violent campaign of propaganda against the United States and countries of Western Europe. Such propaganda, it was maintained, was of a much more serious nature, for under a system where the government controlled the press, such propaganda could not be engaged in without the consent or direct support of the government concerned. Opponents of the U.S.S.R. proposal also pointed out the difficulty of defining warmongering. They questioned whether any criticism of the U.S.S.R. was to be prohibited as war propaganda, while the U.S.S.R. press was to be permitted to engage in violent criticism of the alleged warmongers. The accusations directed against the United States and certain other countries, it was maintained, were but another form of war propaganda.

As to the last paragraph of the U.S.S.R. resolution, it was maintained that there was no relation between the question of war propaganda and the question of disarmament and atomic control. The implementation of the General Assembly's resolutions 1(I) of January 24 and 41(I) of December 14, 1946, concerning atomic control and disarmament, was entrusted to the Atomic Energy Commission and the Commission for Conventional Armaments. If the work of these bodies had not been more successful to date, this was to a considerable extent, it was charged, the fault of the U.S.S.R. itself, which had not agreed to any system of effective international control.

The representatives of Poland, the Ukrainian S.S.R., Yugoslavia, the Byelorussian S.S.R. and Czechoslovakia supported the U.S.S.R. resolution. They maintained that it would be a mistake to dismiss the arguments advanced by the U.S.S.R. and that positive action should be taken for the prohibition of war propaganda. The U.S.S.R. proposal, they considered, was not intended to interfere with freedom of the press. It merely called for concerted action to prevent flagrant abuses of it. Although many representatives had asserted that

their governments would not tolerate censorship of the press, the representatives supporting the U.S.S.R. proposal maintained that in capitalist countries a few large corporations owned or controlled the press and imposed, in some cases, a censorship more stringent than that which might be imposed by governments in the interests of the general welfare. A certain amount of governmental control over the press was considered necessary and desirable to prevent abuses and to ensure the dissemination of true facts.

As to the last paragraph of the U.S.S.R. resolution it was maintained that moral and material disarmament should proceed together and that consequently there was a link between the proposal that war propaganda be curbed and the implementation of the disarmament resolution.

A number of representatives, and in particular the United States representative, considered that the U.S.S.R. resolution should be rejected and that the First Committee should not give it so much recognition as to amend it, because it diverted attention from the real task before the United Nations, which was to remove the causes of war. If there was intemperate and provocative talk, this was but a superficial symptom of the clash of national interests which was hindering the development of the United Nations. The proper solution therefore was to pursue the practical program of establishing collective security and of economic and social reconstruction.

Other representatives, however, maintained that it would be undesirable for the First Committee to adopt a purely negative attitude with regard to the U.S.S.R. proposal just because certain parts of it were not acceptable. The subject with which it dealt, these representatives considered, was of such importance that the General Assembly should adopt a positive resolution, which would show the world that the United Nations was doing everything humanly possible to avert the tragedy of a third world war. Hence the representatives of Australia, Canada and France submitted alternative proposals.

At the 79th meeting of the First Committee on October 22, the representative of Australia submitted the following proposal (A/C.1/219) in the form of an amendment to the U.S.S.R. draft resolution:

"Whereas in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to unite our strength to maintain international peace and security; and

"Whereas it is the intention of the Charter that armed

force shall not be used, save in the common interest for the suppression of acts of aggression through the machinery of the Security Council, or in exercise of the inherent right of individual or collective self-defense against an armed attack until the Security Council has taken the measures necessary to maintain international peace and security; and

"Whereas the Charter also calls not only for the promotion of universal respect for, but also observance of, fundamental freedoms including freedom of expression, all Members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

"The General Assembly

"1. Condemns all forms of propaganda, in whatsoever country conducted, designed to encourage any act of aggression or the use of any measures for the purpose of aggression.

"2. Condemns all forms of propaganda, in whatsoever country conducted, which falsely imputes to officials or other responsible persons of any nation the desire of encouraging any act of aggression or the use of any measures for the purpose of aggression.

"3. Requests the Government of each Member to take appropriate steps to counter all such propaganda, not by resorting to any form of censorship of organs of expression, but

"(a) by taking positive measures to encourage the fair and accurate reporting of official and other statements affecting international relations made by officials or other responsible persons whether of the Member or of any other nation;

"(b) by encouraging the dissemination of all information designed to give expression to the undoubted desire of all peoples to avoid a third world war.

"4. Directs that this resolution be communicated to the forthcoming Conference on Freedom of Information, with a recommendation that the Conference seek to devise practical methods for carrying out the purposes of this resolution."

At the 81st meeting of the First Committee on October 23, the representative of Canada submitted a draft resolution (A/C.1/220) which provided that "the United Nations condemn all propaganda inciting to aggressive war or civil strife which might lead to war, and urge Members to promote, by all means of publicity and propaganda available to them, friendly relations among nations on the basis of the Purposes and Principles of the Charter".

At the 83rd meeting of the First Committee on October 24, the representative of France submitted a draft resolution (A/C.1/221) which contained a somewhat shorter preamble than the Australian resolution and which provided that

"The General Assembly . . .

"1. Condemns all manifestations and all propaganda, in all countries and in any form, likely to provoke or encourage threats to the peace;

"2. Expresses the hope that the Conference on Freedom of Information to be held in 1948 will study the present resolution and make recommendations thereon."

At the same meeting the representative of Venezuela submitted a proposal (A/C.1/223)

that a sub-committee be established to study the various proposals which had been submitted and to submit a draft resolution harmonizing the various points of view.

The representatives of Canada, the United States, Greece and the United Kingdom opposed the establishment of a sub-committee. They believed that a vote should be taken on the U.S.S.R. proposal. If the latter were not adopted a drafting sub-committee might be established to co-ordinate the proposals of the representatives of Canada, Australia and France. The representative of Turkey expressed the view that the U.S.S.R. resolution, because of its political character, could not be examined by a sub-committee, which was necessarily technical in character.

The representative of the U.S.S.R. considered that all resolutions which had been submitted should be examined together by a sub-committee in order to work out a common text. He indicated that the U.S.S.R. delegation would, for example, be prepared to give favorable consideration to the first paragraph of the French resolution.

At its 85th meeting on October 25, the First Committee voted on the Venezuelan proposal for the establishment of a sub-committee. The proposal was rejected by a vote of 29 to 12 with 12 abstentions. The representative of Venezuela stated that, in view of the statement made by the representative of the U.S.S.R. before the vote, he felt that the representatives who had voted against the establishment of a sub-committee were not trying to reconcile the point of view of the U.S.S.R. and the other delegations. Such action, he considered, did not contribute to international co-operation.

At the 86th meeting of the First Committee on October 27, 1947, the representatives of Australia, Canada and France submitted a joint draft resolution (A/C.1/224) to replace their three separate proposals. At the same time the representative of Poland submitted an amendment (A/C.1/225) to the U.S.S.R. resolution to replace the first paragraph of that resolution by a text identical with the first paragraph of the joint resolution⁷¹ of the representatives of Australia, Canada, and France. The representative of Poland hoped that the elimination of the accusations contained in the first paragraph of the U.S.S.R. resolution would render that resolution acceptable to the majority of the Committee.

The representative of the U.S.S.R. expressed the view that it was essential for the General Assembly, in condemning all war propaganda, to indicate where it originated. He therefore con-

sidered that the Polish text was inadequate and would be more effective if it included reference to the countries where war propaganda was rampant. As the Polish amendment, however, did condemn war propaganda in general, which was the basic aim of his delegation, the representative of the U.S.S.R. stated he was prepared to accept the amendment.

Certain representatives declared that they were willing to accept the U.S.S.R. proposal as modified by the amendment of the representative of Poland. The majority of representatives, however, declared that they could not accept the U.S.S.R. proposal in its amended form, because they were opposed to the other provisions of that resolution and not only to the first paragraph.

The representatives of France and the United Kingdom suggested that the representative of the U.S.S.R. withdraw his resolution, in view of the fact that he was willing to support the Polish amendment, which was identical with the essential part of the joint resolution of the representatives of Australia, Canada and France. The representative of the U.S.S.R. replied that he was willing to accept the Polish amendment, but could not agree to withdraw his resolution.

The U.S.S.R. resolution as amended by the representative of Poland was voted upon in parts. The first paragraph was rejected by a vote of 23 to 18, with 14 abstentions; the second paragraph by a vote of 28 to 9, with 18 abstentions; the third paragraph by a vote of 42 to 6, with 6 abstentions; and the fourth paragraph by a vote of 40 to 7, with 7 abstentions. The Chairman ruled that in view of the rejection of each of the four paragraphs of the U.S.S.R. resolution, it was not necessary to vote on the resolution as a whole.

The Committee then proceeded to consider the joint draft resolution of the representatives of Australia, Canada and France. The representative of the U.S.S.R. introduced two amendments (A/C.1/226, A/C.1/227) to the joint resolution stressing that freedom of speech should not be used for purposes of war propaganda, but on the contrary should be used to fight against such propaganda and that Member States should take steps to counteract such propaganda. These amendments were rejected by the Committee. Certain minor amendments to the second and third paragraphs of the joint resolution proposed by the representatives of the United States (A/C.1/228) and Australia were adopted.

Voting paragraph by paragraph, the First Com-

⁷¹The joint resolution was adopted with minor amendments; for text see following page.

mittee then adopted the joint resolution as amended by the representatives of the United States and Australia. The resolution as a whole was adopted unanimously by a vote of 56 in favor, one Member being absent.

At its 108th plenary meeting on November 8, 1947, the General Assembly unanimously adopted the resolution recommended by the First Committee. The text of the resolution (110(II)) follows:

"Whereas in the Charter of the United Nations the peoples express their determination to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to practice tolerance and live together in peace with one another as good neighbours, and

"Whereas the Charter also calls for the promotion of universal respect for, and observance of, fundamental freedoms which include freedom of expression, all Members having pledged themselves in Article 56 to take joint and separate action for such observance of fundamental freedoms,

"The General Assembly

"1. *Condemns* all forms of propaganda, in whatsoever country conducted, which is either designed or likely to provoke or encourage any threat to the peace, breach of the peace, or act of aggression;

"2. *Requests* the Government of each Member to take appropriate steps within its constitutional limits:

"(a) To promote, by all means of publicity and propaganda available to the front, friendly relations among nations based upon the Purposes and Principles of the Charter;

"(b) To encourage the dissemination of all information designed to give expression to the undoubted desire of all peoples for peace;

"3. *Directs* that this resolution be communicated to the forthcoming Conference on Freedom of Information."

J. SUGGESTIONS TO COUNTRIES CONCERNED WITH THE PEACE TREATY WITH ITALY

By separate communications dated August 21, 1947, the Governments of Ecuador (A/358), Honduras (A/357) and Argentina (A/361) requested the inclusion in the agenda of the second session of the General Assembly of the item: "Revision of the Peace Treaty with Italy". The Argentine request was supported by communications from the Governments of Bolivia, Costa Rica, the Dominican Republic, Panama, Paraguay and Uruguay (A/361). The Argentine Government subsequently submitted the following draft resolution (A/379):

"Whereas the people of Italy did not take up arms against the Allies;

"Whereas the Allies had to fight the German Armies of occupation within Italian territory;

"Whereas the people of Italy, at a given moment, fought side by side with the Allies to oust from their country the German Armies of occupation;

"Whereas, consequently, Italy cannot be strictly considered an enemy State;

"Whereas, furthermore, the over-population of Italy has created, for its Government and for its people, an economic problem difficult of solution, further heightened by the fact that Italy has lost all of its possessions;

"Whereas, consequently, it is best, for the peace of the world and the rehabilitation of that section of the European Continent, to impose on the Italian people the least possible number of obligations which may be compatible with the interests of the nations which were at war with Italy;

"Whereas, moreover, Italy has contributed immensely to the scientific, literary and artistic development of occidental civilization in the past, and it is convenient to make certain that Italy be in a position, as soon as possible, to continue collaborating fully in these fields, for the future benefit of the world;

"The General Assembly resolves to recommend to the Member States that signed the Peace Treaty with Italy that she be given an opportunity to present new observations and suggestions which would tend to lessen the obligations that the treaty has imposed on her and which have to be met by her people."

The General Committee considered the item concerning the revision of the Peace Treaty with Italy at its 37th and 38th meetings on September 20 and 21, 1947.

The representative of the U.S.S.R. opposed the inclusion of the item on the ground that under Article 107 of the Charter the General Assembly was not competent to consider questions concerning former enemy states. Respect for treaty obligations, he maintained further, was one of the principles of the Charter. A proposal to revise the Italian Peace Treaty only a few days after its ratification was a violation of this principle. He considered that the Treaty was just and ensured for Italy the normal development of its economy.

The representatives of the United States and Mexico supported the recommendation to include this item in the agenda. The representative of the United States stated that his delegation welcomed the resolution, which encouraged the signatories of the Italian Peace Treaty to rectify the onerous obligations imposed upon Italy by certain of its clauses. The representative of the United States stated that his Government had never concealed its dissatisfaction with this Treaty, which it had accepted only when it became clear that no other solution would be acceptable to the Council of Foreign Ministers as a whole.

The representatives of France, the United Kingdom and Poland expressed the view that revision of the Italian Peace Treaty, but recently ratified, was premature and ill advised, as the Treaty had not yet been put to a practical test. A

¹²For Conference on Freedom of Information, see pp. 588-95.

bad precedent might be set if treaties were to be revised no sooner than they had come into force.

The representative of Chile considered that in its present form inclusion in the Assembly's agenda of the item under discussion was clearly contrary to Article 107 of the Charter. He therefore suggested that the item be changed to read: "Suggestions to countries concerned with the Peace Treaty with Italy". The representatives of Argentina and Honduras accepted this change. The representative of Ecuador withdrew his Government's request for inclusion of the item.

The General Committee decided by a vote of 4 to 2, with 8 abstentions, to recommend the inclusion of the item, as amended, in the agenda of the second session of the General Assembly.

The General Assembly considered the General Committee's recommendation at its 90th and 91st plenary meetings on September 23. The representative of the U.S.S.R. opposed the inclusion of the item for the reasons indicated in the General Committee. He was supported by the representative of Yugoslavia. The representatives of the United States and Australia maintained that Article 107 of the Charter was merely designed to make it clear that the belligerent countries responsible for the defeat of the enemies in the Second World War should have the right to make peace treaties. There was nothing in the Charter to prevent their taking appropriate action in regard to former enemy states, but neither, it was maintained, was there anything in the Charter to prevent situations created by any peace treaty being brought before the United Nations. Article 14, it was argued, clearly gave the General Assembly the right to discuss any situation, regardless of its origin, which might lead to international friction.

The representative of Argentina stressed the fact that the Argentine proposal did not call upon the General Assembly to revise the Peace Treaty with Italy, but merely to make suggestions to the countries concerned with that Treaty. He also remarked that the Argentine delegation might later withdraw the motion, if during the discussion in the Political Committee, such a course appeared more opportune.

The representative of Ethiopia expressed the view that inclusion in the agenda of the item concerning the Italian Peace Treaty would be a flagrant injustice. He recalled that Ethiopia had been the principal victim of Italian aggression. Yet, Ethiopia had not been consulted in the course of the meetings of the Council of Foreign Ministers preceding the Paris Peace Conference. The Italian Government, on the other hand, had been

given ample opportunity to present its views, both during those meetings and during the Peace Conference. After the Paris Conference, he maintained, the four Great Powers had met again in order to draw up the treaty in final form. He therefore thought that one of the Great Powers, as the joint author of the text of the Treaty, should not support a revision of this joint text.

The representatives of the United Kingdom, France and Chile announced that they would abstain from voting on this item, as it was too early to consider a revision of the Italian Treaty.

The General Assembly then decided by a vote of 22 to 8, with 19 abstentions, to include this item in its agenda and referred it to the First Committee for consideration and report.

At the 116th meeting of the First Committee on November 19, 1947, the representative of Argentina stated that in view of the many objections to the inclusion of this item on the agenda his delegation wished to withdraw it. The representatives of the U.S.S.R. and the Ukrainian S.S.R. supported the removal of the item from the agenda. The representative of the United States again expressed the dissatisfaction of his delegation with the Italian Peace Treaty and indicated that his Government might raise the matter again at the next session of the General Assembly.

At its 122nd plenary meeting on November 21, 1947, the General Assembly noted the First Committee's report indicating that the item concerning the Italian Peace Treaty had been withdrawn.

4. *Economic and Social Questions*

a. **PROPOSAL TO INCREASE THE MEMBERSHIP OF THE ECONOMIC AND SOCIAL COUNCIL**

By telegram of July 18, 1947 (A/330), the Argentine delegation to the United Nations requested that the following item be included in the provisional agenda of the second session of the General Assembly:

"Proposal to increase the Membership of the Economic and Social Council to 24."

The Argentine delegation subsequently submitted a detailed proposal (A/354) which provided that Article 61 of the Charter should be amended so that the Economic and Social Council should consist of 24 members, eight of which should be elected each year for a term of three years. Six new members in addition to those due for election on the expiry of their terms of office would be elected by the General Assembly after the resolution had

been ratified, the terms of office of two expiring at the end of one year and two at the end of two years. A new provision was suggested, as follows:

"In electing the members of the Economic and Social Council the General Assembly shall take especially into account the contribution of Members of the United Nations to the maintenance of a stable and efficient international economy, as well as their ability to co-operate in the solution of world economic and social problems."

The Argentine proposal further provided that, pending ratification of this amendment, the General Assembly should recommend to all Members of the United Nations that in electing members of the *Economic and Social Council* as well as members of the Council's commissions, they take into consideration the contribution of Members of the United Nations to the maintenance of a stable and efficient international economy, their ability to co-operate in the solution of world economic and social problems, as well as the desirability of granting representation on the Council's commissions to the greatest possible number of countries.

The Joint Committee established by the Second and Third Committees considered the Argentine proposal at its 19th and 22nd meetings on October 23 and 25, respectively.

The principal reasons cited in support of the Argentine resolution were the increase in the number of Members of the United Nations; the growth of the scope and complexity of the work of the Council beyond that envisaged when the Charter was drafted, and the desirability of affording greater representation in rotation to smaller countries.

Representatives opposing the Argentine resolution argued that the present membership of eighteen already provided an adequate cross-section of geographical representation of varying economies and social structures; that a larger membership would complicate operations and increase the length and cost of Council sessions; and that it was premature and unwise to consider a revision of the Charter at this time.

The representative of India considered that a more equitable geographic distribution was required rather than an increase in numbers. In his opinion Europe and Australasia were over-represented, while Asia and the Middle East were under-represented. He, therefore, introduced a proposal (A/C.2 & 3/58) to allocate the eighteen Council seats among the principal geographic regions represented in the United Nations as follows:

Western Europe	3 seats
Eastern Europe	2 seats
Americas	7 seats
Middle East and Africa	3 seats
Asia	2 seats
Australasia and Far East	1 seat

Several representatives expressed fear that adoption of the Indian resolution would create a precedent affecting the composition of all the organs of the United Nations. After some discussion the Committee decided by a vote of 32 to 6, with 6 abstentions, that the Indian proposal constituted a new item and could therefore not be discussed by the Committee without previous action by the Assembly for inclusion of the item in the agenda.

The representative of Panama proposed to omit from the Argentine resolution all recommendations save the proposal to increase the membership of the Economic and Social Council (A/C.2 & 3/59).

After extensive discussion the Argentine delegation, at the request of various delegations, withdrew its resolution but reserved its right to introduce the matter at the next session of the General Assembly. The representative of Panama thereupon withdrew his amendment.

The representative of Peru, who had proposed that the Argentine resolution and the record of the Committee's debate be referred to the Economic and Social Council for its opinion, withdrew this proposal (A/C.2 & 3/60).

Since Argentina had withdrawn its resolution, the Committee agreed not to take any further action. The General Assembly took note of the Committee's report (A/448) at its 115th meeting on November 15, 1947.

b. REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

(1) General Consideration

In accordance with Article 15 of the Charter, the Economic and Social Council submitted to the second session of the General Assembly a report on its activities covering the period from October 3, 1946, to August 17, 1947 (A/382).⁷³

On the recommendation of the General Committee, the General Assembly at its 91st plenary meeting on September 23, 1947, decided to refer Chapters I, II and IV of the Economic and Social Council's report to the Second Committee and Chapter III to the Third Committee. Chapter I dealt with the organization of the Economic and Social Council and its subsidiary organs. Chapter

⁷³See *Official Records of the second session of the General Assembly*, Supplement No. 3.

II, which dealt with economic questions, covered the following items:

- (1) Employment and economic stability and development;
- (2) Relief needs after the termination of UNRRA;
- (3) Financial needs of devastated countries;
- (4) Surveys of devastated areas;
- (5) Fiscal questions;
- (6) Transport and communications;
- (7) Economic Commission for Europe;
- (8) Economic Commission for Asia and the Far East;
- (9) Proposal for an Economic Commission for Latin America;
- (10) Resolution on the general question of regional economic commissions;
- (11) Preparatory Committee of the United Nations Conference on Trade and Employment;
- (12) United Nations Scientific Conference on Conservation and Utilization of Natural Resources;
- (13) Proceeds of sale of UNRRA supplies;
- (14) Balances of payments;
- (15) Statistical activities;
- (16) Metric and decimal systems.

Chapter III, which was referred to the Third Committee, covered the following social questions

- (1) Human rights;
- (2) Trade union rights;
- (3) Status of women;
- (4) Population questions;
- (5) Migration questions;
- (6) Social activities;
- (7) International Children's Emergency Fund;
- (8) Proposal for contribution of One Day's Pay (United Nations Appeal for Children);
- (9) Narcotic Drugs;
- (10) World Health Organization;
- (11) World calendar;
- (12) Translation of the classics.

Chapter IV dealt primarily with questions concerning specialized agencies, in particular with agreements concluded between the United Nations and a number of these agencies, and with non-governmental organizations. This chapter also dealt with the question of housing and town and country planning and the question of expert assistance to Member Governments.

The Second and Third Committees decided that Chapters I and IV of the report should be dealt with by a Joint Second and Third Committee.

The Second and Third Committees each engaged in a general discussion of the chapters of the Economic and Social Council's report referred to them before considering specific proposals submitted by various delegations. The general debate in the Second Committee concerning Chapter II (economic questions) of the Economic and Social Council's report lasted from the 33rd meeting of the Second Committee on September 27,

1947, to the 42nd meeting on October 11, inclusive. The Third Committee discussed Chapter III (social questions) at its 52nd, 53rd, 54th and 55th meetings on September 25, 26, 27 and 29. The Joint Second and Third Committee discussed questions concerning the specialized agencies from its 12th meeting on October 8 to its 17th meeting on October 18. At its 18th meeting on October 22 the Joint Committee decided without discussion to note those parts of Chapter IV of the Economic and Social Council report not dealing with specialized agencies as well as the whole of Chapter I.

In reviewing the achievements of the Economic and Social Council, most representatives agreed that the Council had performed valuable work as regards its organizational structure and that the report presented a picture of activity. Some representatives, however, felt that the Council had yet to embark on the solution of major substantive problems in the economic and social fields.

Most representatives stressed the importance of the Council's work, which, although attracting less attention than the political issues confronting the United Nations, constituted, it was considered, a major factor in the success of the United Nations. Some representatives, however, expressed the view that political differences had hampered the work of the Economic and Social Council more than had been expected.

A number of representatives thought that the Economic and Social Council and its commissions tended to cover too wide a field of activities. The hope was expressed that an effort would be made in the future to deal with the more pressing problems first. Several representatives urged in this connection that a scale of priorities among the various tasks of the Council and its commissions be established according to their relative importance. Many representatives, moreover, stressed the need for co-ordination among the various United Nations organs and the specialized agencies so as to avert the danger of duplication of efforts.

The General Assembly at its 117th plenary meeting on November 17, 1947, adopted a resolution (123(II)) taking note of the Council's report. The specific proposals dealt with in connection with the report are discussed below.

(2) Resolutions Considered by the Second Committee in connection with the Council's Report

The following resolutions were discussed by the Second Committee in connection with the consideration of Chapter II of the Economic and Social Council's report:

(a) REPORTS ON WORLD ECONOMIC CONDITIONS AND TRENDS

The representatives of Poland and Australia emphasized the urgency of the Council's undertaking a systematic world-wide survey of economic conditions and trends in order to assure timely decisions on the economic situation. The representative of Australia submitted a draft resolution to this effect (A/C.2/107), and a paragraph of a draft resolution submitted by the representative of Poland covered this subject (A/C.2/108, paragraph a). The Australian resolution proposed that the consideration of current world economic conditions and trends should take place at each regular session of the Economic and Social Council, whereas the Polish resolution recommended that such surveys be prepared "periodically".

The representatives of Australia and Poland later submitted a joint draft resolution to take the place of their respective proposals (A/C.2/116). This joint resolution was unanimously adopted by the Second Committee at its 43rd meeting on October 14, 1947, and by the General Assembly at its 102nd plenary meeting on October 31, 1947. The text of the resolution (118(II)) follows:

"The General Assembly

"1. Notes with approval that the Economic and Social Council has made arrangements for the initiation of regular reports to the Council on world economic conditions and trends;"

"2. Recommends to the Council

"(a) That it consider a survey of current world economic conditions and trends annually, and at such other intervals as it considers necessary, in the light of its responsibility under Article 55 of the Charter to promote the solution of international economic problems, higher standards of living, full employment and conditions of economic and social progress and development,

"(b) That such consideration include an analysis of the major dislocations of needs and supplies in world economy,

"(c) That it make recommendations as to the appropriate measures to be taken by the General Assembly, the Members of the United Nations and the specialized agencies concerned;

"3. Requests the Secretary-General to assist the Council and its subsidiary organs by providing factual surveys and analyses of world economic conditions and trends."

(b) IMPLEMENTATION OF RECOMMENDATIONS ON ECONOMIC AND SOCIAL MATTERS

The proposal submitted by the representative of Poland (A/C.2/108), one paragraph of which dealt with surveys of world economic conditions to be undertaken by the Economic and Social Council, also covered: (i) International economic co-operation within the framework of the United

Nations; and (ii) Reports on implementation of United Nations resolutions.

The representative of Poland expressed the view in the Second Committee that the Committee of European Economic Co-operation, an agency which had been created in response to a speech by the United States Secretary of State, was handling a major matter of international economic policy outside the United Nations, was giving disproportionate importance to the reconstruction of Germany, and, in splitting Europe into two groups, was following an unsound economy policy and aggravating the political relations among nations. The representative of Poland stressed that prosperity, like peace, was indivisible, and appealed to Member Governments to make use of the United Nations in settling fundamental international economic problems, and not to establish any machinery outside the United Nations for such purposes. He also emphasized the need for Member Governments to implement the economic and social recommendations of the United Nations. The Polish resolution (A/C.2/108), therefore contained, *inter alia*, the following provisions:

"The General Assembly

"Calls upon all Member States to carry out all recommendations of the General Assembly passed on economic and social matters and to make use of the machinery of the United Nations in settling fundamental international economic problems.

"Member States are advised not to establish for such purposes any machinery outside the United Nations, as this tends to reflect unfavourably on the United Nations' authority and successful operations . . .

"Recommends . . . that in fulfilment of Article 64 of the Charter of the United Nations the Secretary-General reports annually to the Economic and Social Council and that the latter reports to the General Assembly on steps taken by the Member Governments to give effect to the recommendations of the Economic and Social Council as well as to the recommendations on matters falling within its competence, made by the General Assembly."

A number of representatives, including those of Canada, France, the Netherlands, the United Kingdom and the United States, endorsing the desirability of international action, preferably through the United Nations, thought that nothing should prevent any nation or group of nations from taking action to promote the objectives of the Charter. They maintained that it was better to have action outside the United Nations than to have no action at all. They also objected to the criticism of the Marshall Plan implied in the Polish resolution. They pointed out that the Polish resolution would also prevent the economic

¹See resolution 26 (IV), and *Yearbook of the United Nations*, 1946-47, p. 476.

assistance existing between the U.S.S.R. and other eastern European countries outside the machinery of the United Nations.

The representative of the United Kingdom said that the conference of sixteen European countries which had met in Paris to outline a program of economic activity had never been exclusive in character. It would have provided a splendid opportunity for all-European collaboration, had it not been for the refusal of certain governments to co-operate. The representative of the Netherlands denied that there had been any hidden political motive underlying western European co-operation and stated that he believed that the Marshall Plan was sound.

The United States representative stated that no conditions for aid to Europe which were contrary to the Charter had been laid down by his Government, and that the only suggestions it had made were that the initiative should come from Europe and that the program should be the product of joint international planning. The representatives of the United Kingdom and the United States also denied that Germany was being given priority in the reconstruction of Europe and stated that the level of German production was considered by them in terms of the economic necessity of the rest of Europe.

Several Latin American representatives expressed fear that adoption of the Polish resolution might imply condemnation of all regional organizations, such as the Pan American Union.

The representatives of Yugoslavia and of the U.S.S.R. supported the Polish resolution. The representative of the U.S.S.R. expressed the view that economic assistance through organizations which by-passed the United Nations was subject to political motives. He sharply criticized the Marshall Plan as a device by which the Great Powers could dictate to the smaller Powers.

The representative of the United States proposed to delete from the first paragraph of the resolution the reference to the use of United Nations machinery in settling fundamental international economic problems and to delete the second paragraph entirely. This proposal was adopted by the Second Committee at its 43rd meeting on October 14, 1947, by a vote of 32 to 6. The remaining paragraphs of the Polish resolution were adopted. The resolution as a whole, with the deletions indicated, was adopted by a vote of 36 to 2, with 8 abstentions.

On the recommendation of the Second Committee, the General Assembly, at its 102nd plenary meeting on October 31, 1947, unanimously

adopted the resolution (119(II)), which follows:

"The General Assembly,

"1. With a view to the creation of conditions of stability and well-being and to the promotion of social progress and better standards of life, taking account of the fact, well established by experience, that prosperity is indivisible and requires the co-operation of all Member States within the framework of the United Nations.

"2. *Calls upon* all Member States to carry out all recommendations of the General Assembly passed on economic and social matters;

"3. *Recommends*, furthermore, that in fulfilment of Article 64 of the Charter of the United Nations the Secretary-General report annually to the Economic and Social Council and that the latter report to the General Assembly on steps taken by the Member Governments to give effect to the recommendations of the Economic and Social Council as well as to the recommendations made by the General Assembly on matters falling within the Council's competence."

(c) MEMBERSHIP OF THE ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

The representative of the U.S.S.R. considered that the existing predominance of the colonial Powers in the Economic Commission for Asia and the Far East (ECAFE)⁷⁶ should be removed and to this end he proposed (A/C.2/113/Rev.1):

(1) that membership of the ECAFE be increased by including all countries of Asia and the Far East which were Members of the United Nations and which did not belong to any other regional commission of the Economic and Social Council;

(2) that applications of Non-Self-Governing Territories for associate membership of the Commission be lodged directly with the Commission, and not, as heretofore, through the Metropolitan Powers responsible for their administration.

The Second Committee considered the U.S.S.R. proposal at its 44th meeting on October 15 and its 45th meeting on October 17, 1947.

In opposition to the proposal it was stated that the countries of the Middle East which the U.S.S.R. proposal had in mind did not form an economic unit with the countries of Asia at present members of ECAFE. In regard to the applications of Non-Self-Governing Territories, it was argued that the proper procedure was for such applications to be submitted through the Powers responsible for the international relations of these Territories. The legal and constitutional position of Non-Self-Governing Territories required them to express their will through the Metropolitan Powers. The Assistant Secretary-General of the Department of Legal Affairs of the United Nations Secretariat was quoted to the effect that "in international affairs the government of Non-Self-Gov-

⁷⁶For members of ECAFE, see p. 505.

erning Territories is the government of the mother country".

The representatives of Lebanon, Egypt and Iraq said that they could not support the U.S.S.R. draft resolution because their countries wished to become members of the proposed Economic Commission for the Middle East (see below).

Representatives supporting the U.S.S.R. resolution emphasized that it was necessary to broaden the membership of ECAFE, because the present composition of the Commission permitted certain colonial Powers to hold a dominating position. Concerning the applications of Non-Self-Governing Territories, it was maintained by these representatives that it would not be in the interest of colonial peoples if it were left to Metropolitan governments to select the territories to be represented on the Commission.

The Second Committee rejected the first paragraph of the U.S.S.R. resolution concerning membership of ECAFE by a vote of 24 to 7, with 14 abstentions. The second paragraph concerning applications for Non-Self-Governing Territories was rejected by a vote of 19 to 13, with 14 abstentions.

At the 103rd plenary meeting of the General Assembly the representative of the U.S.S.R. again raised his delegation's proposal that applications from Non-Self-Governing Territories for associate membership of the Economic Commission for Asia and the Far East should be directed to the Commission without the intervention of the Metropolitan Powers concerned. It was well known, the U.S.S.R. representative stated, that the colonial Powers did not usually take into account the real interests of the colonial peoples and that they were not interested in the Non-Self-Governing Territories' participation in the work of ECAFE. The Commission, however, could not function effectively without the co-operation of the peoples of Non-Self-Governing Territories. Pointing to the fact that his proposal had been defeated by only nineteen votes in the Second Committee, the representative of the U.S.S.R. asked the General Assembly to reconsider the question in plenary meeting.

The representative of Colombia expressed the view that to do away with the intervention of the Metropolitan Powers was contrary to Article 2, paragraph 7, of the Charter, which provides that the United Nations is not to interfere in matters which are essentially within the domestic jurisdiction of a state. With a view, however, to ensuring full participation of Non-Self-Governing Territories in the work of ECAFE, the representative

of Colombia proposed an amendment (A/443) to the U.S.S.R. proposal to the effect that the Commission should invite, through the Metropolitan Powers concerned, the Non-Self-Governing Territories of Asia and the Far East to participate in the work of the Commission as associate members. With the Commission thus taking the initiative, the representative of Colombia considered, the Metropolitan Powers would not be able to deny the Commission's request without giving clear and definite reasons. Thus the present system could be substantially changed without any violations of the Charter.

The representative of the U.S.S.R. stated that he could not accept the Colombian amendment because in substance the proposal left the participation of Non-Self-Governing Territories in the work of the ECAFE dependent on the consent of the colonial Powers.

The representatives of India, Pakistan and Yugoslavia expressed themselves in favor of the U.S.S.R. proposal, while the representatives of France, the Netherlands, the United Kingdom and the United States, in opposing the U.S.S.R. resolution, stressed the constitutional limitations in regard to the international relations of Non-Self-Governing Territories.

After rejecting the Colombian amendment, the General Assembly rejected the U.S.S.R. proposal by a vote of 23 to 13, with 17 abstentions

(d) ESTABLISHMENT OF AN ECONOMIC COMMISSION FOR THE MIDDLE EAST

The representative of Egypt stated in the course of the Second Committee's discussion that the economic stability of the Middle East countries was endangered by postwar conditions and that this part of the world had not received adequate attention. The links between the various countries of this area, he stated, and the similarity of their problems justified the establishment of an Economic Commission for the Middle East. He therefore submitted a draft resolution (A/C.2/114) to the effect that the General Assembly invite the Economic and Social Council to study the establishment of an Economic Commission for the Middle East.

The Second Committee considered this proposal at its 46th meeting on October 18, its 47th meeting on October 23 and its 48th meeting on October 24, 1947. Most representatives expressed themselves in favor of the establishment of an Economic Commission for the Middle East and indicated that they would support the Egyptian resolution. The representatives of Lebanon (A/C.2/118), the United States and Canada, however,

submitted a number of amendments (A/C.2/119) to alter the wording of the Egyptian resolution. The representative of Egypt thereupon submitted a revised draft resolution (A/C.2/114/Rev.1) taking into account most of the suggested drafting changes. A further amendment of the representative of Lebanon to add a reference to "the general favorable reception given to the proposal for an economic commission for Latin America by the Second Committee"⁷⁶ was adopted by the Second Committee by a vote of 22 to 20, with 2 abstentions.

A number of representatives had objected to this amendment on the ground that reference to the Committee's discussion concerning the establishment of an Economic Commission for Latin America was not relevant to the consideration of the establishment of an Economic Commission for the Middle East. The representative of the U.S.S.R. had maintained that reference to the Economic Commission for Latin America was contrary to the rules of procedure as the agenda did not contain any item concerning that Commission. Inclusion of this paragraph would prejudice the question which was still under consideration by the Economic and Social Council and amounted to an attempt to apply pressure on the Council. A U.S.S.R. proposal to seek the opinion of the Legal Department of the United Nations Secretariat on this point was rejected by the Second Committee by a vote of 25 to 9, with 11 abstentions. The representative of the U.S.S.R. declared that he would not participate in the vote on the resolution as a whole because of what he considered an illegal reference to the Economic Commission for Latin America.

The representative of the U.S.S.R. also pointed out that the proposed resolution did not call for the creation of an Economic Commission for the Middle East, but for a study of the desirability of its creation. He therefore suggested that the Economic and Social Council might further study the alternative of allowing the countries of the Middle East to participate in ECAFE, which under such circumstances might change its title. He submitted an amendment to the Egyptian resolution to this effect (A/C.2/117). The Second Committee rejected this amendment by a vote of 31 to 7, with 11 abstentions. At its 48th meeting on October 24, the Second Committee adopted by 43 votes to 0, with 6 abstentions, the revised Egyptian resolution, as amended.

At its 103rd plenary meeting on October 31, 1947, the General Assembly, considered the resolution recommended by the Second Committee.

The representative of the U.S.S.R. proposed the deletion of the fourth paragraph referring to the establishment of an Economic Commission for Latin America. The representative of Chile stated in opposition that a negative decision by the General Assembly on this paragraph would give the impression that the Assembly did not agree to the establishment of an Economic Commission for Latin America. In view of the U.S.S.R. proposal, the resolution was voted on paragraph by paragraph. All paragraphs were adopted unanimously with the exception of the fourth paragraph, which was adopted by a vote of 35 to 7, with 6 abstentions. The resolution as a whole was adopted by a vote of 43 to 0, with 4 abstentions. The text of the resolution (120(II)) follows:

"The General Assembly,

"1. *Considering* the interest of the United Nations in problems relating to the economic development of all under-developed regions;

"2. *Taking note* of the resolution adopted by the Economic and Social Council during its fifth session⁷⁷ requesting the Economic and Employment Commission to study the general problems connected with the establishment of regional commissions as a means to promote the aims and purposes of the United Nations;

"3. *Taking note* with satisfaction of the decision by the Council at that session to establish an *ad hoc* Committee for the purpose of studying the factors bearing upon the establishment of an economic commission for Latin America;⁷⁸

"4. *Taking note* of the general favourable reception given to the proposal for an economic commission for Latin America by the Second Committee;

"5. *Recognizing* that co-operative measures among all the countries of the Middle East can be of practical assistance in raising both the level of economic activity and the standard of life in the Middle East and in strengthening the economic relations of these countries both among themselves and with other countries of the world, and that such measures would be facilitated by close co-operation with the United Nations and its subsidiary organs as well as with regional organizations in the Middle East such as the Arab League;

"6. *Invites* the Economic and Social Council to study the factors bearing upon the establishment of an economic commission for the Middle East."

(3) *Resolutions Considered by the Third Committee in connection with the Council's Report*

The following resolutions were discussed by the Third Committee in connection with the consideration of Chapter III of the Economic and Social Council's report:

(a) **ADVISORY SOCIAL WELFARE FUNCTIONS**

In accordance with resolution 58 (I), adopted by the General Assembly during the second part

⁷⁶See paragraph 4 of the resolution as finally adopted by the General Assembly.

⁷⁷See resolution 72 (V). See also p. 546.

⁷⁸See resolution 70 (V). See also p. 538.

of its first session on December 14, 1946, the United Nations had taken over certain of the advisory social welfare functions previously carried on by UNRRA.⁷⁹

The Assembly had appropriated \$670,186 for the purpose (A/493, p. 3). With a view to the continuation in 1948 of the advisory social welfare functions undertaken by the United Nations in 1947, the Secretary-General included in the budgetary estimates for 1948 the sum of \$750,000, this sum to be used for: (1) social welfare experts to assist governments at their request (\$200,000); (2) a fellowship program to enable social welfare personnel to study and observe social welfare techniques in various countries (\$300,000); (3) demonstrations, instruction in the manufacture of prosthetic appliances, vocational training of physically handicapped persons, technical literature to assist in the training of welfare workers, production of films to be used in the training of social workers (\$100,000); (4) regional seminars (\$150,000) (A/318, pp. 3, 155-56).

By resolution of September 10, 1947, the Social Commission of the Economic and Social Council had recommended the continuation of the United Nations advisory social welfare program and had approved the budget of the Secretary-General (A/C.3/W.12).

The representative of the United Kingdom submitted to the Third Committee a draft resolution (A/C.3/152) designed to curtail the advisory social welfare functions performed by the United Nations and to reduce the budgetary appropriation for this purpose from \$750,000 to \$150,000.

The draft resolution referred to the value of the expenditure voted by the Assembly in meeting urgent needs and in providing a general stimulus to the development of social welfare services, and to the continued need for stimulating such development "by international action of an advisory character". The extent of the action taken by the United Nations would, however, have to be considered in the light of other services and urgent needs and of the world financial dislocation. Future action by the United Nations should therefore

"be based on the principle of stimulating nations to help themselves and to help each other by arrangements for the interchange of information and advice on social welfare matters not covered by the specialized agencies."

It proposed that a sum not exceeding \$150,000 for 1948 should be used for the following purposes:

"(a) For the development in the Social Affairs Department of the United Nations of a small cadre of social welfare experts, whether in a full time or a consultant capacity, whose task it would be (i) to secure the

spread of information on social welfare matters not covered by the specialized agencies, by the distribution of literature, by stimulating lectures, seminars, the holding of conferences by voluntary organizations concerned, by stimulating the provision of fellowships by governments and by voluntary organizations (but not by the United Nations save in exceptional circumstances), the interchange of students and personnel connected with welfare matters between countries; (ii) to pay visits to countries needing advice at the request of those countries;

"(b) For the provision at the discretion of the Secretary-General of certain equipment such as sample prosthetic devices, and of sample short films which would be of value to the experts in carrying out their tasks."

Payment should be made by the recipients for the advisory services as provided in the interim report of the Secretary-General regarding expert assistance to Member Governments (E/471/Add.2, p. 2).

The majority of representatives opposed the United Kingdom resolution and favored continuation in 1948 of the social advisory welfare services on an undiminished scale. The program of advisory social welfare services, it was pointed out, was the only practical activity carried out by the United Nations under Articles 55 and 56 of the Charter. The need was so great that without international assistance many countries could not be expected to solve their social problems. The establishment of a small group of experts within the Secretariat might be desirable, but, in addition, there was need for direct assistance to governments by social welfare experts provided by the United Nations. Many representatives also expressed themselves in favor of the fellowship and seminar programs, which the United Kingdom proposed to eliminate.

The representatives of the Byelorussian S.S.R., the Ukrainian S.S.R. and the U.S.S.R. considered that expert assistance from the United Nations should be paid for by the countries requesting such assistance. Hence they supported the United Kingdom resolution.

The Third Committee rejected the United Kingdom resolution by a vote of 35 to 11, with 5 abstentions. A proposal by the representative of New Zealand to establish a small sub-committee of five members to agree on the amount to be allocated to the advisory social welfare services of the United Nations was rejected by a vote of 36 to 5, with 9 abstentions.

(b) ENTRY INTO FORCE OF THE CONSTITUTION OF THE WORLD HEALTH ORGANIZATION (WHO)

Resolution 61 (I), concerning the establishment of the World Health Organization, was adopted

⁷⁹See *Yearbook of the United Nations, 1946-47*, pp. 160-62, 517-18.

by the General Assembly on December 14, 1946.⁸⁰ It contained, *inter alia*, a recommendation to all Members of the United Nations to accept the constitution of WHO at the earliest possible date. By the time the second session of the General Assembly convened in September 1947, sufficient ratifications had not been received by the Secretary-General for the constitution of the WHO to come into force.

By a resolution of September 13, 1947 (A/C.3/154), the Interim Commission of WHO, therefore, decided to bring the regrettable consequences of the long delay in establishing WHO to the attention of the delegates to the General Assembly of those countries which had not yet accepted the constitution of WHO, urging them to impress upon their governments the importance of accepting it with a minimum of further delay.

The representative of the United Kingdom submitted a draft resolution (A/C.3/155) to the Third Committee which was unanimously adopted by the Committee at its 57th meeting on October 3, and by the General Assembly at its 117th plenary meeting on November 17, 1947. The text of the resolution (131(II)) follows:

"The General Assembly,

"Noting the action taken by the Secretary-General pursuant to resolution 61(1) adopted by the General Assembly on 14 December 1946 concerning the establishment of the World Health Organization;

"Noting that acceptances of the constitution of the World Health Organization by Members of the United Nations fall considerably short of the number required to bring the constitution of the Organization into force;

"Having regard to the urgent and important problems of public health and hygiene that require international action for their solution,

"Recommends all Members of the United Nations which have not already done so to accept the constitution of the World Health Organization at the earliest possible date, and

"Authorizes the Secretary-General to transmit the above recommendation to all States, which, whether Members of the United Nations or not, sent representatives or observers to the International Health Conference."

(c) UNITED NATIONS CONFERENCE ON FREEDOM OF INFORMATION

During the second part of its first session, on December 14, 1946, the General Assembly resolved (resolution 59(1)) to authorize the holding of a conference of all Members of the United Nations on freedom of information and instructed the Economic and Social Council to undertake the convocation of such a conference.⁸¹ The purpose of the Conference was "to formulate . . . views concerning the rights, obligations and practices which should be included in the concept of freedom of information".

The Economic and Social Council entrusted its Sub-Commission on Freedom of Information and of the Press with the task of preparing a draft annotated agenda and asked it to make proposals concerning preparations for the Conference. On the basis of the Sub-Commission's recommendations the Economic and Social Council decided that the Conference should be held in Geneva, commencing March 23, 1948. The Council also decided to invite a number of non-member states to participate in the Conference. Voting rights at the Conference, however, were to be limited to Members of the United Nations. The Council also approved, with amendments, the Sub-Commission's recommendations regarding the provisional agenda of the Conference.

The representative of the U.S.S.R. submitted the following draft resolution (A/C.3/157) to the Third Committee concerning the forthcoming Conference on Freedom of Information:

"The General Assembly,

"Having considered that part of Chapter III of the Report of the Economic and Social Council which deals with the convening of a Conference on Freedom of Information, and in view of the outstanding importance of the part played by the press and information in the struggle for the eradication of the remnants of Fascism, for a stable peace and the security of nations,

"Resolves:

"1. To recommend to the Economic and Social Council to reconsider the suggested provisional agenda of the Conference on Freedom of Information and of the Press and to accept the following postulates as a basis for defining the principles of freedom of the press and information and their objectives:

"(1) Organization of the struggle for the principles of democracy, for the exposure of Fascism and the eradication of Fascist ideology in all its forms;

"(2) Exposure of warmongers and organization of an effective fight against organs of the press and other media of information which incite to war and aggression;

"(3) Development of friendly relations between nations on the basis of respect for the principles of the independence, equality and self-determination of nations;

"(4) Assistance in solving problems of an economic, social, humanitarian character, and in encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion;

"(5) Recognition of the fact that freedom of the press is the right of all citizens with the exception of persons indulging in any form of Fascist propaganda or in propaganda in favor of war or aggression;

"(6) Recognition of the fact that full freedom of information can be ensured only if the broad masses

⁸⁰See *Yearbook of the United Nations, 1946-47*, pp. 180-81.

⁸¹See *Yearbook of the United Nations, 1946-47*, pp. 175-76.

of the people and their organizations have at their disposal the material resources necessary for founding organs of the press and for operating other media of information;

"(7) In countries where organs of the press are directly dependent on private proprietors and their commercial interests, to regard it as necessary to take effective steps for abolishing and preventing the practice of direct or indirect bribery of organs of the press and information for the purpose of distorting the truth;

"(8) In accordance with the postulate that freedom implies responsibility, to recommend the enactment of effective legislative measures against owners of such organs of the press and information which disseminate untrue and libellous statements concerning other peoples and States. A particularly serious view must be taken of *untruthful statements that mislead public opinion with a view to impairing the relations between countries, provoking conflicts and inciting to war.*

"(9) The necessity of elaborating measures for ensuring a wider dissemination of genuinely honest and objective information.

"II. That countries non-members of the United Nations, which are invited to attend the Conference on Freedom of Information and of the Press, be given the right to vote.

"III. That the Mongolian People's Republic be included also among those invited to attend the Conference.

"IV. That the proposal of the Economic and Social Council that the Conference be held at Geneva beginning on 23 March 1948 be accepted."

The Third Committee considered the U.S.S.R. resolution at its 57th, 58th, 59th and 60th meetings on October 3, 4, 6 and 7. The majority of representatives expressed opposition to the U.S.S.R. proposal. It was pointed out that the points raised in the resolution had been previously discussed in the Sub-Commission on Freedom of Information and by the Economic and Social Council when the provisional agenda of the Conference was under consideration. The U.S.S.R. delegation had had ample opportunity to state its views, being represented on the Council. It was maintained further that it would be impossible to vote on the U.S.S.R. proposal without a detailed discussion of each of the principles enumerated. This not only would take a great deal of time, but was not properly the function of the Third Committee. If the General Assembly or the Economic and Social Council were to undertake the task of defining the principles of freedom of information, it was argued, there would be no point in calling the Conference. The General Assembly, it was urged, should not take any decision which might tend to circumscribe the work of the Conference but should leave it to the Conference itself to revise its agenda, if necessary, and to consider whatever proposals might be submitted.

There was also some discussion of the substance of the principles set forth in the U.S.S.R. resolution. Certain of these principles were entirely acceptable to the majority of representatives, while others were considered to be contrary to the concept of freedom of information adhered to in certain countries. In particular, a number of representatives rejected the suggestion that there should be any governmental control over the press or other media of information.

A number of representatives expressed themselves in favor of the recommendation that all states invited to attend the Conference, whether Members of the United Nations or not, should be given the right to vote. Most representatives, however, did not favor the recommendation that the Mongolian People's Republic should be invited to take part in the Conference. The question of invitations, it was stated, had been thoroughly discussed by the Economic and Social Council and the General Assembly should not override the Council's decision.

The representative of Czechoslovakia submitted an amendment (A/C.3/157/Add.1) to the U.S.S.R. resolution to alter the second paragraph to read as follows:

"To recommend to the Economic and Social Council in the final approval of the Agenda of the Conference on Freedom of Information and of the Press to take into account, in defining the principles of freedom of the press and information and their objectives, the following 'postulates':"

The representative of the U.S.S.R. declared that he was ready to accept the amendment submitted by the representative of Czechoslovakia as a compromise. The representative of Chile, however, pointed out that the Conference agenda would not be discussed again by the Economic and Social Council, unless additional items were submitted. The Assembly, therefore, would have to request the Council specifically to change the agenda.

The representatives of Argentina and India considered that the General Assembly should refer the record of the Third Committee's discussion to the Economic and Social Council for whatever action it might see fit to take. At the 60th meeting of the Third Committee, accordingly, the representative of India submitted an amendment (A/C.3/164) to the U.S.S.R. resolution which provided that the General Assembly take note of the provisional agenda of the Conference on Freedom of Information and invite the attention of the Economic and Social Council to the discussion in this respect in the Third Committee of the General Assembly.

The Chairman of the Third Committee ruled that the Indian proposal should be considered a separate resolution and not an amendment, and that the U.S.S.R. resolution should be voted on first. After a lengthy discussion concerning the procedure for voting, the U.S.S.R. resolution was voted in parts. The preamble was rejected by a vote of 23 to 7, with 15 abstentions. Part I, as amended by the representative of Czechoslovakia, was rejected by a vote of 34 to 6, with 8 abstentions. Part II, concerning voting rights of non-member states, was rejected by a vote of 20 to 18, with 11 abstentions. Part III, concerning the Mongolian People's Republic, was rejected by a vote of 27 to 8, with 11 abstentions. Part IV, concerning the date of the Conference, was adopted unanimously. The resolution as a whole was rejected by a vote of 33 to 7, with 11 abstentions, which in the view of the Committee meant that Part IV was also rejected. The Committee then adopted the Indian resolution by a vote of 27 to 4, with 13 abstentions.

On the recommendation of the Third Committee the General Assembly unanimously adopted this resolution at its 117th plenary meeting on November 17. The text of the resolution (132(II)) follows:

"The General Assembly,

"Having considered that part of chapter III of the report of the Economic and Social Council which deals with the convening of a conference on freedom of information,

"Takes note of the provisional agenda of the conference and invites the attention of the Economic and Social Council to the discussion on this matter in the Third Committee of the General Assembly."

(d) EXCHANGE OF WORKERS

The French delegation submitted a draft resolution (A/C.3/159) to the Third Committee to provide that the General Assembly invite the Secretary-General "to consider (in collaboration with the specialized agencies and the non-governmental organizations) the terms on which Members who are agreeable could arrange an exchange of manual workers who wish to take courses to improve their knowledge of their trade and to study on the spot the economic and social problems confronting their comrades in other countries, and to submit his report at a future session of the Economic and Social Council".

The Third Committee considered the French proposal at its 61st meeting on October 9, 1947. The representative of France stated that arrangements had been made by UNESCO for the exchange of students. The French delegation con-

sidered that young workers should be given the same opportunity as students, and the United Nations should therefore encourage governments to promote the exchange of manual workers. Such an exchange, the French delegation considered, would contribute greatly to better international understanding. The first step, as proposed in the resolution, should be a study of the question by the Secretariat of the United Nations.

The representative of the United Kingdom stated that he was much in sympathy with the objectives of the French resolution but thought that the exchange of manual workers contemplated should be effected by bilateral agreements between governments, rather than on the basis of international action. If the Committee thought that action by the United Nations was necessary, then the question should be referred for study to the ILO in collaboration with UNESCO, which were better qualified than the Secretariat to give it full consideration. The representative of the United Kingdom, therefore, proposed an amendment (A/C.3/163) to the French resolution to the effect that the General Assembly urge Members "to arrange with each other by direct agreement such terms and conditions as will facilitate the maximum possible exchange of workers who wish to take a period of training in order to improve their knowledge of their trade and to study on the spot the economic and social problems confronting their comrades in other countries".

The representative of Argentina considered that the French proposal should cover all workers and not only "manual" workers and proposed an amendment to this effect.

The representative of the Dominican Republic expressed the view that the purpose of the exchange of workers should be to learn new techniques and principles rather than to study the economic and social problems of the countries to which they were sent. That was rather the task of the specialized agencies of the United Nations. He therefore proposed the deletion from the French resolution of the clause which provided that workers should "study on the spot the economic and social problems confronting their comrades in other countries".

A number of representatives supported the United Kingdom amendment, while others were of the opinion that the General Assembly should refer the question to ILO and UNESCO. Still others thought that a mere recommendation to Member Governments was not enough. The United Nations should take the initiative in stimulating an exchange of workers. One representative sug-

gested the drawing up of a multilateral convention on the subject.

The representative of France accepted the amendments proposed by the Argentine and Dominican representatives. Taking these amendments into account and in order to meet the point of view of those representatives who considered that an exchange of workers should take place on the basis of bilateral agreements, the representative of France suggested that the resolution be altered to read as follows:

"The General Assembly . . .

"Invites the Secretary-General to consider . . . the terms on which Members who are agreeable could arrange by bilateral agreements an exchange of workers who wish to take courses to improve their knowledge of their trade."

The representative of the United Kingdom stated that the revised text was not entirely satisfactory to his delegation. Adoption of the French text would mean that the Secretary-General would have to take action on this matter. The United Kingdom proposal, on the other hand, was simply a recommendation to Member Governments to proceed to the conclusion of bilateral agreements.

By a vote of 29 to 14, with 2 abstentions, the Third Committee adopted the United Kingdom amendment. The deletion proposed by the representative of the Dominican Republic was rejected by a vote of 20 to 5, with 13 abstentions. The resolution as amended was then adopted by a vote of 29 to 1, with 13 abstentions. The French delegation abstained from voting on the amended resolution, considering that adoption of the United Kingdom amendment had deprived the French proposal of any practical meaning.

The General Assembly, at its 117th plenary meeting on November 17, 1947, unanimously adopted the resolution proposed by the Third Committee. The text of the resolution (133(II)) follows:

"The General Assembly,

"Having examined chapter III of the report of the Economic and Social Council;

"Considering that among the functions of the Economic and Social Council is that of developing international co-operation 'with respect to economic, social, cultural and educational matters';

"Considering that such international co-operation must be based on a better mutual understanding among peoples;

"Considering that the proper method of achieving such understanding is to increase direct contacts between the various elements of the populations of all countries, and

"Considering that workers too often lack means of learning about technical and social experiments which are being carried out in foreign countries,

"Urges those Members which are agreeable to arrange with each other, by direct agreement, such terms and conditions as will facilitate the maximum possible exchange of workers wishing to take a period of training in order to improve their knowledge of their trade and to study on the spot the economic and social problems confronting their comrades in other countries."

(e) INQUIRY CONCERNING THE MASTICATION OF COCA LEAVES

At its second session the Commission on Narcotic Drugs decided, at the request of the Government of Peru, to ask the Economic and Social Council to approve a proposal to send an authoritative commission to South America to investigate the effect of the chewing of coca leaves, a centuries-old habit among the working population of certain South American countries. The Council was to consider the recommendation of the Commission on Narcotic Drugs during its sixth session scheduled to convene in February 1948.⁸²

The representative of Peru submitted a draft resolution (A/C.3/160) to the second session of the Assembly which provided that the Assembly express its interests in this problem and invite the Economic and Social Council to consider it with all the urgency it deserved.

The Third Committee considered this resolution at its 62nd meeting on October 11, 1947. The representative of Peru stated that the habit of chewing coca leaves constituted a serious problem to Argentina, Chile, Colombia, Ecuador, and Peru, in which countries an estimated total of ten million people were addicts. Concerning the medical aspect of the question the representative of Peru stated that studies had shown a clear correlation between the chewing of coca leaves and the height at which addicts lived. It had been found that inhabitants of the Andes, after moving to lower altitudes, gave up the habit. The problem, however, the representative of Peru stated, was not merely a medical one. Difficulties were created by commercial interests which contributed to the spread and maintenance of the chewing of coca leaves; by the fact that large areas of fertile land were given over to the cultivation of the coca plant; and by the fact that capital and labor were also involved. The representative of Peru stressed the urgency of research on this problem.

After a brief discussion the Third Committee adopted the Peruvian resolution by a vote of 42 to 0, with 3 abstentions.

It was unanimously adopted by the General Assembly, at its 117th plenary meeting on November 17. The text of the resolution (134(II)) follows:

⁸²See pp. 633-34.

"The General Assembly,

"Taking note that the Commission on Narcotic Drugs has, in its report² to the Economic and Social Council on the second session of the Commission, adopted a resolution concerning the request made by the Government of Peru that a Committee of Experts should be sent to study the effects of chewing coca leaves on the inhabitants of certain zones of the Andean region,

*"Expresses its interest in this important subject, and
"Invites the Economic and Social Council, without wishing to prejudice the issue in any way, to consider it with all the urgency that it deserves."*

(f) ENTRY INTO FORCE OF THE PROTOCOL ON
NARCOTIC DRUGS

On November 19, 1946, the General Assembly approved (resolution 54(I)) a Protocol amending the international agreements, conventions and protocols relating to narcotic drugs concluded in 1912, 1925, 1931 and 1936. The general purpose of the Protocol approved by the General Assembly was to transfer to the United Nations the powers and functions under the above-mentioned conventions, protocols and agreements formerly exercised by the League of Nations.

The Protocol was first signed by Members of the United Nations parties to the former instruments on December 11, 1946. The Economic and Social Council subsequently invited all states not members (with the exception of Franco Spain) which had been parties to the former agreements, conventions and protocols, to become parties to the Protocol of December 11, 1946.⁸⁴

The Protocol provides that the amendments to the former instruments are to come into force in each case when a majority of the parties to each of these instruments have become parties to it. By the time the second session of the General Assembly convened, the Protocol of December 11, 1946, had not been ratified by a sufficient number of states for the amendments to any of the previous instruments to come into force.

The representative of Chile, therefore, submitted a draft resolution (A/C.3/161) to the Third Committee which provided that the General Assembly urge all states which had signed the Protocol of December 11, 1946, but had not yet deposited instruments of acceptance with the United Nations, to do so at the earliest possible opportunity so that the amendments to the previous instruments might enter into force by the end of 1947. The resolution provided further that the General Assembly endorse the Economic and Social Council's invitation to all Members of the United Nations and all non-members parties to the former instruments to become parties to the Protocol.

The Third Committee considered the Chilean resolution at its 62nd meeting on October 11, 1947, and after brief discussion adopted it unanimously.

At its 117th plenary meeting on November 17, 1947, the General Assembly unanimously adopted the resolution recommended by the Third Committee, which follows (resolution 135 (II)):

"The General Assembly,

"Desirous of completing as soon as possible the transfer from the League of Nations to the United Nations of the powers and functions relating to the control of narcotic drugs,

"Urges those States which have signed the Protocol of 11 December 1946 on narcotic drugs but have not yet deposited instruments of acceptance, to deposit these instruments with the United Nations at the earliest opportunity so that the amendments to the previous international agreements, conventions and protocols may enter into force by the end of 1947;

"Endorses the invitation of the Economic and Social Council to all Member States and all non-member States which are parties to the international agreements, conventions and protocols on narcotic drugs to become parties to the Protocol of 11 December 1946."

(g) REPORT TO THE ECONOMIC AND SOCIAL
COUNCIL ON THE WORK OF REGIONAL
CONFERENCES AND ASSEMBLIES

The Argentine delegation submitted a resolution (A/C.3/158 and Rev.1) to the Third Committee in connection with the consideration of Chapter III (Social Questions) of the report of the Economic and Social Council.

This draft resolution stated that this chapter "interprets the basic principles of international co-operation" for the solution of social problems, that all countries possess appropriate powers to give effect to these principles and that the information on social questions contained in the report was supported by facts in possession of the Council. It therefore called for the approval of Chapter III, and for a request to Members, the Economic and Social Council and the specialized agencies to put the recommendations it contained into effect. The draft resolution proposed that the Council and its committees should consider bringing to a close as quickly as possible the study of the social questions referred to in Chapter III. The final paragraph of the draft resolution, as revised by the Argentine representative, read as follows:

"4. To recommend Members of the United Nations holding regional conferences or assemblies that whenever items covered by this Chapter are subjects for discussion, they should communicate the conclusions reached or partial studies made to the Economic and Social Council of the United Nations, with a view to promoting comprehensive and universal solutions of the questions covered by this Chapter."

⁸⁴See doc. E/575.

⁸⁵See *Yearbook of the United Nations, 1946-47*, pp. 264-68 and p. 539. Action with respect to Franco Spain was suspended in accordance with the Assembly's resolution 54(I).

The Third Committee considered the revised resolution (A/C.3/158/Rev.1) at its 74th and 75th meetings on November 3. In the course of the discussion the resolution was criticized on the following grounds:

(1) It was not correct to say, as stated in the draft resolution, that the Economic and Social Council's report contained an interpretation of the basic principles of international co-operation for the solution of social problems. The report merely constituted an account of the Economic and Social Council's work.

(2) The General Assembly could not approve Chapter III of the report as a whole, as such approval involved judging the accuracy of the report. There was no precedent for such action, and the General Assembly might be placed in an embarrassing position. Moreover, the Third Committee had already acted on all the items in Chapter III of the Council's report which required action. The Third Committee should therefore merely note Chapter III of the report as a whole.

(3) If the General Assembly could not approve Chapter III in its entirety, it could not suggest that the recommendations contained in that Chapter be put into effect, as proposed in the Argentine resolution.

(4) The provision in the resolution urging the Economic and Social Council to act as quickly as possible on the matters referred to in Chapter III implied a criticism of the Council's work.

The first paragraph of the Argentine resolution was acceptable to the majority of representatives.

At the 75th meeting of the Third Committee, the representative of the U.S.S.R. proposed that the resolution should consist of a short introductory paragraph stating that the General Assembly had taken note of Chapter III of the Economic and Social Council's report and of the first paragraph of the Argentine resolution.

The Third Committee unanimously adopted the Argentine resolution as amended by the representative of the U.S.S.R.

At its 117th plenary meeting on November 17, 1947, the General Assembly unanimously adopted the resolution recommended by the Third Committee which follows (resolution 130(II)):

"The General Assembly,

Having noted chapter III of the report of the Economic and Social Council,

Recommends to Members of the United Nations holding regional conferences or assemblies that, whenever items covered by this chapter are subjects for discussion, they should communicate the conclusions reached or partial studies made to the Economic and Social Council of the United Nations, with a view to promot-

ing comprehensive and universal solutions of the questions covered by this chapter."

c. RELATIONS WITH SPECIALIZED AGENCIES

(1) *Approval of Agreements with Specialized Agencies*

During the second part of its first session the General Assembly approved agreements concluded between the United Nations and the following specialized agencies: The International Labour Organisation, the Food and Agriculture Organization of the United Nations, the United Nations Educational, Scientific and Cultural Organization, and the International Civil Aviation Organization.⁸⁵ Subsequently the Economic and Social Council's Committee on Negotiations with Inter-Governmental Agencies negotiated agreements with the World Health Organization (A/348), the International Bank for Reconstruction and Development (A/349), the International Monetary Fund (A/349), the Universal Postal Union (A/347) and the International Telecommunication Union (A/370 and Add. 1). The Economic and Social Council recommended the General Assembly to approve these agreements.⁸⁶

At its 91st plenary meeting on September 23, 1947, the General Assembly referred these agreements for consideration to the Second Committee with the exception of the agreement with the World Health Organization, which was referred to the Third Committee. The two Committees subsequently agreed that all agreements should be examined by the Joint Second and Third Committee.⁸⁷

Consideration of the agreements lasted from the 14th meeting of the Joint Committee on October 13 to the 18th meeting on October 22. The Joint Committee discussed each agreement in principle before considering the text of a resolution approving the agreements. The agreement with WHO was discussed briefly and approved with the addition of a clause authorizing the use of the United Nations *laissez-passer* by appropriate officials. Inclusion of such a clause had been requested by the Interim Commission of WHO. The draft agreement with the Bank and the Fund already contained such a clause. The agreements with UPU and ITU were approved without discussion and without vote. A clause concerning

⁸⁵See *Yearbook of the United Nations*, 1946-47, p. 153.

⁸⁶See Chapter IV of the Report by the Economic and Social Council to the General Assembly (A/382); see also pp. 663-66.

⁸⁷See also p. 96 concerning Chapter IV of the Report of the Economic and Social Council.

the United Nations *laissez-passer* was added to the agreement with ITU, as in the case of WHO.

While there was general agreement concerning the approval of the agreements with WHO, ITU and UPU, the agreements with the Bank and the Fund were the subjects of prolonged debate. The controversy centred round Articles II, IV and X of the agreements with these agencies.⁸⁸ The representative of the U.S.S.R. considered that the proposed agreements with the Bank and the Fund violated the provisions of the Charter, in particular Articles 17, 62, 63, 64 and 70. Article IV, paragraph 3, of the proposed agreement with the Bank deprived the United Nations of the right to make recommendations regarding individual loans. Article IV, paragraph 2, required the United Nations to enter into preliminary consultation with the Bank before making any recommendations. The agreements with other specialized agencies placed no such limitations upon the United Nations. Such provisions, the representative of the U.S.S.R. stated, put the Bank and the Fund beyond the influence of the United Nations, whereas agreements were entered into for the purpose of achieving co-ordination of activities in the general interest of the United Nations.

Article II of the agreements with the Bank and Fund, the U.S.S.R. representative stated further, granted special privileges to those organizations with respect to reciprocal representation. The Bank and Fund were allowed to participate in the meetings of all organs of the United Nations, whereas the United Nations was granted permission to be represented only at meetings of the Boards of Governors of those organizations. The representative of the U.S.S.R. also considered that the United Nations was entitled to examine administrative budgets of the specialized agencies and to make recommendations on those budgets, under Article 17, paragraph 3, of the Charter. The proposed agreements with the Bank and Fund deprived the United Nations of that right (Article X).

The U.S.S.R. representative considered that the Bank and Fund should either be convinced of the necessity of adhering to the principles of the United Nations Charter, or, if that were not possible, the United Nations should not enter into agreements with them. He stated that the United States controlled one third of the votes of both the Bank and the Fund, and would like to keep the two organizations free from the influence of the United Nations. Under such circumstances, he considered, the Bank and Fund lost their international char-

acter and their activities were subordinated to the foreign policy of the United States.

The U.S.S.R. representative urged that the Joint Committee should not approve the agreements with the Bank and Fund in their present form, and proposed that they should be returned to the Economic and Social Council with the recommendation that the Council enter into negotiations with the Bank and Fund for the purpose of revising the agreements so as to bring them into line with the principles of the Charter. He submitted a draft resolution to this effect (A/C.2 & 3/50).

A number of representatives agreed with the U.S.S.R. representative's criticisms of the agreements with the Bank and Fund. But while certain of these supported the proposal to return the agreements to the Economic and Social Council, others considered that the agreements should be approved despite their defects, with the understanding that they would be revised as soon as possible. On the other hand, a number of representatives maintained that the agreements with the Bank and the Fund did not violate the letter or spirit of the Charter in any way. Article IV of the draft agreement with the Bank, it was stated, clearly permitted broad policy recommendations on the part of the United Nations. Restraint would be exercised only with regard to particular loans which required technical judgment and study by the Bank. Exclusion of United Nations representatives from the meetings of the Executive Directors of the Bank and the Fund was considered justified, as financial information of an extremely confidential nature was being dealt with at these meetings. The article on budgetary relationships was deemed satisfactory in view of the fact that the Bank and Fund did not call on Members for annual contributions, but covered their expenses from the profits made on their operations. There was therefore not the same need, it was held, for United Nations action aiming at budgetary co-ordination.

In general it was maintained that the function and operations of the Bank and the Fund were substantially different from those of the other specialized agencies of the United Nations and certain special provisions in the agreements with the Bank and Fund were therefore justified. The Bank, for example, floated securities in private money markets and depended on relations with private investors. Every guarantee should be given, therefore, that its operations should be free from political influence.

⁸⁸For text of the agreements, see pp. 873-74, 885-87.

Some representatives admitted the necessity of providing that the Economic and Social Council should refrain from making recommendations with respect to particular loans or to terms or conditions of financing by the Bank. However, these representatives considered, the United Nations' right to make general recommendations should not be limited by the provisions of Article IV, paragraph 2, of the draft agreements which provided for prior consultations between the Bank and the Fund. Moreover, they considered that while the restrictive nature of the agreements could be partly justified in the case of the Bank, which depended on the confidence of private capitalists, there was no need for similar restrictions in the case of the Fund, which received grants only from governments.

At the 17th meeting of the Joint Second and Third Committee on October 18, 1947, the representative of Yugoslavia submitted a draft resolution (A/C.2 & 3/54) which provided for the appointment of a sub-committee to consider the objections to the immediate approval of the draft agreements with the Bank and the Fund in the light of the discussion in the Joint Committee. The Joint Committee rejected this proposal by a vote of 30 to 12, with 5 abstentions.

The U.S.S.R. proposal that the agreements with the Bank and the Fund be returned to the Economic and Social Council for further negotiations with these agencies was rejected by a vote of 29 to 5, with 12 abstentions. The Committee then approved the agreements with the Bank and the Fund by a vote of 39 to 4, with 2 abstentions.

The Committee next considered the text of a resolution approving the agreements with specialized agencies. The representative of Norway had submitted a draft resolution (A/C.2 & 3/51) which provided for approval of the agreements with WHO, UPU, ITU, the Bank and the Fund, and which also contained a number of general recommendations concerning the co-ordination of the activities of the United Nations and the specialized agencies. After a brief discussion the Committee decided to adopt those paragraphs of the Norwegian resolution relating to the approval of the draft agreements and to postpone consideration of the other parts of the Norwegian resolution until the Committee should discuss the question of administrative and budgetary co-ordination.

On the recommendation of the Joint Second and Third Committee, the General Assembly at its 115th plenary meeting on November 15, 1947, unanimously adopted the following resolution (124(II)):

"The General Assembly

"Resolves to approve the agreements with the World Health Organization (document A/348), the Universal Postal Union (document A/347), the International Telecommunications Union (documents A/370 and A/370/Add.1), the International Bank for Reconstruction and Development (document A/349) and the International Monetary Fund (document A/349);

*"Approves the insertion in the agreements relating to the World Health Organization and the International Telecommunications Union of the article regarding the use of the *laissez-passer* of the United Nations (documents A/348/Add.2 and A/370/Add.1), and*

"Requests the Economic and Social Council to report on the action taken in pursuance of these agreements as provided in the last paragraph of the General Assembly resolution 50 (I) of 14 December 1946 so that the Council and the General Assembly may, if necessary, and after consultation with the said agencies, formulate suitable proposals for improving collaboration."*

(2) Co-ordination of the Program of the United Nations and of the Specialized Agencies

In resolution 50(I) of December 14, 1946, by which the General Assembly approved the agreements between the United Nations and ILO, FAO, UNESCO and ICAO, the Assembly stated that it was essential that the policies and activities of the specialized agencies and of the organs of the United Nations should be co-ordinated, and asked the Economic and Social Council to follow carefully the progress of such collaboration, and to report on it to the General Assembly within the space of three years. In resolution 81(I) concerning budgetary and financial relationships with specialized agencies,⁹⁰ also adopted on December 14, 1946, the General Assembly requested the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions:

"1. To continue exploratory discussions with the specialized agencies and to report and make recommendations to the next regular session of the General Assembly;

"2. To append, if possible, to the United Nations budget for 1948, in the form of information annexes, the budgets or proposed budgets of the specialized agencies for 1948 with a view to presenting to the General Assembly a comprehensive estimate of expenditures of the United Nations and specialized agencies;

"3. To explore possible arrangements by which the budgets of the several specialized agencies might be presented to the General Assembly for approval;

"4. To develop, at the earliest possible date, in accordance with the budgetary and financial provisions of the agreements with the specialized agencies, arrangements for common fiscal controls and common budgetary, administrative and financial practices."

To ensure effective implementation of the

*See *Yearbook of the United Nations*, 1946-47, p. 153.

⁹⁰See *Yearbook of the United Nations*, 1946-47, pp. 154-55.

agreements entered into between the United Nations and the specialized agencies, the Secretary-General, in accordance with a request of the Economic and Social Council (resolution 13(III)) established a Co-ordination Committee⁸¹ consisting of the Secretary-General as Chairman and of the corresponding administrative officers of the specialized agencies with which the United Nations had concluded agreements.⁸² Various consultative committees were also established, in different fields.⁸³

In pursuance of the General Assembly's resolution of December 14, 1946, concerning budgetary and financial relationships with specialized agencies, the Secretary-General submitted an interim report to the Assembly's second session (A/394/Rev. 1). During its second session, held from October 1 to 3, 1947, the Co-ordination Committee gave priority in its discussions to the question of budgetary and financial relationships with specialized agencies. The Committee adopted that part of its report to the Economic and Social Council dealing with this question in advance of the report as a whole. The Secretary-General made these excerpts from the Co-ordination Committee's report available to the second session of the General Assembly (A/404) to supplement his interim report.

The Secretary-General's interim report and the Co-ordination Committee's report dealt with the general question of program co-ordination as well as with the question of budgetary co-ordination. They contained a survey of existing co-ordination machinery and of efforts made to co-ordinate the activities of the United Nations and the specialized agencies, as well as a series of recommendations designed to achieve the greatest possible degree of collaboration in the future.

Also in accordance with the General Assembly's resolution of December 14, 1946, concerning budgetary and financial relations with specialized agencies, and in accordance with the agreements bringing them into relationship with the United Nations, ILO, FAO, UNESCO and ICAO forwarded to the United Nations copies of their budget estimates for 1948. The Secretary-General submitted to the General Assembly a summary of the budget estimates of the United Nations and these four specialized agencies (A/318/Add. 1).

The budget estimates forwarded to the United Nations were examined by the Advisory Committee on Administrative and Budgetary Questions, which submitted a report thereon to the General Assembly (A/426). As the budgets of the specialized agencies had already been approved by the

appropriate organs of these agencies, the Advisory Committee devoted its examination mainly to questions of general principle and submitted a number of recommendations which it considered the General Assembly should adopt.⁸⁴

The General Assembly referred the interim report of the Secretary-General (A/394/Rev. 1), the Co-ordination Committee's report (A/404) and the Advisory Committee's report to the Fifth Committee for consideration and report. The Second Committee and the Joint Second and Third Committee considered the question of the co-ordination of the activities of the United Nations and the specialized agencies in connection with its discussion of Chapter IV of the Economic and Social Council's report.⁸⁵

Four resolutions and a number of amendments were submitted to the General Assembly on the subject of relations with and co-ordination of the specialized agencies. The representatives of Brazil submitted a draft resolution to the Fifth Committee (A/C.5/150) which provided that the General Assembly would, *inter alia*:

(1) call upon Members to take such action and to give such instructions to their representatives as would ensure co-ordination of the policies of the United Nations and the specialized agencies;

(2) commend the Economic and Social Council and the specialized agencies for the steps already taken to achieve program and administrative co-ordination;

(3) call upon the specialized agencies to present each year reports on past activities and future plans of operations, as well as their budgetary estimates for each coming year;

(4) request the Secretary-General to report on (a) the possibility of establishing a consolidated budget for the United Nations and the specialized agencies, (b) the possibility of central collection of Members' contributions, (c) measures for achieving greater uniformity in presentation of the budgets of the United Nations and the specialized agencies, (d) the fiscal year and schedule of meetings of the specialized agencies;

(5) request the Secretary-General to accelerate the development of similar budgetary, administrative and financial practices in the United Nations and the specialized agencies.

Two resolutions were submitted to the Second Committee. A draft resolution presented by the French delegation (A/C.2/111) provided that the Assembly invite the Economic and Social Council to specify and define more exactly the tasks of the Economic and Employment Commission

⁸¹Subsequently called "Administrative Committee on Co-ordination."

⁸²See *Yearbook of the United Nations*, 1946-47, p. 546.

⁸³For work of the Co-ordination Committee, see pp. 678-83.

⁸⁴For the text of the Advisory Committee's report as amended by the Fifth Committee, see pp. 114-18.

⁸⁵See p. 96.

and the Fiscal Commission, and to establish a scale of priorities with strict regard to the most pressing needs of the United Nations; to utilize the Economic and Employment Commission and its sub-commissions and the Fiscal Commission less as supplementary research centres working independently than as bodies for co-ordinating the work of regional commissions, specialized agencies and states or groups of states; and to define precisely the sphere of activity of the regional commissions so as to avoid duplication and assure close liaison with specialized agencies. A draft resolution submitted by the Greek delegation (A/C.2/112) recommended that the Economic and Social Council establish a standing co-ordination committee of seven experts selected on a regional basis to operate in continuous session. It would be the committee's task to co-ordinate the activities of all the commissions and sub-commissions of the Economic and Social Council and the activities of the specialized agencies of the United Nations.

The Second Committee discussed the French and Greek resolutions at its 44th meeting on October 15, 1947. On the proposal of the representative of the United Kingdom it was decided by a vote of 25 to 17, with 4 abstentions, that both resolutions should be referred to the Joint Second and Third Committee for further consideration.

The representative of Norway submitted a draft resolution to the Joint Second and Third Committee (A/C.2 & 3/51)⁹⁶ which provided, *inter alia*, that the General Assembly

(a) request the Economic and Social Council to explore the possibilities of developing one or more standard agreements for relations with specialized agencies, and

(b) recommend the Governments of Member nations to take measures to ensure on the national level a co-ordinated policy of their delegations to the Economic and Social Council and the different specialized agencies, and to instruct their delegations to the specialized agencies of which they are members to further actively the close co-ordination of the policies and activities of the Economic and Social Council and the policies and activities of the specialized agencies.

Amendments to the Brazilian resolution were submitted by the representatives of the United Kingdom (A/C.2 & 3/57) and of Norway (A/C.2 & 3/62-A/C.5/190). The representative of Lebanon proposed amendments (A/C.2 & 3/52) to the Norwegian draft resolution (A/C.2 & 3/51).

At its 15th meeting on October 14, 1947, the Joint Second and Third Committee, to which the French and Greek resolutions had been referred, authorized its Chairman to consult with the Chair-

man of the Fifth Committee on joint action to be taken on the resolutions before the Joint Second and Third Committee and the resolution introduced in the Fifth Committee by the Brazilian representative (A/C.5/150). Following their consultation, the Chairmen of the Joint Committee and of the Fifth Committee addressed a letter dated October 17, 1947, to the President of the General Assembly, requesting that there should be a joint meeting of the two Committees to discuss these several resolutions and to frame a single consolidated resolution for transmission to the General Assembly (A/C.2 & 3/55). On October 18, 1947, the President of the General Assembly approved this suggestion. The Joint Second and Third Committee and the Fifth Committee therefore held two joint meetings on November 5.⁹⁷

Before these two joint meetings were held, the representatives of the delegations which had moved resolutions or amendments (i.e., the representatives of Brazil, France, Greece, Lebanon, Norway and United Kingdom) consulted informally, agreed on the substance of the question and submitted in place of their separate proposals a consolidated draft resolution (A/C.2 & 3/63-A/C.5/193) based upon the Brazilian resolution. Discussion at the joint meetings on November 5 was therefore based upon this consolidated resolution. The representative of the United States submitted further amendments to the joint draft resolution which were for the most part incorporated into the text of the resolution after consultation among all the representatives concerned (A/C.2 & 3/63/Add. 1-A/C.5/193/Add. 1).

Discussion in the Committee centred on the following issues:

1. Action of States Members of the United Nations and the Specialized Agencies

The joint resolution serving as the basis of the Committee's discussion contained a recommendation to Member States to take measures to ensure on the national level a co-ordinated policy of their delegations to the United Nations and the specialized agencies, in order to ensure full co-operation between the United Nations and the specialized agencies. The view was expressed, particularly by the representatives of Norway, the United States, France and China, that a principal obstacle in harmonizing the problems and actions of the

⁹⁶This resolution also dealt with the approval of agreements between the United Nations and WHO, UPU, ITU, the Bank and the Fund. See p. 109.

⁹⁷The 23rd and 24th meetings of the Joint Committee and the 87th and 88th meetings of the Fifth Committee.

numerous inter-governmental organizations was to be found in the fact that different delegations representing the same Member States at various international conferences sometimes took divergent or incompatible positions on significant issues and that such conflicts in policy were not reconciled at the national level. They therefore attached importance to the above recommendation. The U.S.S.R. delegation, however, considered that it was improper to make such a recommendation. This matter should be left to the governments themselves. With some drafting changes the Joint Second, Third and Fifth Committee adopted this recommendation.

2. *Co-ordinating Responsibilities of the Economic and Social Council*

The joint resolution contained a recommendation that the General Assembly request the Economic and Social Council to give constant attention, in arriving at its decisions, to the factor of the relative priority of proposals, and to consider as a matter of urgency the further steps which should be taken to develop effective co-ordination of the programs of the United Nations and its subsidiary organs and the specialized agencies. A number of Members considered it important that succeeding sessions of the Economic and Social Council should deal more extensively with problems of co-ordination, not only as they relate to administrative co-operation and avoidance of duplication of work, but also in terms of positive policy guidance to specialized agencies. There was agreement that the factor of the relative importance of proposals and projects should be considered by the Council in its recommendations to specialized agencies as well as in the establishment of programs for its own subsidiary organs, and that the role of specialized agencies should be borne in mind when programs for the United Nations were considered. The representatives of France and Norway considered that a priorities system would be desirable, with financial concentration in a given year on, for example, relief programs, and accompanying decreases in government contributions to agencies whose programs were not related to the priority objectives decided upon. The representative of the United States, however, considered that absolute priorities could not be realized, partly because of the inherent difficulties in assigning priorities and partly because it was inevitable that all agencies should maintain their secretariats at some relatively constant level consistent with the minimum responsibilities put upon them by their basic instruments.

3. *Standard Texts of Agreements with Specialized Agencies*

The joint resolution contained a recommendation to the effect that the Economic and Social Council explore the possibilities of developing one or more standard texts of draft agreements for use in future negotiations with specialized agencies. The representative of Norway, who had advanced this recommendation, stated that the present differences in agreements were largely the result of bargaining between negotiating committees and that the entire set of relationship agreements should be reviewed, looking toward revision in accordance with a "model" agreement, or possibly several "model" agreements which allowed for categories of agencies. The representatives of Australia and the United States expressed opposition to the Norwegian proposal, on the ground that an attempt to standardize the texts of agreements would prove difficult and probably harmful, since the agencies varied as to their constitution, membership, functions and methods of operating. The representatives of the United Kingdom and the U.S.S.R. also opposed inclusion in the resolution of any reference to the standardizing of agreements. The Committee decided to delete the paragraph in question.

4. *Common or Consolidated Budget*

A large share of the Committee's discussion centred on the question of budgetary co-ordination. The joint resolution provided that the General Assembly request the Secretary-General, in consultation with the specialized agencies and the Advisory Committee on Administrative and Budgetary Questions, to prepare a report for submission to the Economic and Social Council and the third session of the General Assembly with recommendations concerning:

(1) The feasibility of establishing eventually a common or consolidated budget for the United Nations and the specialized agencies which might be approved by the General Assembly;

(2) The possibility and desirability of central collection of Members' contributions to the United Nations and the specialized agencies.

The representatives of Belgium, Egypt, India and the U.S.S.R. expressed opposition in principle to a consolidated budget and central collection of contributions. The representative of Belgium, supported by the representative of Egypt, contended that at San Francisco the League of Nations system of a single budget approved by a central organ had been deliberately renounced, and that a consolidated budget would be contrary to Article 17, paragraph 3, of the Charter. He also considered such a budget impractical because of (a) differ-

ences in membership between the United Nations and the specialized agencies; (b) legislative difficulties within those countries which treated the individual budgets for different agencies as part of various departmental budgets; and (c) the inability of the General Assembly to change the constitutions of the specialized agencies by unilateral action, the procedure of approval of budgets being prescribed by the various constitutions.

The representative of India considered that it would not be desirable for one body (the General Assembly) to decide on the budget and for another body (the appropriate principal organ of each of the specialized agencies) to determine programs and policy. He submitted an amendment to the joint resolution to delete all reference to a common or consolidated budget and central collection of contributions and to substitute a recommendation to the effect that the Secretary-General report on "the feasibility of improved budgetary co-ordination between the United Nations and the specialized agencies".

The representative of the U.S.S.R. stated that opposition to a consolidated budget should not be misunderstood as objection to the use of the budget as a means of co-ordination. The U.S.S.R. delegation would vote against the entire resolution if reference to a consolidated budget were included. It would accept deletion of the paragraphs in question or adoption of the Indian amendment.

The representatives of Brazil, France, Norway and the United States favored retention of the explicit reference to a consolidated budget. The majority of the members of the Economic and Social Council and of the General Assembly, it was argued, had approved certain of the agreements with specialized agencies which make specific reference to an eventual consolidated budget. The representative of Brazil pointed out that the proposed text of the joint resolution did not endorse the principle of a consolidated budget; it simply called for a report on the feasibility of eventually establishing a common or consolidated budget.

The representative of Norway thought an eventual consolidated budget to be a cornerstone of international organization, considering that it would make possible the fixing of an order of priority in international projects. The problems involved, such as membership differences, he stated, were not insuperable and should not be allowed to prevent consideration of eventual central budgetary control.

The Committee decided to adopt the Indian amendment. The representatives of the United

States and France stated that they wished to be assured that adoption of the Indian amendment did not relieve the Secretary-General of his responsibilities under the General Assembly's resolution of December 14, 1946, concerning budgetary and financial relations with specialized agencies and that it did not preclude the possibility of studying the feasibility of a consolidated budget. They requested this understanding to be recorded.

Having adopted a number of drafting changes in addition to the amendments mentioned above, the Committee adopted the resolution as a whole by a vote of 43 to 0, with 1 abstention.

At its 121st plenary meeting on November 20, 1947, the General Assembly unanimously adopted the resolution recommended by the Joint Second, Third and Fifth Committee the text of which follows (resolution 125(II)):

"Having examined the report of the Economic and Social Council, (document A/382)* and the interim report of the Secretary-General on the budgetary and financial relationships between the United Nations and the specialized agencies (document A/394/Rev.1);

"Having had its attention drawn to the interim report of the Co-ordination Committee to the Economic and Social Council (document A/404), which deals with budgetary and financial relationships of the United Nations and the specialized agencies and related programme matters;

"Considering that it is essential, in order to prevent overlapping of activities and duplication of effort, to develop more effective co-ordination in the economic and social fields among the organs and subsidiary organs of the United Nations, among the United Nations and the specialized agencies, and among the specialized agencies themselves, and to provide means for assessing the relative urgency and importance of projects;

"Considering that it is desirable without detriment to essential activities to minimize the financial burden imposed upon Members by the activities of the United Nations and the specialized agencies; and

"Considering that these results can most effectively be achieved by mutual application of the agreements between the United Nations and the specialized agencies, and the development of the methods of co-operation foreseen in resolutions 50 (I) and 81 (I);"

"The General Assembly therefore

"1. Calls upon members to take measures to ensure on the national level a co-ordinated policy of their delegations to the United Nations and to the different specialized agencies in order that full co-operation may be achieved between the Organization and the specialized agencies, and, in particular, to instruct their representatives in the governing bodies of the specialized agencies to use every effort to ensure the transmittal of reports, programmes of operation, and budgets or budgetary estimates referred to in paragraph 4 of this resolution;

"2. Commends the Economic and Social Council, the Secretary-General and the specialized agencies for the

*See Official Records of the second session of the General Assembly, Supplement No. 3.

**See Yearbook of the United Nations, 1946-47, p. 153, pp. 154-55.

steps already taken, including the establishment of a Co-ordination Committee, to achieve programme and administrative co-ordination among the specialized agencies and the United Nations;

"3. Requests the Council to give constant attention to the factor of the relative priority of proposals, and to consider as a matter of urgency the further steps which should be taken to develop effective co-ordination of the programme of the United Nations and its subsidiary organs on the one hand and the specialized agencies on the other;

"4. Calls upon the specialized agencies, as appropriate under the terms of their respective agreements with the United Nations:

"(a) To present each year, to the session of the Economic and Social Council preceding the opening of the regular session of the General Assembly, their reports on past activities and their programmes of operations for the subsequent fiscal year to enable the Council to promote the most efficient and practical use of the resources of the United Nations and the specialized agencies by recommendations concerning the definition of responsibility for specific projects and concerning priorities for action,

"(b) To transmit their budgets or budgetary estimates for 1949, and for each year thereafter, to the Secretary-General of the United Nations before 1 July of the preceding year, in order that the Secretary-General may incorporate these budgets or budgetary estimates as information annexes in his annual budget estimates for transmittal to the General Assembly, together with such summaries as he may deem appropriate and useful,

"5. Requests the Secretary-General, in consultation with specialized agencies through the Co-ordination Committee and in consultation with the Advisory Committee on Administrative and Budgetary Questions, to prepare a report for submission to the Economic and Social Council and the third regular session of the General Assembly with recommendations concerning:

"(a) Measures for achieving greater uniformity in presentation of the budgets of the United Nations and of the specialized agencies with a view to providing a basis for comparison of the several budgets;

"(b) The fiscal year and schedule of meetings of the specialized agencies in their relation to the procedures envisaged in paragraph 3 above,

"(c) The feasibility of improved budgetary co-ordination between the United Nations and the specialized agencies, and

"6. Requests the Secretary-General, in consultation with the specialized agencies through the Co-ordination Committee and, where appropriate, the Advisory Committee, to promote the development of similar budgetary, administrative and financial practices in the United Nations and the specialized agencies."

(3) *Budgetary and Financial Relations with Specialized Agencies*

After the Joint Second, Third and Fifth Committee had adopted the resolution concerning relations with and co-ordination of the programs of the United Nations and the specialized agencies, it remained for the Fifth Committee to consider the reports (A/394/Rev. 1, A/404) submitted by the Secretary-General in accordance with the

General Assembly's resolution of December 14, 1946, concerning budgetary and financial implications; the informative annex to the United Nations budget estimates for 1948 showing proposed expenditures for the United Nations and the specialized agencies (A/318/Add. 1); and the Report of the Advisory Committee on Administrative and Budgetary Questions relating to the budgets of the specialized agencies for 1948 (A/426).¹⁰⁰

The Committee noted the Secretary-General's reports. The Advisory Committee's report was discussed in some detail at the 92nd meeting of the Fifth Committee on November 8, 1947. After adopting several amendments to the Advisory Committee's report suggested by the representatives of Australia and the United Kingdom, the Fifth Committee unanimously approved the report as a whole.

On the recommendation of the Fifth Committee, the General Assembly at its 121st plenary meeting on November 20, 1947, unanimously adopted the following resolution (165(II)):

"The General Assembly

"Commends to the attention of the International Labour Organisation, the Food and Agriculture Organization, the United Nations Educational, Scientific and Cultural Organization and the International Civil Aviation Organization, the recommendations of the Advisory Committee on Administrative and Budgetary Questions on the budgets of specialized agencies for 1948 attached hereto as Annex A."

ANNEX A

BUDGETS OF SPECIALIZED AGENCIES FOR 1948 REPORT OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS AS ADOPTED AFTER AMENDMENT BY THE FIFTH COMMITTEE

1. The Charter of the United Nations provides in Article 17, paragraph 3, that "the General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned".

2. At the first part of its first session, the General Assembly resolved that the Advisory Committee on Administrative and Budgetary Questions should, as one of its functions, "examine on behalf of the General Assembly the administrative budgets of specialized agencies" (resolution 14 (I) of 13 February 1946).

3. At the second part of its first session, the General Assembly approved Agreements with the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization and the International Civil Aviation Organization, by which these organizations each undertook, *inter alia*,

(i) To consult with the United Nations in the preparation of their budgets,

(ii) To transmit their budgets to the United Na-

¹⁰⁰See p. 110.

tions for examination by the General Assembly, which might make recommendations "concerning any item or items contained therein";

(iii) To conform as far as might be practicable to standard practices and forms recommended by the United Nations.

The Agreements provided further that representatives of these organizations should be entitled to take part, without vote, in the deliberations of the General Assembly or any Committee thereof at all times when their budgets or general administrative or financial questions affecting the organizations were under consideration.

4. The Advisory Committee has now examined in broad outline the budgets of these four specialized agencies for 1948.¹²⁰ Representation of the agencies during the Committee's discussions greatly facilitated the Committee's work.

The following table shows the gross totals of the expenditure proposed in the budgets, together with the corresponding totals of the estimates for the preceding financial year.

Four Specialized Agencies	1948 Dollars (US)	1947 Dollars (US)
International Labour Organization (period 1 January-31 December 1948)	4,449,295 ¹²⁰	3,756,362
Food and Agriculture Organization (period 1 January-31 December 1948)	5,000,000 ¹²⁰	5,048,000
International Civil Aviation Organization (period 1 July 1947-30 June 1948)	2,625,000 ¹²⁰	1,960,000
United Nations Educational, Scientific and Cultural Organization (period 1 January-31 December 1948)	8,507,821 ¹²⁰	5,875,359
GROSS TOTAL	20,582,116	16,639,721

5. The Committee was not in a position to examine the budgets of the International Bank for Reconstruction and Development, the International Monetary Fund, the Universal Postal Union, the International Telecommunications Union, the Interim Commission of the World Health Organization, or the International Refugee Organization, since no agreements had been concluded¹²¹ between them and the United Nations under Article 57 of the Charter.

6. *Nature of the examination made.*—In making its examination, the Committee took account of the fact that the budgets had already been subject to scrutiny by the appropriate finance or other committees of the agencies concerned, and had in two cases been approved by the annual conferences of the agencies. The Advisory Committee noted that:

(a) The budget of the International Labour Organization had been adopted by the International Labour Conference in June 1947 at the amount proposed by the Governing Body, which had reduced the estimates of the Director-General by approximately \$380,000.

(b) The budget of the United Nations Educational, Scientific and Cultural Organization had been reviewed by the Finance Committee of the Executive Board, which had drawn the attention of the General Conference (to be held in Mexico City in November 1947) to certain points, but had made no specific recommendations to amend the figures.

(c) The budget of the Food and Agriculture Organi-

zation had been reduced by the Committee on Financial Control from a total of \$5,317,931 proposed by the Director-General to a total of \$5,000,000. This total was later approved by the Conference of the organization in August 1947.

(d) The budget of the International Civil Aviation Organization had been approved by the Assembly of that organization in May 1947, at a total which was approximately \$590,000 lower than that proposed by the Interim Council.

7. In view of the above considerations, the Advisory Committee devoted its examination on this occasion mainly to questions of general principle and importance.

GENERAL RECOMMENDATIONS

8. The Committee feels that it is desirable that two general recommendations should be made by the General Assembly.

(a) *Implementation of recommendations which the General Assembly may make.*—Since it may often be the case that the plenary bodies of specialized agencies will have approved their budgets before the General Assembly is in a position to make recommendations upon them, the Advisory Committee suggests that the General Assembly should recommend that the plenary bodies concerned should at their next sessions authorize their standing executive bodies to take such interim action, within the limits of their present constitutional powers, as they deem necessary on any recommendations which the General Assembly may make.

(b) *Examination of the budgets within the specialized agencies.*—The Committee believes it to be essential that any substantial administrative and financial proposals should receive critical and detailed examination from a small committee of specially qualified persons. The Committee would therefore suggest that the specialized agencies be invited to review their machinery for examination of the budget proposals to see whether it meets this requirement.

9. Certain other general points seemed to the Committee to be worthy of attention, while not, in the opinion of the Committee, calling for formal recommendations by the General Assembly.

10. *Consultation in preparation of budgets after approval of programmes.*—The Committee noted that, despite the terms of the agreements approved, the desirable degree of consultation between the United Nations and the specialized agencies in the preparation of their budgets had not in some cases yet been achieved. The Committee believes that full consultation at all stages of

¹²⁰The financial year of the International Civil Aviation Organization covers the period July 1 to June 30. In the other cases, as in the case of the United Nations, the financial year is the calendar year.

¹²¹This total includes \$175,234 provision for a reserve fund. Miscellaneous receipts are estimated at \$23,365.

¹²²This total includes \$624,709 provision for contingencies and unforeseen expenses. Miscellaneous receipts are estimated at \$4,000.

¹²³This total includes \$125,000 for reserve for new projects and unforeseen expenses and \$94,000 provision for Working Capital Fund and Joint Support Emergency Fund. Miscellaneous receipts are estimated at \$25,000.

¹²⁴This total includes \$764,644 provision for contingencies and unforeseen expenses. Miscellaneous receipts are estimated at \$20,000.

¹²⁵Agreements with the first five of these agencies have since been approved by the General Assembly at its 115th plenary meeting.

budget preparation is important, not merely on technical grounds but also because close working relationships in this field would necessarily disclose areas where work programmes may overlap or where co-operative action may be required. It might indicate also where joint economies could be made, and would enable one organization to benefit by the experience of others, by showing comparative standards of efficiency in many common fields, such as conference services, translating, printing, etc. The Committee therefore hopes that active consultation will be made a reality in all cases.

11. *Form of the budget.*—Consultation should also lead to closer approximation in the form of the various budgets. The Committee noted that, whereas the forms of the present budgets showed superficial similarity, there were basic differences in details. The Committee saw no insuperable reason why many of these differences could not be eliminated. It would suggest that the trend, particularly in the administrative field, should be to enable cost comparisons to be instituted between common types of services. It understands that good progress in this direction has been made in inter-Secretariat discussion. The Committee does not of course consider that the desirability of similarity in budget form should be pressed to an unreasonable extent.

12. *Coordination and presentation of work programmes.*—In connexion with the question of constructing a budget to show the cost of activities, the Committee would stress also the need for adequate budget justification. Estimates cannot properly be appraised unless a statement of work to be done in the financial year under consideration is provided for each section or division of the budget. Presentation of work projects in the budget is also of importance in connexion with the question of co-ordination of the work programmes of the United Nations and the specialized agencies.

13. There have been widespread apprehensions regarding overlapping and duplication between the specialized agencies and the United Nations, and the Advisory Committee recently held a joint meeting with the Co-ordination Committee. At that meeting, the specialized agencies expressed a clear realization and acceptance of the role which the Economic and Social Council should play in the development of an overall work programme. Arrangements have been made by which the Council will receive reports, not only upon the past activities of the specialized agencies, but reports on future programmes so far as these can be foreseen with reasonable accuracy. The Advisory Committee believes that these reports will be of fundamental importance in integrating the work of the international organizations. It felt that a willing spirit of co-operation was developing among the United Nations and the specialized agencies, and that close relationships were being formed.

14. *Internal financial controls.*—In the course of its examination, the Committee noted that the systems of financial control differ in the different organizations. The Food and Agriculture Organization is in an unique position in that its budget is for practical reasons virtually limited to a total of about \$5,000,000. It is therefore under the strongest pressure to exercise stringent control in order to fit its programme into pre-determined financial limits. Its internal control includes a strong internal audit, which is placed under the Chief of the Financial Services, but which can if necessary report directly to the Committee on Financial Control. The financial controls in the ILO and ICAO to some extent resemble each other. In both organizations, no expendi-

ture can be incurred without the prior agreement of the Finance Service, the head of which has direct access to the Director-General or Secretary-General. The internal audit in ICAO reports direct to the Secretary-General. The administrative and budgetary organization in UNESCO is similar to that in the United Nations. As will be seen from paragraph 16 below, the relative costs and staff requirements of the various systems differ widely, and the Committee would suggest that during 1948 the United Nations Secretariat, in consultation with the secretariats of the specialized agencies, should make a comparative study of the various administrative and financial systems with a view to determining the most effective and economical system, having regard to all factors. It further suggests that an examination be made to see to what extent the external audit of the accounts of the specialized agencies differs in nature as between the organizations. The Committee believes that common precepts of audit would assist the evolution of sound common financial practices.

OBSERVATIONS ARISING FROM THE ESTIMATES

15. As stated in the preceding paragraphs, the budget of the Food and Agriculture Organization is virtually limited to a total of about \$5,000,000. It will, however, be noted from paragraph 4 above that the overall total of the budgets of the other three specialized agencies has increased from \$116 millions to \$15.5 millions approximately. The Committee recognizes that some increase is to be expected when an embryonic organization undertakes full scale activities for a full year. Nevertheless, it would urge that, in view of the economic situation in many Member States, all specialized agencies should make every effort to avoid undue increases in their requirements. In the particular case of the United Nations Educational, Scientific and Cultural Organization, where the increase over 1947 is greatest, the Committee noted that the work programme proposed was extremely wide, and the Committee would suggest that the General Assembly draw the attention of that organization to the relatively large size of its budget, and urge it to make every effort to achieve a reduction therein.

16. Detailed comparison between 1948 and 1947 estimates was not in all cases possible, but comparison between the 1948 estimates of the United Nations and of the four specialized agencies for certain major common items, as indicated in the table [opposite], is of interest. It is, of course, difficult to draw firm conclusions from the table in view of the varying circumstances of the organizations, but the figures emphasize the points made in paragraphs 10, 11 and 14.

17. *Salaries, Allowances and Provident Fund.*—The Committee understands that a joint consultative committee of the United Nations and the specialized agencies has done considerable exploratory work towards the development of a scheme of common standards of work and remuneration. The Advisory Committee believes that this work is of the utmost importance, and that the aim should be to develop a common system, which will facilitate the building up of an international civil service. It is not necessary that the specialized agencies accept the United Nations practices or *vice versa*; the essential need is to make common use of the best practices wherever they may be found. It will necessarily take a period of years to build up a good international service; the groundwork should, however, be laid now.

18. The Committee was informed that the salary

<i>Expenditure</i>	<i>United Nations*</i>	<i>ILO</i>	<i>FAO</i>	<i>ICAO</i>	<i>UNESCO</i>
Salaries (including overtime and salaries of temporary staff):					
Administrative and financial services†	\$1,433,199	\$60,000	\$100,000	\$70,000	\$290,000
Conference and general services†	7,974,077	500,000	430,000	525,000	796,000
Other departments or services	6,527,559	1,430,000	1,865,000	750,000	1,874,000
Allowances	2,065,000	23,000	175,000	115,000	1,160,000
Provident fund, etc.	1,852,652	312,000	330,000	115,000	163,000
Reimbursement of income tax	450,000	—	100,000	—	40,000
Contingencies, reserves, etc., and unforeseen expenses	—	175,000	625,000	125,000	765,000
Other expenditures	14,197,515	1,926,000	1,375,000	856,000	3,420,000
TOTAL	34,500,000	4,426,000	5,000,000	2,556,000†	8,508,000
<i>Staff</i>					
Number of staff proposed for:					
Administrative and financial services	—	20	27	25	87
Conference and general services	—	180	160	230	305
Other departments or services	—	280	354	145	362
TOTAL STAFF	—	480	541	400§	754

*Revised estimates submitted by the Secretary-General before action by the Fifth Committee.

†The terms "Administrative and financial services" and "Conference and general services" are used in the sense in which they are used in the United Nations budget, but, owing to differences in organization, some adjustments in appropriations have been made.

‡Excluding provisions for Working Capital Fund.

§The total number of staff proposed by the Secretary-General was 442, but the Conference made a reduction of 10 per cent in the budget provision for salaries.

scales and classification structure of the FAO were on the whole similar to those of the United Nations. The ILO has taken certain steps to bring its salary scales into close approximation with those of the United Nations, but it will retain its old established classification structure of broad categories of staff. The ICAO has its own salary and classification scheme. The UNESCO has adopted United Nations salary scales (as in force before 16 June 1947) and children's allowances, but does not pay certain other allowances which are now in force in the United Nations, such as rental subsidies or expatriation allowances. The Committee was informed, however, that a provision of \$1,070,178 by that organization for "residence allowances" resulted from the payment, on a continuing basis, of *per diem* allowances at the rate of \$5 a day for single staff members and \$7 a day for those with dependents. This allowance thus corresponds to the old *per diem* allowance which the United Nations paid until March 1947 but then reduced and finally abolished in June 1947. While the Advisory Committee does not have full information regarding the difficulties of the staff in Paris, it doubts the necessity for these allowances and recommends that UNESCO should examine the question closely.

19. As regards provision for provident fund contributions, the Committee was informed that the ILO had decided to approach the United Nations with a view to joining the United Nations Staff Retirement Scheme. The FAO was considering a similar step, and had made budgetary provision for the purpose. The Committee believes that a common pension scheme would facilitate interchange of staff and promote the creation of a versatile international civil service.

20. *Reimbursement of National Income Tax.*—The Committee understands that the Food and Agriculture Organization and the United Nations Educational, Scientific and Cultural Organization are in a position similar to that of the United Nations with regard to national

taxation on the salaries of staff members. In the case of the International Labour Organisation and the International Civil Aviation Organization, the junior staff are mostly locally recruited and receive gross salaries which are subject to Canadian income taxation. The "international" staff of the ILO have been exempted from Canadian income taxation and receive net salaries. The "international" staff of ICAO are similarly exempt only if they are not Canadian nationals; the organization has, however, introduced an internal taxation (that is, a staff contributions) plan, so that all its staff are liable to taxation of salary in some form. The disposal of the revenue from the internal taxation has not been finally decided.

21. Any recommendations to the specialized agencies should, in the Committee's view, await the action to be taken on its report on tax equalization in the United Nations (document A/396); should that report be adopted in principle, a recommendation should be made to specialized agencies, which do not have an internal taxation scheme, that they should adopt one.

22. *Cost of Documents and Records.*—In relation to the total expenditure, the cost of documentation and records appeared to be a less heavy burden upon the specialized agencies than is the case in the United Nations. In the case of the International Labour Organisation, for example, the Committee was informed that verbatim records of the General Conference were printed in the three official languages of the Organization, but that only summary records were made for committees of the Conference, these records not being printed at all. The Food and Agriculture Organization, which has four official languages, was said not to print documents in any particular language unless the demand justified printing; this organization has, however, in the past made verbatim records of all meetings, but the Committee was informed that in future such records might be made only for plenary meetings of the Conference and the Council.

The Committee believes that specialized agencies should avoid placing unduly wide interpretations on their rules of procedure concerning languages, and was glad to note that in general this seemed to have been the case.

SUMMARY OF RECOMMENDATIONS

23. Since working relationships between the United Nations and the specialized agencies are still in the process of development, and are the subject of various proposals before the present session of the General Assembly, the Advisory Committee has drawn up this report on broad lines. Until there has been time to bring the form of the various budgets into closer agreement, and to develop budget justification in terms of work programme, comparison of the budgets with each other and with the budget of the United Nations is apt to be a comparison of disparate. As practical results begin to be achieved under the various agreements, and as relations between the United Nations and the specialized agencies become increasingly close, the Committee would hope to be able to make a more detailed examination of the budgets. For the present year, the Committee believes it to be sufficient to emphasize the over-riding need for economy and to suggest that the General Assembly should recommend that:

(a) The plenary bodies of the specialized agencies should authorize their executive authorities to take such interim action, within the limits of their present constitutional powers, as seems appropriate with regard to any recommendations which the General Assembly may make to them, if such recommendations cannot be dealt with by the plenary body itself without considerable delay;

(b) Specialized agencies should ensure, where this is not already the case, that their estimates are subjected, before submission to the plenary body for consideration, to a detailed examination by a committee which includes persons specially qualified in the fields of administration or finance;

(c) The attention of the United Nations Educational, Scientific and Cultural Organization should be drawn to the relatively large size of its estimates. The organization should be urged to make every effort to secure a reduction in its budget. It should examine closely the necessity for payment of residence allowance on a continuing basis;

(d) The specialized agencies, which have not already done so, should take steps to become members of the United Nations Retirement Scheme, and every effort should be made by this and other means to develop the common conditions of service necessary for the creation of an international civil service.

24. The Advisory Committee would again emphasize that the achievement of the necessary degree of co-ordination between the United Nations and the specialized agencies is in the last analysis the responsibility of Members themselves. By acting consistently, and in conformity with any recommendations which the General Assembly may make, at the conferences of the various organizations, Members can do much to ensure that the international services as a whole operate with efficiency and economy.

(1) Reports from Specialized Agencies

In accordance with Article 64 of the Charter and with their agreements with the United Nations, ICAO and UNESCO submitted reports

on their activities to the fifth session of the Economic and Social Council. The Council decided to consider these reports in the course of its sixth session, to be held in February 1948. Reports were subsequently received from ILO and FAO.

An item concerning consideration of these reports was included in the provisional agenda of the second session of the General Assembly, and the Secretary-General asked the General Committee to consider to what extent this item should be dealt with through the Second, Third or Joint Second and Third Committees and to what extent by reference to the Economic and Social Council (A/BUR/84).

At the 35th meeting of the General Committee on September 17, 1947, the representatives of the U.S.S.R., the United Kingdom and Chile expressed the view that it would be desirable to leave more time for study of these reports. Consideration of the question at this stage would not permit of fruitful discussion; it would be more appropriate for the General Assembly to study these reports after they had been considered by the Economic and Social Council.

Disagreeing with the majority of the Committee, the representative of the United States considered that the item concerning the reports of the specialized agencies should remain on the agenda. The General Assembly, under Article 58, he stated, was responsible for the co-ordination of the policies and activities of the specialized agencies. The deletion of that item might create a dangerous precedent.

The General Committee decided to recommend to the General Assembly the deletion of this item. This recommendation was approved by the General Assembly at its 91st plenary meeting on September 23, 1947.

d. APPLICATIONS BY ITALY AND AUSTRIA FOR MEMBERSHIP IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

In accordance with Article II of the agreement between ICAO and the United Nations,¹⁰⁷ the Secretary-General of ICAO transmitted to the Secretary-General of the United Nations the applications of Italy and Austria for membership in ICAO for approval by the General Assembly (A/325, A/386).

At its 91st plenary meeting on September 23, 1947, the General Assembly decided to refer these applications to the Second Committee for consideration. The Second Committee discussed the ap-

¹⁰⁷For text of the agreement, see *Yearbook of the United Nations*, 1946-47, p. 741.

plications at its 98th meeting on October 24, 1947.

No objection was raised by any representative to the application of Italy, which was therefore approved by a vote of 40 to 0, with 3 abstentions.

The representative of the U.S.S.R., however, objected to the admission of Austria to ICAO, on the ground that it was premature. Austria, he stated, had no civil aviation. The right of flight over Austrian territory, as well as the right of use of Austrian aerodromes, belonged to the Allied Control Authorities. Austria could not and must not alone, nor with the consent of only one or another Allied Supreme Commander, take decisions on questions of civil aviation. The question of civil aviation was the subject of regulations in the Austrian treaty which was then under consideration by the Council of Foreign Ministers.

The representative of Czechoslovakia said that he would support the admission of Austria to the International Civil Aviation Organization as soon as that country's international position was clarified, but that he would abstain from voting at the present time.

The representatives of the United Kingdom, Belgium, the United States and France supported Austria's application for membership in ICAO. The representative of the United Kingdom stated that it was in the interests of international safety in the air that the application of Austria should be approved. The representative of Belgium pointed out that the rejection of the application would postpone Austria's admission to ICAO for at least a year. The representative of the United States considered that all countries stood to benefit from the acceptance by Austria of international standards of safety and civil aviation. The representative of France argued that the objections raised were of a technical and not a political character.

The Second Committee approved the application of Austria for membership in ICAO by a vote of 30 to 4, with 8 abstentions. The Second Committee recommended to the General Assembly adoption of two separate resolutions approving the applications of Italy and Austria.

On the recommendation of the Second Committee, the General Assembly at its 103rd meeting on October 31 unanimously adopted the resolution approving the application of Italy. At its 104th meeting on November 1, the General Assembly approved the application of Austria by a vote of 39 to 5, with 2 abstentions. The texts of the resolutions (121(II) and 122(II)) adopted by the General Assembly follow:

"The General Assembly,

"Having considered the application regarding the ad-

mission of Italy to the International Civil Aviation Organization, transmitted by that Organization to the General Assembly in accordance with Article II of the Agreement between the United Nations and the International Civil Aviation Organization,

"Decides to inform the International Civil Aviation Organization that it has no objection to the admission of Italy to the organization."

"The General Assembly,

"Having considered the application regarding the admission of Austria to the International Civil Aviation Organization, transmitted by that Organization to the General Assembly in accordance with Article II of the Agreement between the United Nations and the International Civil Aviation Organization,

"Decides to inform the International Civil Aviation Organization that it has no objection to the admission of Austria to the Organization."

e. TRANSFER TO THE WORLD HEALTH ORGANIZATION OF CERTAIN ASSETS OF THE UNITED NATIONS

On April 22, 1947, the Interim Commission of the World Health Organization adopted a resolution instructing its Executive Secretary to take the necessary steps with the Secretary-General of the United Nations, the Economic and Social Council and the General Assembly for the transfer to the World Health Organization of certain assets of the League of Nations which had been transferred to the United Nations.

The resolution adopted by the Interim Commission of WHO was transmitted, through the Secretary-General, to the Economic and Social Council, which recommended the text of a resolution for adoption by the General Assembly (93(V)).

The General Assembly, at its second session, referred this question to the Third Committee, which considered it at its 74th meeting on November 3, 1947, and, after a brief discussion, unanimously adopted the terms of the resolution recommended by the Economic and Social Council.

At its 117th plenary meeting on November 17, 1947, the General Assembly unanimously adopted the resolution recommended by the Third Committee the text of which follows (resolution 129(II)):

"The General Assembly,

"Having considered the resolution adopted by the Economic and Social Council at its fifth session on 22 July 1947,"¹⁰⁰ concerning the request of the Interim Commission of the World Health Organization for the transfer to it of certain assets of the League of Nations which have been transferred to the United Nations, and

"Recognizing the desirability of transferring certain of such assets to the World Health Organization,

"Instructs the Secretary-General

"1. To take the necessary steps, subject to the agree-

¹⁰⁰See pp. 686-87.

ments concluded between the Secretary-General of the United Nations and the Secretary-General of the League of Nations, to effect the following transfers to the World Health Organization:

"(a) Title of ownership of the archives and correspondence files of the League of Nations Health Section;

"(b) Title of ownership of the stock of publications of the League of Nations Health Section, provided the World Health Organization shall reimburse to the United Nations the value of such publications as may be established by negotiation between the Secretary-General of the United Nations and the Director-General of the World Health Organization;

"(c) Title of ownership of the archives, furniture and financial assets of the Eastern Bureau of Epidemiological Intelligence of the League of Nations in Singapore;

"(d) Title of ownership of the assets of the Darling Foundation and the Léon Bernard Fund,

"2. To consider the different aspects of the problem of the transfer of the medical and health material of the League of Nations Library and to submit to the Economic and Social Council a draft plan within the framework of a general policy relating to the use of the Central Library by the United Nations and by the specialized agencies."

f. TRANSFER TO THE UNITED NATIONS OF THE FUNCTIONS AND POWERS EXERCISED BY THE LEAGUE OF NATIONS UNDER THE INTERNATIONAL CONVENTION OF SEPTEMBER 30, 1921, ON TRAFFIC IN WOMEN AND CHILDREN, THE CONVENTION OF OCTOBER 11, 1933, ON TRAFFIC IN WOMEN OF FULL AGE AND THE CONVENTION OF SEPTEMBER 12, 1923, ON TRAFFIC IN OBSCENE PUBLICATIONS

By resolution 81(V) of August 14, 1947, the Economic and Social Council recommended that the General Assembly approve the assumption by the United Nations of the functions and powers exercised by the League of Nations under the International Convention of September 30, 1921, on traffic in women and children, the Convention of October 11, 1933, on traffic in women of full age and the Convention of September 12, 1923, on traffic in obscene publications. To this end the Economic and Social Council submitted for the approval of the General Assembly a draft resolution and two draft protocols (one relating to traffic in women and children and one relating to traffic in obscene publications) together with annexes showing amendments to be made in the conventions in question in order to effect the transfer (A/372).¹⁰⁹

At its 91st plenary meeting on September 23, 1947, the General Assembly referred this question to the Third Committee, which considered it at its 63rd meeting on October 13, 1947.

The representative of the U.S.S.R. submitted a

proposal (A/C.3/165) to delete Article 14 of the International Convention of September 30, 1921; the first two paragraphs of Article 10 of the Convention of October 11, 1933; and Article 13 of the International Convention of September 12, 1923. These Articles, the U.S.S.R. representative explained, made it possible to exclude colonies and territories under Mandate from the provisions of the Conventions, whereas the traffic in women and children and in obscene publications should be prohibited everywhere.

The United Kingdom delegation opposed the U.S.S.R. proposal, considering that the Third Committee was not competent to examine the substance of the Conventions. The United Kingdom representative stated, moreover, that local governments in various colonies had to be consulted on all domestic matters. The United Kingdom could not impair the rights of colonial peoples by adopting the U.S.S.R. amendment. The representative of the United States expressed agreement with the representative of the United Kingdom.

The Third Committee by a vote of 17 to 12, with 18 abstentions, adopted the U.S.S.R. amendment. Subject to this amendment the Committee adopted the resolution, protocols and annexes recommended by the Economic and Social Council.

The General Assembly considered the Third Committee's report (A/412) at its 96th and 97th meetings on October 20, 1947. The representative of the United Kingdom submitted an amendment (A/417) to the Third Committee's report to object to the U.S.S.R. amendment adopted by the Third Committee by omitting all reference to the deletion of the so-called colonial application clauses. The representative of the United Kingdom stated that the amendment in question had no practical bearing on the actual operation of the existing Conventions. The United Kingdom delegation nevertheless opposed the deletion of the colonial application clauses, because it considered that this would establish a precedent inimical to the development of self-governing institutions in colonial territories. The United Kingdom, he stated, had applied the Conventions concerning the traffic in women and children and in obscene publications in all its colonies and would continue to do so. What the United Kingdom Government sought to preserve was the constitutional right of the colonies to decide for themselves whether or not they wished to adhere to any convention on non-political matters which might be concluded in the future. The representatives of the U.S.S.R., Haiti and Pakistan expressed opposition to the

¹⁰⁹ See pp. 615-16.

United Kingdom amendment, while the United States representative supported it.

The General Assembly rejected the United Kingdom amendment by a vote of 23 to 21, with 11 abstentions. The resolution recommended by the Third Committee was adopted by a vote of 52 to 0, with 3 abstentions. The representative of the United Kingdom stated that his delegation had voted in favor of the resolution recommended by the Third Committee because it agreed in principle that it was desirable for the United Nations to assume the functions formerly exercised by the League of Nations. The present decision, however, should not be regarded as constituting any kind of precedent for the future.

The text of the resolution (126(II)) adopted by the General Assembly follows:

"The General Assembly,

"Desirous of continuing international co-operation in order to suppress the traffic in women and children and in obscene publications,

"Approves the Protocols which accompany this resolution;

"Urges that they shall be signed without delay by all the States which are Parties to the above-mentioned Conventions;

"Recommends that, pending the entry into force of the aforesaid Protocols, effect be given to their provisions by the Parties to any of the Conventions;

"Instructs the Secretary-General to perform the functions conferred upon him by the aforesaid Protocols upon their entry into force;

"Directs the Economic and Social Council and the Secretary-General, in view of the General Assembly's resolution on the relations of Members of the United Nations with Spain adopted on 9 February 1946,¹⁰ to suspend all action under these Protocols and the Conventions mentioned above with respect to the Franco Government in Spain as long as this Government is in power."

DRAFT PROTOCOL TO AMEND THE CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN, CONCLUDED AT GENEVA ON 30 SEPTEMBER 1921¹¹ AND THE CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN OF FULL AGE, CONCLUDED AT GENEVA ON 11 OCTOBER 1933¹²

The Parties to the present Protocol, considering that, under the Convention for the Suppression of the Traffic in Women and Children, concluded at Geneva on 30 September 1921, and the Convention for the Suppression of the Traffic in Women of Full Age, concluded at Geneva on 11 October 1933, the League of Nations was invested with certain functions and powers for the continued performance of which it is necessary to make provision in consequence of the dissolution of the League of Nations, and considering that it is expedient that these functions and powers should be performed henceforth by the United Nations, hereby agree as follows:

ARTICLE I

The Parties to the present Protocol undertake that as between themselves they will, each in respect of the

instruments to which it is a Party and in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to, those instruments which are set forth in the annex to the present Protocol.

ARTICLE II

The Secretary-General shall prepare texts of the Conventions as revised in accordance with the present Protocol, and shall send copies for their information to the Governments of every Member of the United Nations and every non-member State to which this Protocol is open for signature or acceptance. He shall also invite Parties to any of the instruments to be amended by the present Protocol to apply the amended texts of those instruments as soon as the amendments are in force, even if they have not yet been able to become Parties to the present Protocol.

ARTICLE III

The present Protocol shall be open for signature or acceptance by any of the Parties to the Convention of 30 September 1921 for the Suppression of the Traffic in Women and Children or the Convention of 11 October 1933 for the Suppression of the Traffic in Women of Full Age, to which the Secretary-General has communicated a copy of this Protocol.

ARTICLE IV

States may become Parties to the present Protocol by:

- (a) Signature without reservation as to approval; or
- (b) Acceptance, which shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

ARTICLE V

1. The present Protocol shall come into force on the date on which two or more States shall have become Parties thereto.

2. The amendments set forth in the annex to the present Protocol shall come into force in respect of each Convention when a majority of the Parties thereto have become Parties to the present Protocol, and consequently any State becoming a Party to either Convention, after the amendments thereto have come into force, shall become a Party to the Convention as so amended.

ARTICLE VI

In accordance with paragraph 1 of Article 102 of the Charter of the United Nations, and the regulations pursuant thereto adopted by the General Assembly, the Secretary-General of the United Nations is authorized to effect registration of the present Protocol and the amendments made in each Convention by this Protocol on the respective dates of their entry into force, and to publish the Protocol and the amended Conventions as soon as possible after registration.

ARTICLE VII

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Conventions to be amended in accordance with the annex being in the English and French languages only, the English and French texts of the annex shall equally be the authentic texts, and the Chinese, Russian and Spanish texts will be translations.

¹⁰See resolution 32 (I); see also *Yearbook of the United Nations*, 1946-47, p. 67.

¹¹See *League of Nations Treaty Series* Vol. 9, p. 415.

¹²*Ibid.*, Vol. 150, p. 431.

A certified copy of the Protocol, including the annex, shall be sent by the Secretary-General to each of the Parties to the Convention of 30 September 1921, for the Suppression of the Traffic in Women and Children or the Convention of 11 October 1933 for the Suppression of the Traffic in Women of Full Age as well as to all Members of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, signed the present Protocol on the date appearing opposite their respective signatures.

DONE at this day of 194 .

ANNEX

(i) INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN AND CHILDREN, OPENED FOR SIGNATURE AT GENEVA, 30 SEPTEMBER 1921

The first paragraph of *article 9* shall read:

The present Convention is subject to ratification. As from 1 January 1948 instruments of ratification shall be transmitted to the Secretary-General of the United Nations, who will notify the receipt of them to Members of the United Nations and to non-member States to which the Secretary-General has communicated a copy of the Convention. The instruments of ratification shall be deposited in the archives of the Secretariat of the United Nations.

Article 10 shall read:

Members of the United Nations may accede to the present Convention.

The same applies to non-member States to which the Economic and Social Council of the United Nations may decide officially to communicate the present Convention.

Accession will be notified to the Secretary-General of the United Nations, who will notify all Members of the United Nations and the non-member States to which the Secretary-General has communicated a copy of the Convention.

Article 12 shall read:

The present Convention may be denounced by any State which is a Party thereto, on giving twelve months' notice of its intention to denounce.

Denunciation shall be effected by notification in writing addressed to the Secretary-General of the United Nations. Copies of such notification shall be transmitted forthwith by him to all Members of the United Nations and to non-member States to which the Secretary-General has communicated a copy of the Convention. The denunciation shall take effect one year after the date on which it was notified to the Secretary-General of the United Nations, and shall operate only in respect of the notifying State.

Article 13 shall read:

A special record shall be kept by the Secretary-General of the United Nations, showing which of the Parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open at all times to any Member of the United Nations or to any non-member State to which the Secretary-General has communicated a copy of the Convention; it shall be published as often as possible, in accordance with the directions of the Economic and Social Council of the United Nations.

Article 14 shall be deleted.

(ii) INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN WOMEN OF FULL AGE, SIGNED AT GENEVA, 11 OCTOBER 1933

In *article 4* "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice" and "the Statute of the International Court of Justice" shall be substituted for "the Protocol of 16 December 1920, relating to the Statute of that Court" or "the Protocol of 16 December 1920".

Article 6 shall read:

The present Convention shall be ratified. As from 1 January 1948 the instruments of ratification shall be transmitted to the Secretary-General of the United Nations, who shall notify receipt of them to all Members of the United Nations and to non-member States to which the Secretary-General has communicated a copy of the Convention.

Article 7 shall read:

Members of the United Nations may accede to the present Convention. The same applies to non-member States to which the Economic and Social Council of the United Nations may decide officially to communicate the present Convention.

The instruments of accession shall be transmitted to the Secretary-General of the United Nations, who shall notify receipt of them to all Members of the United Nations and to non-member States to which the Secretary-General has communicated a copy of the Convention.

In *article 9* "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations".

In *article 10* the first three paragraphs and paragraph 5 shall be deleted.

The fourth paragraph of *article 10* shall read:

The Secretary-General of the United Nations shall communicate to all the Members of the United Nations and to the non-member States, to which the Secretary-General has communicated a copy of the Convention, the denunciations referred to in *article 9*.

DRAFT PROTOCOL TO AMEND THE INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC IN OBSCENE PUBLICATIONS, OPENED FOR SIGNATURE AT GENEVA ON 12 SEPTEMBER 1923¹²⁴

The Parties to the present Protocol, considering that under the Convention for the Suppression of the Circulation of and Traffic in Obscene Publications, concluded at Geneva on 12 September 1923, the League of Nations was invested with certain functions and powers for whose continued performance it is necessary to make provisions in consequence of the dissolution of the League of Nations, and considering that it is expedient that these functions and powers should be performed henceforth by the United Nations, hereby agree as follows:

ARTICLE I

The Parties to the present Protocol undertake that as between themselves they will, in accordance with the provisions of the present Protocol, attribute full legal force and effect to, and duly apply the amendments to this instrument which are set forth in the annex to the present Protocol.

ARTICLE II

The Secretary-General shall prepare the text of the Convention of 12 September 1923 for the Suppression of

¹²⁴See *League of Nations Treaty Series*, Vol. 27, p. 213.

the Circulation of and Traffic in Obscene Publications, as revised in accordance with the present Protocol, and shall send copies for its information to the Government of every Member of the United Nations and every non-member State to which this Protocol is open for signature or acceptance. He shall also invite parties to the aforesaid Convention to apply the amended text of this instrument as soon as the amendments are in force, even if they have not yet been able to become parties to the present Protocol.

ARTICLE III

The present Protocol shall be open for signature or acceptance by any of the Parties to the Convention of 12 September 1923 for the Suppression of the Circulation of and Traffic in Obscene Publications, to which the Secretary-General has communicated a copy of this Protocol.

ARTICLE IV

States may become parties to the present Protocol by:

- (a) Signature without reservation as to approval, or
- (b) Acceptance, which shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

ARTICLE V

1. The present Protocol shall come into force on the date on which two or more States shall have become parties thereto.

2. The amendments set forth in the annex to the present Protocol shall come into force when a majority of the Parties to the Convention of 12 September 1923 for the Suppression of the Circulation of and Traffic in Obscene Publications have become parties to the present Protocol, and consequently any State becoming a party to the Convention after the amendments thereto have come into force shall become a party to the Convention as amended.

ARTICLE VI

In accordance with paragraph 1 of Article 102 of the Charter of the United Nations, and the regulations pursuant thereto adopted by the General Assembly, the Secretary-General of the United Nations is authorized to effect registration of the present Protocol and the amendments made in the Convention by the present Protocol on the respective dates of their entry into force, and to publish the Protocol and the amended Convention as soon as possible after registration.

ARTICLE VII

The present Protocol, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations Secretariat. The Convention to be amended in accordance with the annex being in the English and French languages only, the English and French texts of the annex shall be equally authentic texts, and the Chinese, Russian and Spanish texts will be translations.

A certified copy of the Protocol, including the annex, shall be sent by the Secretary-General to each of the Parties to the Convention of 12 September 1923 for the Suppression of the Circulation of and Traffic in Obscene Publications, and to all States Members of the United Nations.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, signed the present Protocol on the date appearing opposite their respective signatures.

DONE at . . . this day of . . . 194 .

ANNEX

INTERNATIONAL CONVENTION FOR THE SUPPRESSION OF THE CIRCULATION OF AND TRAFFIC IN OBSCENE PUBLICATIONS, OPENED FOR SIGNATURE AT GENEVA, 12 SEPTEMBER 1923

The first and second paragraphs of *article 8* shall read:

The present Convention is subject to ratification. The instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify receipt of them to the Members of the United Nations and to the non-member States to which the Secretary-General has communicated a copy of the Convention.

The Secretary-General of the United Nations shall immediately communicate a certified copy of each of the instruments deposited with reference to this Convention to the Government of the French Republic.

Article 9 shall read:

Members of the United Nations may accede to the present Convention. The same applies to non-member States to which the Economic and Social Council of the United Nations may decide officially to communicate the present Convention.

Accession shall be effected by an instrument communicated to the Secretary-General of the United Nations to be deposited in the archives of the Secretariat. The Secretary-General shall at once notify such deposit to Members of the United Nations and to the non-member States to which the Secretary-General has communicated a copy of the Convention.

In *article 10* "Member of the United Nations" shall be substituted for "Member of the League".

In the first paragraph of *article 12* "the Secretary-General of the United Nations" shall be substituted for "the Secretary-General of the League of Nations", and "Members of the United Nations" shall be substituted for "Members of the League of Nations".

The second paragraph of *article 12* shall read:

The Secretary-General of the United Nations shall notify the receipt of any such denunciation to all Members of the United Nations and to the non-member States to which the Secretary-General has communicated a copy of the Convention.

Article 13 shall be deleted.

Article 14 shall read:

A special record shall be kept by the Secretary-General of the United Nations, showing which of the parties have signed, ratified, acceded to or denounced the present Convention. This record shall be open at all times to any Member of the United Nations or to any non-member State to which the Secretary-General has communicated a copy of the Convention.

It shall be published as often as possible.

In *article 15* "the International Court of Justice" shall be substituted for "the Permanent Court of International Justice", and "the Statute of the International Court of Justice" shall be substituted for "the Protocol of Signature of the Permanent Court of International Justice".

In *article 16* "the Economic and Social Council of the United Nations" shall be substituted for "the Council of the League of Nations".

G. RELIEF NEEDS AFTER THE TERMINATION OF UNRRA

The Economic and Social Council on August 6, 1947, adopted resolution 63(V) approving the actions of the Secretary-General taken in accordance with the General Assembly's resolution 48(I) of December 11, 1946, and drawing the General Assembly's attention to the Secretary-General's report on this matter.¹¹⁴

The General Assembly at its 91st plenary meeting on September 23, 1947, referred the question of relief needs after the termination of UNRRA to the Second Committee for consideration.

The Second Committee considered the question at its 49th and 50th meetings on October 27 and at its 53rd meeting on October 30, 1947.

In the course of the Committee's discussion the representative of Yugoslavia asserted that the General Assembly's resolution 48(I) of December 11, 1946, on relief needs after the termination of UNRRA, had been flagrantly and repeatedly violated during the past year. The General Assembly resolution, he stated, provided that economic need should be the only criterion for determining relief assistance and that such assistance was to be granted without discrimination as to race, creed or political beliefs. The Special Technical Committee established under the terms of the resolution, the representative of Yugoslavia stated further, had recognized that Poland, Hungary and Yugoslavia were in urgent need of relief assistance. In spite of that recommendation, the United States and the United Kingdom, while giving aid to other countries, had refused to consider Yugoslav requirements, thus disregarding the findings of the Special Technical Committee. The representative of Yugoslavia stated that Yugoslavia, Poland and Hungary had been on the list of countries to receive United States assistance until they had initiated policies with which the United States was not in agreement. He submitted the following resolution (A/C.2/121) to the Second Committee:

"The General Assembly

"Taking note of resolution 63 (V) of the Economic and Social Council concerning relief needs after the termination of UNRRA;

- "Having considered the report of the Secretary-General concerning the implementation of resolution 48 (I) of 11 December 1946 of the General Assembly on relief needs after the termination of UNRRA;

"Reaffirming the principles laid down in resolution 48 (I) of the General Assembly, especially that assistance should be given where and when needed, that at no time should relief supplies be used as a political weapon, and that no discrimination should be made in the distribution of relief supplies because of race, creed or political belief;

"Regrets that resolution 48 (I) of the General Assembly has not been implemented in a way which accords fully with the principles and purposes set forth in that resolution; and

"Calls upon all Member States to adhere in future to the principles thus reasserted."

The representatives of Czechoslovakia, the Byelorussian S.S.R., Poland and the U.S.S.R. supported the Yugoslav resolution. They criticized the United States and the United Kingdom delegations, who, they stated, had opposed continuation of relief on an international basis when the question of post-UNRRA relief had been under consideration by the General Assembly at the second part of its first session. Because of the opposition of these two Governments a system of unilateral relief contributions had been substituted for a system of international relief which had been favored by the majority of the General Assembly.

The Secretary-General's report, it was maintained, showed the unsatisfactory results of unilateral post-UNRRA relief. Only a few countries had extended limited post-UNRRA aid to only a few needy nations. The United States, it was charged, had by-passed the United Nations and had utilized relief assistance as a political and economic weapon and even as a means of securing military bases. United States policy in aiding Greece and Turkey was the subject of special criticism in this connection.

The representative of the United States gave a detailed account of the part played by his country in implementing the General Assembly's resolution. The Special Technical Committee, he stated, had reported that \$583,000,000 was needed for certain specified countries, and the United States had appropriated \$332,000,000 as its share. The United States appropriation was insufficient to meet the relief requirements of the entire world. Careful studies, based on economic rather than political considerations, had indicated that the greatest need for relief existed in Austria, Italy, Greece and the Trieste area, the representative of the United States asserted. Relief supplies had been furnished through the Governments of these countries to individuals who needed them without reference to race, creed or political belief. The United States representative denied that the United States Government had in any way violated the principles of the General Assembly's resolution of December 11, 1946. Greece, he stated, was a special case requiring special measures. He recalled that United States aid had been extended to Greece in response to the plea made by the Greek Govern-

¹¹⁴See p. 549.

ment for immediate assistance when UNRRA ceased its activities, when the United Kingdom could no longer bear the burden of aid to that country and when the Greek State was threatened not only by chaotic economic conditions but also by the activities of a militant minority, which operated principally from across the northern borders. The law enabling this aid to be given to Greece, the United States representative stated further, contained a provision that such aid would be withdrawn if the Security Council or the General Assembly found that action taken or assistance furnished by the United Nations rendered its continuance unnecessary or undesirable. The representative of the United States felt that no basis existed for the Yugoslav resolution and urged its rejection.

The representatives of Greece and of Turkey shared the point of view of the United States representative. The representatives of Cuba and Ecuador stated that they were in agreement with the principles of the Yugoslav resolution, but objected to the implied criticism of certain countries. The representatives of Argentina and the Dominican Republic recalled the relief contributions made by their countries in the past.

The Second Committee rejected the Yugoslav draft resolution by a vote of 24 to 6, with 12 abstentions, and concluded its consideration of the question of relief needs after the termination of UNRRA without making any recommendation to the General Assembly.

At its 115th plenary meeting on November 15, 1947, the General Assembly took note of the Committee's report concerning its deliberations (A/450).

b. UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

By resolution 57(I) adopted on December 11, 1946, the General Assembly established an International Children's Emergency Fund. The resolution establishing the Fund provided, *inter alia*,

(a) that the Secretary-General submit to the General Assembly an annual audit of the accounts of the Fund, and

(b) that the activities of the Fund should be reviewed by the General Assembly at its second session upon the basis of a special report from the Economic and Social Council.¹¹⁵

As regards the audit of accounts for 1946, the Secretary-General reported to the second session of the General Assembly that there were no financial transactions of the Fund during 1946 (A/337).

At its 91st plenary meeting on September 23, the General Assembly referred the Secretary-General's report to the Fifth Committee, which considered it at its 81st meeting on October 30, and recommended to the General Assembly the adoption of a resolution noting the Secretary-General's report.

At its 119th plenary meeting on November 20, 1947, the General Assembly adopted this resolution (157(II)), which reads as follows:

"The General Assembly

"Takes note of the report of the Secretary-General concerning the financial transactions of the International Children's Emergency Fund during the fiscal year 1946."

Concerning the special report from the Economic and Social Council on the work of the International Children's Emergency Fund, the Secretary-General drew the General Assembly's attention to the fact that Chapter III, paragraphs 117-23, of the Report of the Economic and Social Council to the second session of the General Assembly contained an account of the action taken by the Council during its fourth and fifth sessions in regard to the International Children's Emergency Fund.¹¹⁶ The report of the Executive Board of the International Children's Emergency Fund (E/590) to the sixth session of the Economic and Social Council (A/408) was also transmitted to the General Assembly.¹¹⁷

The General Assembly, at its 91st plenary meeting on September 23, 1947, referred these reports to the Third Committee for consideration. The Committee considered the question at its 67th meeting on October 22.

The Executive Director of the International Children's Emergency Fund and the Chairman of the Executive Board addressed the Committee, stressing the needs of children all over the world and giving an account of the activities of the Fund in trying to meet those needs. There was general agreement in the Committee as to the importance of the Fund's work and a number of representatives expressed their governments' support of the Fund's program. A resolution proposed by the representative of France was unanimously adopted by the Committee, and by the General Assembly at its 119th meeting on November 20, 1947.

The text of the resolution 138(II) follows:

"The General Assembly,

"Having taken note of the reports of the Economic

¹¹⁵See *Yearbook of the United Nations*, 1946-47, pp. 162-64.

¹¹⁶See *Official Records of the second session of the General Assembly*, Supplement No. 3, pp. 64-67.

¹¹⁷For the work of the United Nations International Children's Emergency Fund, see pp. 620-23.

and Social Council and of the Executive Board of the International Children's Emergency Fund, [E/459]

"Expresses its satisfaction with the concrete work already accomplished by the Fund;

"Approves the present report;

"Draws the attention of the States Members to the significance of the International Children's Emergency Fund and to the need for supplying it immediately with funds to enable it to carry on its activities;

"Associates itself with the United Nations Appeal for Children and recommends the people of all countries to co-operate towards the success of this appeal."

i. INTERNATIONAL CO-OPERATION FOR THE PREVENTION OF IMMIGRATION WHICH IS LIKELY TO DISTURB FRIENDLY RELATIONS AMONG NATIONS

On September 29, 1947, the Secretary-General received a request from the delegations of Egypt, Iraq and Lebanon (A/BUR/90) for the inclusion of the following item in the agenda of the second session of the General Assembly:

"International co-operation for the prevention of immigration which is likely to disturb friendly relations between nations."

At its 40th meeting on October 1, 1947, the General Committee decided by a vote of 8 to 1, with 5 abstentions, to recommend inclusion of this item in the agenda (A/392/Add.3). The General Assembly approved this recommendation at its 95th plenary meeting on October 1, and referred the question to the Third Committee, which considered it from its 76th meeting on November 4 to its 80th meeting on November 7, and again at its 82nd meeting on November 11.

At the 76th meeting of the Third Committee the representative of Lebanon stated that the General Assembly's resolutions on the subject of refugees and displaced persons had remained a dead letter. The time had therefore come, he considered, to take definite action on the international level to solve this problem. On behalf of the delegations of Egypt, Iraq and Lebanon he introduced a draft resolution (A/C.3/191) for consideration by the Third Committee. The preamble of the resolution recalled the General Assembly's resolution 103(I) of November 19, 1946, condemning racial and religious discrimination,¹¹⁸ and resolution 62(I) of December 15, 1946, by which the General Assembly approved the Constitution of the International Refugee Organization.¹¹⁹ The preamble of the joint resolution referred in particular to the following provisions contained in resolution 62(I) of December 15, 1946:

(1) Paragraph (e) of the resolution, which urged Members of the United Nations

"to give the most favourable consideration to receiving each into its territory at the earliest possible time, so far as may be practicable for permanent resettlement, its fair share of the non-repatriable persons who are the concern of the International Refugee Organization and this in conformity with the principles of the Organization."

(2) The preamble to the IRO Constitution and paragraph (b) of the Annex to the Constitution, which states that

"the main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin. . . ."

(3) Paragraph (g) of the Annex to the IRO Constitution, which provides that

"the Organization should endeavour to carry out its functions in such a way as to avoid disturbing friendly relations between nations. In the pursuit of this objective, the Organization should exercise special care in cases in which the re-establishment or re-settlement of refugees or displaced persons might be contemplated, either in countries contiguous to their respective countries of origin or in non-self-governing countries. The Organization should give due weight, among other factors, to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case, by the country of origin of the persons involved, or, in the latter case, by the indigenous population of the non-self-governing country in question."

The joint resolution of the representatives of Egypt, Iraq and Lebanon stated that numerous self-appointed committees and organizations were interfering with the task that should be exclusively discharged by the IRO in strict accordance with its constitution, by promoting and encouraging immigration likely to disturb friendly relations between nations. The operative part of the resolution therefore contained the following recommendations:

"The General Assembly . . .

"Instructs the Member States to implement the General Assembly resolution of November 19, 1946;

"Recognizes the principle that where populational movements likely to affect friendly relations between nations are involved such movements should take place only with the consent of the states or peoples directly concerned;

"Reaffirms its position that the main task concerning displaced persons is to encourage and assist in every possible way their early return to their countries of origin;

"Requests the Members of the United Nations to inform the Secretary-General of the outcome of the consideration each gave, in implementation of Resolution No. 62 (I), paragraph (e), for receiving its fair share of non-repatriable persons;

"Instructs the Member States to cease according aid and protection to such individuals or organizations which, under humanitarian disguises, are aiming at promoting and

¹¹⁸See *Yearbook of the United Nations*, 1946-47, p. 178.

¹¹⁹*Ibid.*, pp. 168-69.

encouraging immigration likely to disturb friendly relations between nations;

"Recommends to the Economic and Social Council to call immediately an international conference for the purpose of expediting the solution of the problem of refugees and displaced persons through the agency of the International Refugee Organization."

The representative of the U.S.S.R. also submitted a draft resolution (A/C.3/174) to the Third Committee at its 76th meeting. The U.S.S.R. resolution dealt with the repatriation of displaced persons still remaining in camps in western Germany and Austria. The representative of the U.S.S.R. declared that the General Assembly's resolution 8(I) of February 12, 1946,¹²⁰ and the resolution of December 15, 1946, approving the IRO constitution, had asked that the early return of displaced persons to their countries of origin should be encouraged and assisted in every possible way. Nevertheless, there were still hundreds of thousands of persons in the displaced persons camps in the western zones of Germany and Austria. The representative of the U.S.S.R. charged that the United Kingdom and the United States authorities in charge of these camps had not only failed to co-operate with the countries of origin with a view to the repatriation of refugees, but had even taken steps to discourage and impede such repatriation. Displaced persons, the U.S.S.R. representative stated, were being prevented from returning to their homes through intimidation and false propaganda concerning conditions in Eastern Europe. The countries seeking to resettle refugees, it was charged further, hoped to derive financial and economic advantages from the immigration of foreign labor. The representative of the U.S.S.R. cited instances of alleged exploitation of immigrants recruited from displaced persons camps. The U.S.S.R. resolution therefore contained the following recommendations:

"The General Assembly,

"Having observed that, notwithstanding the Assembly decisions of February 12 and December 15, 1946, to the effect that 'the main task concerning displaced persons is to encourage and assist in every way possible their early return to their countries of origin,' hundreds of thousands of displaced persons are still, to this day, in the camps of western zones of Germany and Austria,

"that the administrative authorities in charge of many of these camps offer all kinds of hindrances to the representatives of the countries of origin in establishing contact with displaced persons,

"that numerous illegal committees and organizations in these camps, headed by war criminals, quislings and traitors, are carrying on propaganda inimical to the United Nations and terrorizing, with the connivance of the occupation authorities, persons who wish to return home, and

"that various offices, committees and agents are recruit-

ing terrorized displaced persons to leave for work in various countries, thus hindering their return home,

"Recommends to the Member Governments of the United Nations to take urgent measures:

"1. To remove from administrative posts in displaced persons camps all persons found to be instigating displaced persons not to return home or obstructing their repatriation;

"2. To appoint to administrative posts in the said camps persons holding the confidence of the Governments of countries which have nationals in a particular camp;

"3. Not to tolerate in displaced persons camps the further existence and activities of various self-styled committees which carry on systematic agitation against displaced persons' returning home;

"4. To afford the representatives of the States concerned free access to camps of displaced persons and allow free association with them;

"5. To cease the recruiting of displaced persons for countries far removed from their homes, where, moreover, such persons find themselves living in conditions of hardship and are condemned to fresh sufferings and privations;

"6. To deem it obligatory on countries members of the United Nations to give all possible assistance in returning displaced persons to their homes."

At the 77th meeting of the Third Committee the representative of the United Kingdom introduced a draft resolution (A/C.3/192) which his delegation had previously introduced in the *ad hoc* Committee on the Palestinian Question and which that Committee had tabled.¹²¹ The resolution stressed the importance of re-establishing rapidly refugees still remaining in the displaced persons camps and provided that the General Assembly recommend

"that each Member of the United Nations adopt urgent measures for settling a fair share of displaced persons and refugees in its country, and inform the Secretary-General without delay of the consideration it has given, in implementation of resolution 62 (I) of the General Assembly, paragraph (e), to receiving, in conformity with the principles of the IRO, its fair share of non-repatriable persons; and join with other nations through the International Refugee Organization, or its Preparatory Commission, in the development of overall plans to accomplish this end."

The U.S.S.R. resolution was supported by the representatives of Poland, Yugoslavia, the Ukrainian S.S.R. and the Byelorussian S.S.R. The representatives of the United States and the United Kingdom denied U.S.S.R. charges concerning conditions in displaced persons camps under their administration. They stated, as did other representatives opposing the U.S.S.R. resolution, that the question raised in it had been discussed at length on previous occasions, particularly in connection

¹²⁰See *Yearbook of the United States, 1946-47*, pp. 74-75.

¹²¹See p. 236.

with the discussion of the constitution of the IRO. They also pointed out that the U.S.S.R. delegation had submitted a very similar resolution to the Sixth Committee, which had rejected it,¹²² and considered that there was no need to discuss the same matter again. As to the substance of the question, it was maintained that the purpose of IRO was not solely to repatriate displaced persons but also to resettle non-repatriable refugees. Compulsory repatriation could not be accepted in the case of *bona fide* refugees, who, for valid reasons, did not wish to return to their countries of origin.

The representatives of Belgium, the Dominican Republic and the United States expressed themselves in favor of the United Kingdom resolution. The representatives of Iran, Syria and Pakistan favored the joint resolution of the representatives of Egypt, Iraq and Lebanon. The representatives of the United Kingdom, Belgium and the Dominican Republic considered certain parts of the joint resolution acceptable, but stated that they could not support the resolution as a whole. The representative of the United Kingdom, supported by several other delegations, therefore suggested the establishment of a drafting sub-committee to reconcile the joint resolution and that of the United Kingdom and to submit a text acceptable to the majority. The representative of the United States opposed the joint resolution.

In an effort to reach agreement, the representative of India introduced a compromise proposal (A/C.3/196) at the 79th meeting of the Third Committee on November 7, 1947, which contained elements of the joint resolution and of the United Kingdom resolution. At the 80th meeting of the Third Committee on November 7, the Indian representative submitted a further resolution (A/C.3/199) taking into account the views expressed in the course of the discussion. As the Indian text, however, was not entirely acceptable to the authors of the other resolutions, the Third Committee decided by a vote of 20 to 15, with 7 abstentions, to establish a drafting sub-committee to be composed of the representatives of Belgium, Canada, Cuba, Egypt, India, Iraq, Lebanon, Panama, Poland, U.S.S.R., United Kingdom, United States and Yugoslavia.

The sub-committee held four meetings and, taking the Indian resolution (A/C.3/199) as a basis for discussion, agreed on a common text (A/C.3/204), which it submitted to the Third Committee at its 82nd meeting on November 11, 1947. The representative of the U.S.S.R., as a compromise, had withdrawn his resolution in favor of the sub-committee's resolution, although he did

not consider it entirely satisfactory, in view of the fact that it recommended resettlement of refugees as well as repatriation. The sub-committee had adopted all paragraphs of the resolution unanimously with the exception of the fifth paragraph, which stated that the General Assembly

"Invites the Member States not to accord aid and protection to individuals or organizations which are engaged in the promoting or operating of immigration likely to disturb friendly relations between nations."

The resolution as a whole had been adopted by a vote of 10 to 0, with 3 abstentions.

The representative of the United Kingdom submitted an amendment (A/C.3/201) to the fifth paragraph of the sub-committee's resolution, to provide that the General Assembly invite Member States "not to accord aid and protection to individuals or organizations which are engaged in promoting or encouraging illegal immigration".

The representative of Iraq requested that the Third Committee also vote on an alternative text which the representative of India had submitted to the sub-committee (A/C.3/202). This text provided that:

"The movement of refugees and displaced persons to countries other than their countries of origin should not take place without previous consultation with the recipient states and their states of origin and that in view of the difficulty of consulting the free will of the peoples of non-self-governing territories such movement to these areas should not, at present, take place."

It was requested that the vote on this text be taken in two parts, on the first part relating to the states concerned, and on the second part relating to Non-Self-Governing Territories. The Third Committee rejected the first part of the Indian text by a vote of 28 to 9, with 8 abstentions, and the second part by a vote of 20 to 12, with 17 abstentions. The Committee then adopted the United Kingdom amendment by a vote of 36 to 7, with 6 abstentions. The resolution as a whole, as amended, was then adopted by a vote of 33 to 1, with 12 abstentions.

At its 117th plenary meeting on November 17, 1947, the General Assembly, by a vote of 49 to 0, with 4 abstentions, adopted the resolution recommended by the Third Committee which follows (resolution 136(II)):

"The General Assembly,

"Having noted that its resolutions 8 (I) of 12 February and 62 (I) of 15 December 1946 on the question of refugees,¹²³ and its resolution 103 (I) of 19 November 1946 condemning racial and religious discrimina-

¹²²See p. 221.

¹²³See Yearbook of the United Nations, 1946-47, pp. 74-75, 168-69.

tion.¹²⁴ have not been fully implemented, and that hundreds of thousands of victims of aggression remain in displaced persons camps;

"*Recalling* that one of the principles of the International Refugee Organization is that it 'should exercise special care in cases in which the re-establishment or resettlement of refugees or displaced persons might be contemplated, either in countries contiguous to their respective countries of origin or in non-self-governing countries. The Organization should give due weight, among other factors, to any evidence of genuine apprehension and concern felt in regard to such plans, in the former case, by the country of origin of the persons involved, or, in the latter case, by the indigenous population of the non-self-governing country in question';¹²⁵

"*Invites* the Member States to implement the General Assembly resolution of 19 November 1946;

"*Reaffirms* its position that the main task concerning displaced persons is to encourage and assist in every possible way their early return to their countries of origin, in accordance with the General Assembly resolution of 12 February 1946, and that no obstacles be placed in the way of the early fulfilment of this task;

"*Invites* the Member States not to accord aid and protection to individuals or organizations which are engaged in the promoting or operating of illegal immigration, or in activities designed to promote illegal immigration;

"*Recommends* each Member of the United Nations to adopt urgent measures for the early return of the repatriable refugees and displaced persons to their countries of origin, having regard to the General Assembly resolution of 12 February 1946, and for settling a fair share of the non-repatriable refugees and displaced persons in its country; to inform the Secretary-General without delay of the results of the consideration it has given, in implementation of resolution 62 (I) of the General Assembly, paragraph (e), to receiving, in conformity with the principles of the International Refugee Organization, its fair share of non-repatriable persons, and to collaborate with other nations, for instance through the International Refugee Organization or its Preparatory Commission, in the development of overall plans to accomplish this end;

"*Requests* the Secretary-General to submit, in collaboration with the Director-General of the International Refugee Organization, or the Executive Secretary of its Preparatory Commission, a report on the progress and prospect of repatriation, resettlement and immigration of the refugees and displaced persons, for consideration by the Economic and Social Council at its seventh session."

j. TRADE UNION RIGHTS (FREEDOM OF ASSOCIATION)

At its fourth session the Economic and Social Council agreed to place on its agenda an item proposed by the World Federation of Trade Unions concerning guarantees for the exercise and development of trade union rights. The WFTU submitted a memorandum and draft resolution in connection with this item. The American Federation of Labor submitted a memorandum on the same subject. By resolution 52(IV) of March 24, 1947, the Economic and Social Council transmitted the memoranda of the WFTU and the AFL to the Interna-

tional Labour Organisation with a request that the ILO consider the matter at its forthcoming session. The Economic and Social Council also transmitted the documents in question to the Commission on Human Rights in order that it might consider those aspects of the subject which might appropriately form part of the Bill or Declaration of Human Rights.

The General Conference of ILO considered the question of freedom of association at its 30th session in July 1947. It submitted a report to the Economic and Social Council entitled "Decisions concerning Freedom of Association adopted unanimously by the thirtieth session of the International Labour Conference on July 11, 1947" (A/374/Add.1), which laid down the fundamental principles on which freedom of association must be based and proposed measures for safeguarding this freedom. The Conference also provided that the question be placed on the agenda of its 1948 session for the adoption of one or more conventions to ensure the exercise of the right of freedom of association and the protection of the right to organize.

The Economic and Social Council considered the ILO's report at its fifth session¹²⁶ and on August 8, 1947, decided

(a) To recognize the principles proclaimed by the ILO;

(b) To request the ILO to continue its efforts in order that one or several international conventions may be quickly adopted;

(c) To transmit the ILO's report to the General Assembly.¹²⁷

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the ILO's report to the Third Committee, which considered the matter at its 63rd meeting on October 13, its 64th meeting on October 14, its 65th meeting on October 16, its 66th meeting on October 17 and its 73rd meeting on October 30.

The representative of France submitted the following draft resolution (A/C.3/167) to the Third Committee:

"*The General Assembly,*

"*Taking note* of the decision of the Economic and Social Council to transmit to the General Assembly of the United Nations the Report of the International Labour Organization on trade union rights,

"*Decides*

"(a) To recognize the principles proclaimed by the International Labour Conference;

"(b) To request the International Labour Organization to continue its efforts in order that one or several

¹²⁴*Ibid.*, p. 178.

¹²⁵*Ibid.*, p. 816.

¹²⁶See pp. 584-85.

¹²⁷See doc. A/374, see also p. 823.

there were any reference to principles, it was maintained, then all basic principles must be mentioned. Such a broad consideration, it was maintained, was beyond the scope of the Third Committee's work. The General Assembly should not adopt a mere statement of principles which could not readily be applied and enforced. The best method of ensuring trade union rights was to encourage ILO to continue the work it had already effectively embarked upon.

The representative of Chile submitted an amendment (A/C.3/171) to the draft resolutions of the Dominican and the French representatives designed to reconcile the two points of view.

At its 66th meeting on October 17, 1947, the Third Committee unanimously decided to establish a sub-committee composed of the representatives of Argentina, Australia, Belgium, Chile, China, Czechoslovakia, Dominican Republic, France, India, Lebanon, Norway, U.S.S.R., United Kingdom, United States and Yugoslavia, to draft, if possible, a single resolution acceptable to the majority of the Third Committee.

In an effort to reach agreement the representative of France submitted a revised draft resolution (A/C.3/175) which the sub-committee adopted as a basis of discussion. The representatives of the United Kingdom (A/C.3/177), the Dominican Republic (A/C.3/176) and Argentina (A/C.3/179) submitted amendments to the revised French resolution. At the third meeting of the sub-committee the representative of France introduced a compromise proposal (A/C.3/185) which the sub-committee unanimously adopted as a basis of further discussion. At its fourth meeting the sub-committee adopted by a vote of 11 to 4 the text of a resolution¹²⁸ approving the two resolutions of the Economic and Social Council, transmitting the views on guarantees for trade union rights of the World Federation of Trade Unions and the American Federation of Labor to the Commission on Human Rights, and transmitting to the General Assembly the report of the ILO on freedom of association. The Assembly, according to the draft resolution, would state that it considered essential the right of trade union freedom of association; would endorse the principles proclaimed by the International Labour Conference on trade union rights as well as the principles contained in the Declaration of Philadelphia; would transmit the report of the ILO to the Commission on Human Rights; and, finally, would recommend to the ILO that it pursue in collaboration with the United Nations its study of machinery for safeguarding trade union rights

and freedom of association and the application of such machinery.

At its 73rd meeting on October 30, 1947, the Third Committee considered the sub-committee's report (A/C.3/183). Amendments to the draft resolution were presented by the representatives of Argentina (A/C.3/184/Rev.1), Czechoslovakia (A/C.3/186)¹²⁹ and Yugoslavia (A/C.3/187). The Third Committee rejected all the amendments, and, voting paragraph by paragraph, adopted the resolution recommended by the sub-committee. The resolution as a whole was adopted by a vote of 31 to 5, with 6 abstentions.

The General Assembly considered the report of the Third Committee at its 115th meeting on November 15, and its 116th and 117th meetings on November 17. Amendments to the resolution recommended by the Third Committee were submitted by the representatives of Czechoslovakia (A/469), India (A/475) and Argentina (A/476).

The Czechoslovak amendment proposed to substitute for the operative part of the resolution a recommendation to the Economic and Social Council to take a final decision after considering the basic request of the World Federation of Trade Unions¹³⁰.

At the 115th plenary meeting of the General Assembly the representative of Czechoslovakia explained the reasons which had led the Czech delegation to submit its amendment. According to the Czech representative the Economic and Social Council had not considered the request of the WFTU but had merely referred the matter to the ILO for study and report. The ILO, instead of dealing with trade union rights, had dealt with the subject of freedom of association. In view of the fact that the Economic and Social Council had not taken any decision on the substance of the question the General Assembly should not approve the Economic and Social Council's resolutions. A request by the Economic and Social Council that other bodies should make further studies could not be considered a positive result requiring the General Assembly's approval. The General Assembly should request the Economic and Social Council to study the request of the WFTU. The recommendation contained in the Third Committee's resolution, the Czechoslovak representative consid-

¹²⁸See pp. 132-33 for final text, which corresponds closely to the Committee's recommendations.

¹²⁹The amendments submitted by the representatives of Argentina and Czechoslovakia were similar to those submitted subsequently to the General Assembly in plenary meeting (see below).

¹³⁰See doc. A/374, annex.

international conventions may be quickly adopted; "Requests the Secretary-General to arrange for the Commission on Human Rights to collaborate in the study of those aspects of trade union rights which would form part of the Bill or Declaration on Human Rights."

The representative of India submitted an amendment (A/C.3/172) to add the following text at the end of the French resolution: "particularly with a view to abolishing racial discrimination in any form in the organization and functioning of Trade Unions".

The representative of the Dominican Republic stated that the resolution adopted by the Economic and Social Council should be broadened and should envisage the possibility of international agreements covering such human rights as a minimum wage and compulsory social insurance, as well as freedom of association. He therefore submitted the following draft resolution (A/C.3/166):

"The General Assembly,

"Considering:

"(a) That the resolution adopted on 8 August 1947 by the Economic and Social Council aims at the establishment, as soon as possible, of international machinery for safeguarding the freedom of association of trade unions, citing this need as one of the essential features of the proposed Bill of Human Rights,

"(b) That improvement of the living conditions of workers depends not only on respect for freedom of association but also on such other social safeguards as will assure to all men a minimum of economic well-being, and;

"(c) That the first step towards effective establishment of human rights should be an effort on the part of all countries that are Members of the United Nations for the international protection of the worker as regards his material means of existence:

"Requests the Secretary-General to take the necessary measures in order that both the International Labour Organization and the Commission on Human Rights may study the possibility of establishing, as rights inherent in the human person, the principle of free association and any other safeguards, such as minimum wages and compulsory social insurance, as may provide the basis for a minimum of well-being within the reach of all the workers of the world."

The representative of the U.S.S.R. submitted a number of amendments (A/C.3/169) to the resolution submitted by the representative of the Dominican Republic. One of these amendments provided for participation of the WFTU in the proposed study of trade union rights. A second amendment elaborated the concept of safeguards designed to ensure a minimum of material well-being by listing, in addition to minimum wages and compulsory social insurance, the following: "Equal pay for equal work, abolition of racial discrimination in economic and social activities, full employment and effective struggle against unemployment, especially in a period of crisis."

A similar list of rights to be guaranteed to all workers was contained in an amendment (A/C.3/170) submitted by the representative of Argentina. The Argentine amendment to the Dominican resolution listed the following concepts: "The right to work; the right to a fair remuneration; the right to social advancement; the right to appropriate working conditions; the right to the preservation of health; the right to welfare; the right to social security; the right to the protection of his family; the right to better economic conditions; the right to the defence of professional interests."

The representatives supporting the Dominican resolution and the amendments submitted thereto—among others the representatives of Czechoslovakia, Yugoslavia, Cuba, Ukrainian S.S.R., Byelorussian S.S.R., Argentina, U.S.S.R., Philippines, Poland and Colombia—maintained that the General Assembly should not confine itself to endorsing the ILO's report and the Economic and Social Council's resolution, but should make positive recommendations of its own and adopt a set of principles to guide future action. The representative of the U.S.S.R., supported by several other representatives, stated that the Economic and Social Council had referred the question to the ILO without any discussion of the substance of the matter and subsequently had merely referred the ILO's report to the General Assembly. The WFTU, which had brought this item before the Economic and Social Council, was said to have expressed dissatisfaction with this procedure and to have requested a discussion of the substance of the question. The principles contained in the ILO report, it was maintained further, were too limited in scope. Endorsement of these principles would not make for tangible advantages for the trade unions, as the ILO tended to place the trade unions and the employers on an equal footing. Mere freedom of association was not enough. Workers must not only have the right to organize in trade unions, but must be in a position, through their unions, to co-operate in the preparation and application of social legislation.

Representatives supporting the French resolution in preference to that of the Dominican representative included those of South Africa, Belgium, United States, United Kingdom, Netherlands and Luxembourg. The French resolution, it was maintained, was more concrete and more direct than that of the Dominican representative, since it did not enunciate principles, but left the matter for detailed study to the appropriate bodies, namely the ILO, which was the specialized agency best qualified to act in matters affecting the welfare of labor, and the Commission on Human Rights. If

there were any reference to principles, it was maintained, then all basic principles must be mentioned. Such a broad consideration, it was maintained, was beyond the scope of the Third Committee's work. The General Assembly should not adopt a mere statement of principles which could not readily be applied and enforced. The best method of ensuring trade union rights was to encourage ILO to continue the work it had already effectively embarked upon.

The representative of Chile submitted an amendment (A/C.3/171) to the draft resolutions of the Dominican and the French representatives designed to reconcile the two points of view.

At its 66th meeting on October 17, 1947, the Third Committee unanimously decided to establish a sub-committee composed of the representatives of Argentina, Australia, Belgium, Chile, China, Czechoslovakia, Dominican Republic, France, India, Lebanon, Norway, U.S.S.R., United Kingdom, United States and Yugoslavia, to draft, if possible, a single resolution acceptable to the majority of the Third Committee.

In an effort to reach agreement the representative of France submitted a revised draft resolution (A/C.3/175) which the sub-committee adopted as a basis of discussion. The representatives of the United Kingdom (A/C.3/177), the Dominican Republic (A/C.3/176) and Argentina (A/C.3/179) submitted amendments to the revised French resolution. At the third meeting of the sub-committee the representative of France introduced a compromise proposal (A/C.3/185) which the sub-committee unanimously adopted as a basis of further discussion. At its fourth meeting the sub-committee adopted by a vote of 11 to 4 the text of a resolution¹²⁸ approving the two resolutions of the Economic and Social Council, transmitting the views on guarantees for trade union rights of the World Federation of Trade Unions and the American Federation of Labor to the Commission on Human Rights, and transmitting to the General Assembly the report of the ILO on freedom of association. The Assembly, according to the draft resolution, would state that it considered essential the right of trade union freedom of association; would endorse the principles proclaimed by the International Labour Conference on trade union rights as well as the principles contained in the Declaration of Philadelphia; would transmit the report of the ILO to the Commission on Human Rights; and, finally, would recommend to the ILO that it pursue in collaboration with the United Nations its study of machinery for safeguarding trade union rights

and freedom of association and the application of such machinery.

At its 73rd meeting on October 30, 1947, the Third Committee considered the sub-committee's report (A/C.3/183). Amendments to the draft resolution were presented by the representatives of Argentina (A/C.3/184/Rev.1), Czechoslovakia (A/C.3/186)¹²⁹ and Yugoslavia (A/C.3/187). The Third Committee rejected all the amendments, and, voting paragraph by paragraph, adopted the resolution recommended by the sub-committee. The resolution as a whole was adopted by a vote of 31 to 5, with 6 abstentions.

The General Assembly considered the report of the Third Committee at its 115th meeting on November 15, and its 116th and 117th meetings on November 17. Amendments to the resolution recommended by the Third Committee were submitted by the representatives of Czechoslovakia (A/469), India (A/475) and Argentina (A/476).

The Czechoslovak amendment proposed to substitute for the operative part of the resolution a recommendation to the Economic and Social Council to take a final decision after considering the basic request of the World Federation of Trade Unions¹³⁰.

At the 115th plenary meeting of the General Assembly the representative of Czechoslovakia explained the reasons which had led the Czech delegation to submit its amendment. According to the Czech representative the Economic and Social Council had not considered the request of the WFTU but had merely referred the matter to the ILO for study and report. The ILO, instead of dealing with trade union rights, had dealt with the subject of freedom of association. In view of the fact that the Economic and Social Council had not taken any decision on the substance of the question the General Assembly should not approve the Economic and Social Council's resolutions. A request by the Economic and Social Council that other bodies should make further studies could not be considered a positive result requiring the General Assembly's approval. The General Assembly should request the Economic and Social Council to study the request of the WFTU. The recommendation contained in the Third Committee's resolution, the Czechoslovak representative consid-

¹²⁸See pp. 132-33 for final text, which corresponds closely to the Committee's recommendations.

¹²⁹The amendments submitted by the representatives of Argentina and Czechoslovakia were similar to those submitted subsequently to the General Assembly in plenary meeting (see below).

¹³⁰See doc. A/374, annex.

ered, was inadequate. A resolution adopted by the Economic and Social Council at the request of the WFTU would, on the other hand, create a solid basis for trade union rights in all Member States and their safeguards would be in the hands of the United Nations rather than in the hands of the ILO. The Economic and Social Council, the Czech representative declared, had the primary right and responsibility to make an authoritative declaration on the vital question of trade union rights.

The amendment submitted by the representative of India (A/475) provided that a paragraph be added to the resolution recommending the abolition of racial discrimination in any form in the organization and functioning of trade unions. The representative of India subsequently withdrew his amendment.

The Argentine Amendment (A/476) provided that the reference to the Declaration of Philadelphia be elaborated by a specific mention of those sections containing a list of principles concerning the welfare of labor, i.e., sub-section (a) of section II and sub-sections (a) to (j) inclusive of section III.¹³¹

The representative of Argentina maintained that his amendment did not add anything substantially new to the resolution, recommended by the Third Committee, but was merely designed to strengthen it. An explicit endorsement by the General Assembly of the cardinal elements of the Declaration of Philadelphia, the Argentine representative maintained, would set an international standard of welfare for the working classes.

In the course of the discussion at the 115th, 116th, and 117th plenary meetings of the General Assembly the representatives of Poland, U.S.S.R., and Yugoslavia expressed themselves in favor of the Czechoslovak amendment. The representatives of Brazil, the United States, the United Kingdom, New Zealand, France, Colombia, the Netherlands and Guatemala urged the Assembly to adopt the resolution recommended by the Third Committee. In opposition to the Czechoslovak amendment it was stated that it ignored the fact that the Economic and Social Council had been asked to consider not only the request of the WFTU, but also the memorandum of the AFL. Adoption of the amendment would mean that the United Nations was not to make use of the machinery established especially to deal with problems concerning labor. The Czechoslovak amendment asked the Economic and Social Council to ignore the report of the ILO and to set up a committee on trade union rights, in order to safeguard (without re-

gard to the ILO) the trade union rights upon which the Economic and Social Council would have decided on (likewise without regard to the work done by ILO). The manner in which this question had been dealt with by the Economic and Social Council, it was stressed, was an example of successful co-ordination of the work of the United Nations and the specialized agencies. Such co-operation deserved to be encouraged and not to be criticized.

As regards the Argentine amendment, it was maintained by representatives opposing it, that it detracted attention from the main issue, i.e. trade union rights, by adding a lengthy list of general principles concerning social welfare, which went beyond strict trade union rights because they should apply to the whole community. The clarity and force of the General Assembly's recommendation might thus be impaired.

As a compromise measure, the representative of the United Kingdom proposed an amendment (A/480) to the Argentine amendment to the effect that the list of principles contained in the Declaration of Philadelphia be included as an annex to the resolution recommended by the Third Committee instead of being incorporated in the resolution itself.

The Assembly rejected the Czechoslovak amendment by a vote of 42 to 6, with 4 abstentions. The United Kingdom amendment to the Argentine amendment was adopted by a vote of 20 to 17, with 14 abstentions. The Argentine amendment was adopted by a vote of 36 to 7, with 7 abstentions. The resolution as a whole, as amended, was adopted by a vote of 45 to 6, with 2 abstentions. Following is the text of the resolution (128(II)) which the General Assembly thus adopted at its 117th plenary meeting on November 17, 1947:

'The General Assembly,

'Taking note of resolution 52 (IV) adopted by the Economic and Social Council at its fourth session, whereby it was decided to transmit the views of the World Federation of Trade Unions and the American Federation of Labor on 'Guarantees for the Exercise and Development of Trade Union Rights' [A/374] to the Commission on Human Rights, 'in order that it may consider those aspects of the subject which might appropriately form part of the bill or declaration on human rights';

'Taking note also of resolution 84 (V) adopted by the Council at its fifth session, whereby it was decided to transmit to the General Assembly of the United Nations the report of the International Labour Organisation entitled 'Decisions concerning freedom of association adopted unanimously by the thirtieth session of the International

¹³¹For the list of principles contained in these sections see annex to the resolution adopted by the General Assembly (below).

al Labour Conference on 11 July 1947', [A/374/Add. 1] to recognize the principles proclaimed by the International Labour Conference and to request the International Labour Organisation to continue its efforts in order that one or several international conventions may be adopted,

"Approves these two resolutions;

"Considers that the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers and to their economic well-being;

"Declares that it endorses the principles proclaimed by the International Labour Conference in respect of trade union rights as well as the principles the importance of which to labour has already been recognized and which are mentioned in the Constitution of the International Labour Organisation¹²³ and in the Declaration of Philadelphia¹²⁴ and, in particular, sub-section (a) of section II, and sub-sections (a) to (j) inclusive of section III, which are given in the annex to this resolution;

"Decides to transmit the report of the International Labour Organisation to the Commission on Human Rights with the same objects as those stated in resolution 52 (IV) of the Economic and Social Council, and

"Recommends to the International Labour Organisation on its tripartite basis to pursue urgently, in collaboration with the United Nations and in conformity with the resolution of the International Labour Conference concerning international machinery for safeguarding trade union rights and freedom of association, the study of the control of their practical application."

ANNEX

PRINCIPLES SET FORTH IN SECTION II (a) AND SECTION III (a) TO (j) OF THE DECLARATION OF PHILADELPHIA

Section II

(a) All human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity.

Section III

(a) Full employment and the raising of standards of living;

(b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;

(c) The provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement;

(d) Policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;

(e) The effective recognition of the right of collective bargaining, the co-operation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;

(f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care,

(g) Adequate protection for the life and health of workers in all occupations;

(h) Provision for child welfare and maternity protection;

(i) The provision of adequate nutrition, housing and facilities for recreation and culture;

(j) The assurance of equality of educational and vocational opportunities.

k. FALSE AND DISTORTED REPORTS

By letter of August 8, 1947 (A/338), the Yugoslav Government requested that the following item be included in the agenda of the second session of the General Assembly:

"Recommendations to be made with a view to preventing the dissemination with regard to foreign States of slanderous reports which are harmful to good relations between States and contrary to the purposes and principles of the United Nations."

At its 91st plenary meeting on September 23, the General Assembly referred this item to the Third Committee, which considered it at its 68th meeting on October 24, its 69th meeting on October 25, its 70th and 71st meetings on October 28 and its 72nd meeting on October 29, 1947.

At the 69th meeting of the Committee the representative of Yugoslavia stated that modern media of information played a considerable part in international life and directly affected the maintenance of peace and security. Although there were numerous organs of information contributing to the development of international understanding, other information services, he considered, abused their freedom. Slanderous statements and false reports, he stated, were being disseminated about the countries of Eastern Europe, creating an atmosphere of distrust. The Yugoslav representative considered that such defamatory press campaigns constituted a serious danger to the United Nations. It was essential, he urged, to put an end to such campaigns, and to establish some kind of responsibility for the publication and dissemination of false and libelous reports, without impairing the principles of freedom of information through the establishment of censorship or similar preventive measures. The representative of Yugoslavia submitted the following draft resolution (A/C.3/162):

"The General Assembly,

"Considering that organs and media of information (newspapers, news periodicals, news agencies, radio

¹²³See *First Report of the International Labour Organisation to the United Nations*, vol. II, p. 1; see also *Yearbook of the United Nations*, 1946-47, p. 670.

¹²⁴See *First Report of the International Labour Organisation to the United Nations*, vol. II, pp. 19-21; see also *Yearbook of the United Nations*, 1946-47, pp. 678-79.

broadcasts and news reels) cannot usefully fulfil their mission in the international field unless they respect the truth without prejudice and spread knowledge without malicious intent, devote themselves to the service of international peace and security; and promote the development of friendly relations between peoples, based on respect for their independence, the equality of their rights, and their right to self-determination;

"That the publication and dissemination of false and tendentious reports and defamatory matter designed to aggravate relations between nations and incite them to war disturbs the atmosphere of friendship and mutual understanding between peoples and represents a real danger to the maintenance of international peace and security;

"That the question of freedom of information and of the press cannot be solved until an adequate solution has been found to the problem of the effective responsibility of the press and other media of information;

"1. *Invites* States to take urgent legislative and other measures to establish the responsibility of the owners of media of information, and of their directors or contributors, who publish or spread false and tendentious reports calculated to aggravate relations between nations, provoke conflicts and incite to war, or who take part in defamatory campaigns based on false news and directed against another State or another nation;

"2. *Invites* States to take measures to prevent the publication and dissemination through the channel of governmental or semi-governmental bodies, of reports or news which have not been carefully and conscientiously verified."

The representatives of Chile, United States, Panama, Sweden, Greece, Dominican Republic, United Kingdom, Netherlands, South Africa, Cuba and Canada expressed opposition to the Yugoslav resolution. These representatives stated that they could not accept any resolution which provided for any form of government control over the press or other media of information. While admitting the possibility that freedom of expression might be abused, they maintained that the remedies for the imperfections of a free press were to be found in that very freedom. What was needed was greater freedom in all countries rather than more restrictions. A controlled press, it was argued, was more likely to keep people in systematic ignorance of the truth than a free press. It was in such ignorance that the threat to international peace and security really resided.

Leaving aside questions of principle, it was maintained that the Yugoslav proposal fell within the scope of the terms of reference of the Conference on Freedom of Information which was to take place in Geneva in March 1948. These terms of reference provided that "the purpose of the Conference shall be to formulate its views concerning the rights, obligations and practices which should be included in the concept of freedom of information". Several representatives

therefore suggested that the matter be referred to the Conference. Others considered that the Third Committee had rejected the principles contained in the Yugoslav resolution when it had rejected the resolution introduced by the representative of the U.S.S.R. concerning the agenda of the Conference on Freedom of Information.¹³⁴ Some representatives also mentioned the fact that a similar resolution had been introduced by the representative of the U.S.S.R. in the First Committee.¹³⁵ The representative of Guatemala proposed (A/C.3/182) at the 69th meeting of the Third Committee that the Third and First Committees should hold a joint meeting to consider this question and to formulate a single resolution. The Committee decided to postpone consideration of the Guatemalan proposal until the general debate on the Yugoslav proposal had been concluded.

The representatives of U.S.S.R., Byelorussian S.S.R., Ukrainian S.S.R., Egypt, Poland and Czechoslovakia supported the Yugoslav resolution. The Egyptian representative stressed that the press was really free only when fully aware of its responsibilities. He thought that the United Nations ought to adopt certain international principles with regard to the suppression of abuses by the press which could be included in penal codes. The other representatives supporting the resolution maintained that the campaign currently being waged in the press of the United States and of certain other countries against the U.S.S.R. and its neighboring countries clearly showed the necessity of taking steps against such irresponsible attacks, by defining the responsibilities of the organs of information and of their owners and directors. Moreover, it was maintained that the press of the so-called western democracies was not really free, being controlled by a small number of capitalist corporations. Concerning the Yugoslav proposal, it was maintained that it would in no way threaten freedom of expression, as it was not proposed to institute any form of censorship. It would be left to the countries concerned to decide in what way they wished to establish the responsibility of the various media of information.

The representative of France stated that he considered the problem of false reports to be a very real one. He thought it would endanger the confidence placed in the United Nations by the man in the street if the Yugoslav proposal were rejected out of hand. Such an act might be

¹³⁴See pp. 102-3.

¹³⁵See p. 89.

construed by the public as indicating total indifference on the part of the United Nations or as a refusal to face the problem. The French representative considered that it was desirable that the various Member Governments should study the possibility of modifying their press laws in such a way as to minimize the influence of false news. The Geneva conference on freedom of information might then try to harmonize those various laws, and if possible embody them in a general system of international legislation. The representative of France therefore submitted a draft resolution (A/C.3/180) as a substitute for the Yugoslav resolution.

The French draft resolution referred to the Charter obligation of Members to develop friendly relations and to co-operate in promoting human rights. It stated that to attain this end it was essential to increase the diffusion in all countries of information calculated to increase mutual understanding and that to do this it was essential to take measures to combat "the publication of false and tendentious reports likely to injure friendly relations between States". It therefore provided that the Assembly:

"1. *Invites* the Governments of States Members

"(a) to study such legislative or other measures as might with advantage be taken on the national plane to combat the diffusion of false or tendentious reports likely to injure friendly relations between States;

"(b) to submit reports on this subject to the Conference on Freedom of Information so as to provide the Conference with the data it requires to enable it to start its work immediately on a concrete basis.

"2. *Recommends* to the Conference on Freedom of Information that it study, with a view to their co-ordination, the measures taken or advocated in this connection by the various States."

The representatives of India and Argentina supported the French resolution. The representatives of Belgium (A/C.3/189), Mexico (A/C.3/188) and Luxembourg (A/C.3/185) submitted amendments to the French draft resolution designed mainly to stress the fact that measures to combat the dissemination of false information should be taken by the Member Governments "within the limits of constitutional procedure", and to delete reference to "legislative" measures. It was also suggested that the term "inaccurate" information should be substituted for "tendentious" information or that the latter term should be deleted entirely. The representative of France accepted the substance of these amendments and submitted a draft resolution revised accordingly (A/C.3/180/Rev.1). The representatives of Panama, Brazil, the United States and Lebanon

indicated that they would support the French resolution in its revised form.

At the 72nd meeting of the Third Committee the representative of Yugoslavia stated that in a spirit of conciliation he wished to withdraw his resolution and would vote for the French proposal. The Third Committee then adopted the French resolution by a vote of 49 to 1. The representative of Cuba explained that his delegation had voted against the resolution because he considered it superfluous, as the First Committee had adopted a similar resolution. In view of the Committee's decision the representative of Guatemala withdrew his proposal for a joint meeting of the Third and First Committees.

At its 115th plenary meeting on November 15, 1947, the General Assembly unanimously adopted the resolution recommended by the Third Committee the text of which follows (resolution 127 (II)):

"*The General Assembly,*

"*Considering* that, under Article 1 of the Charter, Members are bound to develop friendly relations amongst themselves and to achieve international co-operation in promoting and encouraging respect for human rights and fundamental liberties;

"*Considering* that to attain this end it is essential to facilitate and increase the diffusion in all countries of information calculated to strengthen mutual understanding and ensure friendly relations between the peoples;

"*Considering* that substantial progress in this sphere can be achieved only if measures are taken to combat, within the limits of constitutional procedures, the publication of false or distorted reports likely to injure friendly relations between States,

"*Invites* the Governments of States Members

"1. To study such measures as might with advantage be taken on the national plane to combat, within the limits of constitutional procedures, the diffusion of false or distorted reports likely to injure friendly relations between States,

"2. To submit reports on this subject to the Conference on Freedom of Information so as to provide the Conference with the data it requires to enable it to start its work immediately on a concrete basis;

"*Recommends* to the Conference on Freedom of Information that it study, with a view to their co-ordination, the measures taken or advocated in this connexion by the various States as being relevant to the discussion of items 2(d) and 5(c) of section II of its provisional agenda."

1. TEACHING OF THE PURPOSES AND PRINCIPLES, THE STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS IN THE SCHOOLS OF MEMBER STATES

By letter dated September 29, 1947 (A/BUR/91), the Chairman of the Norwegian delegation requested that the following item be included in

the agenda of the second session of the General Assembly:

"Teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States."

At its 40th meeting on October 1, 1947, the General Committee decided by a vote of 12 to 1, with 1 abstention, to recommend to the General Assembly to include this item on its agenda (A/392/Add.3). The General Assembly approved this recommendation at its 95th plenary meeting on October 1, and referred the question to the Third Committee, which considered it at its 81st meeting on November 10, 1947.

The representative of Norway stated that the public was quite uninformed about the United Nations. This ignorance, the Norwegian representative thought, was due mainly to the press, which presented only the political aspect of the conflicts within the organization and ignored the constructive work which had been accomplished, particularly in the social and economic fields. It was essential, however, that the United Nations should have the enlightened support of the public, based on a real knowledge of its activities. The representative of Norway, therefore, submitted a draft resolution (A/C.3/168) which provided that the General Assembly recommend to all Member Governments to encourage "the teaching of the United Nations Charter and the purposes and principles, the structure and activities of the United Nations" in the schools of their countries and that they inform the Secretary-General of the measures they had taken to implement this recommendation.

The representative of Lebanon submitted two amendments (A/C.3/190) to the Norwegian draft resolution. The first one provided that the "background" of the United Nations (instead of the "purposes and principles") should be taught, as the representative of Lebanon considered that the background of the Charter was as important as the Charter itself. It was essential, he stated, that teaching designed to make the United Nations known throughout the world should include a study of the years preceding the actual establishment of the organization: The Atlantic Charter, the work accomplished at Dumbarton Oaks and, especially, the work accomplished at San Francisco.

The second amendment proposed by the Lebanese representative was designed to make UNESCO principally responsible for the implementation of the contemplated teaching program and provided further that UNESCO should report

on this matter to the Economic and Social Council.

The representative of China submitted an amendment (A/C.3/195) to add a brief preamble to the resolution stressing the importance of promoting interest in the United Nations.

The representative of Norway considered the Chinese amendment acceptable, as well as the Lebanese amendment concerning the teaching of the "background" of the United Nations, but thought the second Lebanese amendment unacceptable. To meet the point of view of the Lebanese representative as far as possible, however, the Norwegian representative submitted a revised draft resolution which provided, *inter alia*, that the General Assembly "request the Secretary-General, in consultation with UNESCO, to furnish all Member Governments with advice and assistance in the implementation of this programme". The United Nations, the representative of Norway explained, could thus co-operate with UNESCO without assigning to UNESCO the primary responsibility for the implementation of the program. The latter alternative was considered undesirable in view of the fact that not all Members of the United Nations were Members of UNESCO. Moreover, it was maintained by representatives supporting the Norwegian point of view that the United Nations should carry out its own public information work and not leave it to UNESCO alone.

Other representatives considered that UNESCO had been created for the purpose of carrying on the work of the United Nations in the educational field and that the United Nations should not deprive UNESCO of its functions in this case. The representative of Lebanon, in particular, considered the revised Norwegian proposal unacceptable, because it subordinated the functions of UNESCO to those of the Secretary-General of the United Nations, and he therefore insisted on his own text.

The above amendments and certain others which had been proposed were then put to a vote. The Chinese amendment to add a preamble to the resolution was adopted by a vote of 31 to 0, with 5 abstentions. A U.S.S.R. amendment that the "purposes and principles" as well as the "background" of the United Nations should be taught was adopted by a vote of 31 to 0, with 4 abstentions. An Ecuadorian amendment to include mention of "establishments of higher learning" was adopted by a vote of 26 to 0, with 10 abstentions. The Lebanese amendment concerning UNESCO was adopted by a vote of 24 to 6, with 5 abstentions. The entire resolution as amended

was adopted by a vote of 32 to 0, with 5 abstentions.

The General Assembly considered the report of the Third Committee at its 117th plenary meeting on November 17. The representative of Cuba submitted an amendment (A/483) to the resolution recommended by the Third Committee (A/468), providing that the Secretary-General and UNESCO (and not UNESCO alone) should assist Member Governments in the implementation of the General Assembly's recommendation concerning the teaching about the United Nations, and further that all Member Governments should report to the Secretary-General on the measures they had taken to encourage teaching about the United Nations, the Secretary-General to submit a report to the Economic and Social Council on the basis of information thus received. In explaining his amendment the representative of Cuba stated that it was desirable to afford the widest possible opportunity for the dissemination of ideas about the United Nations. The resolution recommended by the Third Committee tended to restrict such opportunity by entrusting the task exclusively to UNESCO. He stated in this connection that of the 57 Members of the United Nations, only 35 belonged to UNESCO, while on the other hand there were certain countries Members of UNESCO which were not Members of the United Nations. Countries not Members of UNESCO might therefore not receive the necessary assistance. In view of this, the Cuban representative considered that the services of the Department of Public Information of the United Nations Secretariat should be utilized.

The representatives of Lebanon, the United States and Canada expressed opposition to the proposal that the Secretary-General as well as UNESCO be requested to furnish assistance to Member Governments, considering that this was more properly the function of UNESCO. They were willing, however, to accept the proposal that all Members of the United Nations report to the Secretary-General, who in turn should report to the Economic and Social Council. The representative of the United States proposed to add this recommendation to the resolution recommended by the Third Committee.

The President of the General Assembly ruled that only the United States proposal could be considered an amendment, while the Cuban proposal as a whole must be considered a separate resolution to be voted on only in case the resolution recommended by the Third Committee were rejected. The United States proposal was

therefore put to the vote and was adopted. The General Assembly then adopted, at its 117th plenary meeting on November 17, the amended resolution (137(II)), the text of which follows:

"The General Assembly,

"Considering that knowledge and understanding of the aims and activities of the United Nations are essential in promoting and assuring general interest and popular support of its work,

"Recommends to all Member Governments that they take measures at the earliest possible date to encourage the teaching of the United Nations Charter and the purposes and principles, the structure, background and activities of the United Nations in the schools and institutes of higher learning of their countries, with particular emphasis on such instruction in elementary and secondary schools;

"Invites the United Nations Educational, Scientific and Cultural Organization to assist Members of the United Nations, at their request, in the implementation of this programme, with the co-operation as required of the Secretary-General of the United Nations, and to report thereon to the Economic and Social Council;

"Requests Member States to furnish the Secretary-General with information as to the measures which have been taken to implement this recommendation, such information to be presented in the form of a report to the Economic and Social Council by the Secretary-General in consultation with, and with the assistance of, UNESCO."

m. CREATION OF AN INTERNATIONAL SCHOOL FOR THE CHILDREN OF PERSONNEL ATTACHED TO THE UNITED NATIONS

In connection with the Third Committee's discussion of the Norwegian resolution concerning the teaching about the United Nations in the schools of Member States, the representatives of Chile, Colombia, Mexico and Venezuela jointly submitted a draft resolution (A/C.3/193) requesting the Secretary-General, after consultation with UNESCO, to submit to the Economic and Social Council a detailed and precise plan for the creation of an international school for the children of personnel attached to the United Nations, examining in particular the possibility of including the school's premises in the buildings of the permanent headquarters of the United Nations. The representative of Sweden submitted an amendment (A/C.3/203) to this resolution which provided that in working out plans for an international school for the children of personnel attached to the United Nations, the Secretary-General should co-operate "with any association of parents of children of personnel attached to the United Nations", as an Association of Parents had already been started among permanent delegates and staff members.

The Third Committee considered this resolu-

tion at its 82nd meeting on November 11. The representatives of the United States, Yugoslavia, the U.S.S.R. and the United Kingdom opposed the resolution on the grounds that it was not relevant to the item on the agenda, which was concerned with a general educational principle, while the resolution dealt with a specific project. Moreover, it was maintained that the resolution concerned an administrative question which should be brought before the Fifth Committee rather than the Third Committee. The representatives of Chile, Denmark and Panama supported the resolution as amended by the representative of Sweden.

At the suggestion of the representative of Chile the Chairman put the question of the Committee's competence to a vote. The Third Committee decided by a vote of 27 to 15, with 2 abstentions, that the resolution was not within its terms of reference. No action was therefore taken on this draft resolution.

5. Trusteeship and Non-Self-Governing Territories

a. REPORT OF THE TRUSTEESHIP COUNCIL

The General Assembly at its 91st plenary meeting on September 23, 1947, referred the report of the Trusteeship Council (A/312) to the Fourth Committee, which considered it at its 30th meeting on September 24 and its 34th meeting on September 29, 1947.

The President of the Trusteeship Council, Francis B. Sayre (United States), introduced the report at the 30th meeting of the Committee. At the 34th meeting the report was examined section by section, several delegations offering comments on specific aspects of the work of the Trusteeship Council.

Following the completion of the detailed examination of the report, the Fourth Committee unanimously adopted a resolution which provided that the General Assembly note the report of the Trusteeship Council and refer the comments made by Members in the course of the Fourth Committee's discussion to the Council for consideration in its future work.

At its 104th plenary meeting on November 1, 1947, the General Assembly unanimously adopted the resolution recommended by the Fourth Committee (A/421) which follows (resolution 139(II)):

"The General Assembly

takes note of the report of the Trusteeship Council (document A/312)" and

"Resolves that all comments¹³⁹ made by Members on the report during the discussion be transmitted to the Trusteeship Council for consideration in its future work."

b. TRUSTEESHIP AGREEMENT FOR NAURU

The Governments of Australia, New Zealand and the United Kingdom submitted a draft Trusteeship Agreement (A/402) to the second session of the General Assembly for the territory of Nauru administered jointly by the three Powers concerned under a Mandate from the League of Nations. At its 91st plenary meeting on September 23, 1947, the General Assembly referred the draft Agreement to the Fourth Committee, which considered it at its 35th meeting on October 2 and its 46th meeting on October 22.

To facilitate the work of the Fourth Committee, the Secretary-General submitted a factual survey of Nauru which included information on the following subjects: geography, history, population, administration, law and justice, land, phosphate, labor, health and hygiene, education, public finance and commerce (A/C.4/101). The Secretary-General also submitted a commentary on the proposed Trusteeship Agreement (A/C.4/102) in which he pointed out that the terms of the draft Trusteeship Agreement for Nauru followed closely the terms of the Trusteeship Agreement for New Guinea approved by the General Assembly at the second part of its first session.¹³³

Following a general discussion at the 35th meeting of the Fourth Committee on October 2, 1947, the detailed consideration of the draft Agreement and such modifications as might be proposed thereto were referred to a sub-committee composed of the members of the Trusteeship Council (Australia, Belgium, China, France, Iraq, Mexico, New Zealand, U.S.S.R., United Kingdom, United States) with the addition of Yugoslavia and India.

In the course of four meetings (A/C.4/SC.1/SR.30-33) the sub-committee examined the draft Trusteeship Agreement article by article.¹³⁴

Articles 1, 2 and 3 were adopted without discussion.

Article 4. The representative of India requested a clarification of this Article, which, he considered, appeared to provide for the transfer of the administration from the three Governments con-

¹³³See *Official Records of the second session of the General Assembly*, Supplement No. 4.

¹³⁴For extracts from the verbatim records of the 34th meeting, see annex to doc. A/421.

¹³⁵See *Yearbook of the United Nations*, 1946-47, pp. 195-96.

¹³⁶For text of the Agreement as approved, see p. 788.

cerned to some other state without the consent of the United Nations. In answer to the Indian request the representative of Australia submitted the following statement:

"It is the intention of the Administering Authority that, in the implementation of Article 4 of the Agreement, one of the three Governments will, on behalf of the Administering Authority, exercise the powers granted in the Agreement and that the Government of Australia will administer the territory until it is agreed among the three Governments that one other of the three Governments will assume this function."

The representative of China considered that the wording of Article 4 was not sufficiently clear. He considered that agreement among the three Powers concerned for a change of administration should be regarded as a preliminary step only, and that all changes in administration should be submitted to the General Assembly for approval. He therefore proposed that the following provision be added to Article 4 (A/C.4/SC.1/111):¹⁴⁰

"The terms of the present Trusteeship Agreement may not be altered or amended except as provided in Articles 79, 83 and 85 of the Charter."

In opposition to the Chinese proposal it was stated that Australia, the United Kingdom and New Zealand jointly were designated as the Administering Authority, and therefore changes among the joint Administering Authority could not be considered as changes in the Trusteeship Agreement requiring the approval of the General Assembly. Article 83, it was stated, moreover, was not applicable, as Nauru had not been designated as a strategic area.

The sub-committee rejected the modification proposed by the representative of China by a vote of 5 to 3, with 4 abstentions. Article 4 as worded in the draft Trusteeship Agreement was adopted by a vote of 8 in favor, with 4 abstentions.

Article 5. The representative of the U.S.S.R. proposed the following addition to the first paragraph of Article 5 (A/C.4/SC.1/112):

"The Administering Authority undertakes to promote such periodic visits to the Trust Territory as may be arranged by the General Assembly or the Trusteeship Council; to fix the times of these visits in agreement with these organs and also to agree with them on questions affecting the organization and conduct of such visits."

This addition, the representative of the U.S.S.R. explained, would clarify the responsibility assumed by the Administering Authority under Article 87 of the Charter. The sub-committee rejected the proposed modification by a vote of 6 to 3, with 3 abstentions.

A second modification proposed by the repre-

sentative of the U.S.S.R. (A/C.4/SC.1/112) provided that paragraph 2c of the proposed Agreement should be replaced by the following text:

"To promote the development of free political institutions appropriate to Nauru. For this purpose, the Administering Authority should ensure the population of Nauru a steadily increasing share in the administrative services of the territory, both central and local, and augment the part played by the inhabitants in the administration of the territory by developing democratic organs of representation."

The representative of the U.S.S.R. pointed out that this text was similar to an article in the Trusteeship Agreement for Ruanda-Urundi.¹⁴¹ The present text, which was similar to the text in the Trusteeship Agreement for New Guinea, should not be applied to Nauru as the inhabitants of Nauru were considerably more advanced culturally than the inhabitants of New Guinea.

The sub-committee rejected the proposed modification by a vote of 6 to 3, with 3 abstentions. Article 5 of the draft Trusteeship Agreement was approved by a vote of 6 to 3, with 3 abstentions.

Article 6 of the draft Agreement for Nauru was approved without discussion.

Article 7. The representative of the U.S.S.R. recalled that at the second part of the first session of the General Assembly, the U.S.S.R. delegation had objected to the inclusion in the Trusteeship Agreements of provisions granting unlimited military rights to the Administering Authority.¹⁴² Article 7 of the Agreement for Nauru seemed to treat the island for military purposes as an integral part of the territory of the Administering Authority. The U.S.S.R. delegation considered, however, that military measures not taken solely for local defence should be placed under the supervision of the Security Council. He therefore proposed (A/C.4/SC.1/112) to add a reference to Article 83 of the Charter to Article 7 of the draft Trusteeship Agreement, which provided that:

"The Administering Authority [in accordance with Article 83 of the Charter] may take all measures in the Territory which it considers desirable to provide for the defence of the Territory and for the maintenance of international peace and security."

In opposition to the modification proposed by the representative of the U.S.S.R., it was stated that Article 83 of the Charter applied to strategic areas under Trusteeship and therefore was not

¹⁴⁰The first part of the proposed modification (deletion of the phrase "and except until otherwise agreed by the Governments of Australia, New Zealand and the United Kingdom") was withdrawn by the representative of China.

¹⁴¹For text of the Agreement for Ruanda-Urundi see *Yearbook of the United Nations, 1946-47*, pp. 201-3.

¹⁴²*Ibid.*, pp. 184-87.

applicable to Nauru, which had not been designated as strategic.

The sub-committee rejected the proposed modification by a vote of 8 to 2, with 2 abstentions. By a vote of 6 to 2, with 4 abstentions, the sub-committee also rejected a U.S.S.R. proposal to omit reference to measures for the maintenance of international peace and security and thus limit the application of Article 7 of the Agreement to measures for local defence.

In accordance with a Chinese proposal (A/C.4/SC.1/111) the representative of Australia agreed to revise Article 7 of the draft Trusteeship Agreement so as to include a reference to Article 84 of the Charter (A/C.4/SC.1/116). Article 7 as revised by the Australian representative was approved by a vote of 9 to 2, with 1 abstention.

Article 8. The representative of China proposed that an article (Article 8) be added to the Trusteeship Agreement as follows (A/C.4/SC.1/111).

"The Administering Authority shall secure to all nationals of States Members of the United Nations the same rights as are enjoyed in the territory by their own nationals in respect of entry into, travel and residence in the territory, the protection afforded to their person and property, the acquisition of property, movable and immovable, and the exercise of their profession or trade, subject only to the requirements of public order, and on condition of compliance with local law.

The representative of China explained that this provision was based on Article 76 d of the Charter. In submitting the amendment the Chinese representative stated that he had the Chinese population of Nauru in mind. The representative of India supported the Chinese proposal.

The representative of China did not insist on a vote on his proposal after the representative of Australia had made the following declaration (A/C.4/SC.1/117) on behalf of the delegations of Australia, New Zealand and the United Kingdom:

"In reply to questions raised by the delegations of India and China, the delegation of Australia affirms that Article 76(d) of the Charter is accepted by the delegations of Australia, New Zealand, and the United Kingdom as a binding obligation in relation to the Trusteeship Agreement for Nauru, it being also noted that, in accordance with the terms of Article 76(d), the welfare of the inhabitants of Nauru is the paramount consideration and obligation."

"The Administration does not discriminate between the nationals of States Members of the United Nations in regard to the matters referred to in document A/C.4/SC.1/111."¹⁴

"It is the intention of the Administering Authority to continue to conduct the administration accordingly."

"It is recognized that, in the paramount interests of the native inhabitants, the Administering Authority is obliged to maintain appropriate non-discriminatory con-

trols and restrictions on non-Nauruan residents of Nauru."

The sub-committee then approved the draft Trusteeship Agreement as a whole, with the revised wording of Article 7, by a vote of 9 to 2, with 1 abstention (A/C.4/SC.1/SR.33).

The Fourth Committee considered the report of the sub-committee (A/C.4/127) at its 46th meeting on October 22. The representative of the U.S.S.R. asked that the modifications he had proposed in the sub-committee be put to the vote.

Following a short discussion, in the course of which dissatisfaction with the revised draft Agreement was expressed by the representatives of Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia, the draft Agreement was voted upon paragraph by paragraph.

The preamble and paragraphs 1, 2, 3, 4 and 6 were approved without discussion. The first of the modifications to Article 5 proposed by the representative of the U.S.S.R. was rejected by a vote of 15 to 6 and the second one by a vote of 23 to 8. Article 5 of the Agreement was approved by a vote of 34 to 5. The modification of Article 7 proposed by the representative of the U.S.S.R. was rejected by a vote of 21 to 6, with 16 abstentions. Article 7, as revised by the sub-committee, was approved by a vote of 35 to 5. The draft Agreement as a whole was approved by a vote of 41 to 6.

The General Assembly considered the report of the Fourth Committee (A/420) at its 104th plenary meeting on November 1, 1947, and by a vote of 46 to 6, with 1 abstention, adopted the resolution recommended by the Fourth Committee which follows (resolution 140(II)):

"The General Assembly

*"Approves the proposed Trusteeship Agreement for Nauru submitted by the Governments of Australia, New Zealand and the United Kingdom (document A/420/Rev.1)."*¹⁵

c. TRUSTEESHIP AGREEMENTS FOR NON-SELF-GOVERNING TERRITORIES

The representative of India submitted to the Fourth Committee the following draft resolution (A/C.4/98) relating to the voluntary submission of Trusteeship Agreements for Non-Self-Governing Territories as envisaged in Article 77, 1c, of the Charter:

"Whereas at the time of the creation of the United Nations it was intended that non-self-governing terri-

¹⁴See the text quoted above.

¹⁵The text of Trusteeship Agreement for Nauru (A/402/Rev.1) was annexed to the Assembly's resolution. It is reproduced on p. 788.

teries be voluntarily placed under the International Trusteeship System by States responsible for their administration and such intention was embodied in Article 77, 1 (c) of the Charter of the United Nations;

"Whereas it is desirable that this salutary provision shall not be allowed to remain ineffective;

"Whereas the International Trusteeship System in conformity with the high principles and purposes of the Charter provides the surest and quickest means of enabling the peoples of dependent territories to secure self-government or independence under the collective guidance and supervision of the United Nations;

"The General Assembly Resolves that Members of the United Nations responsible for the administration of such territories be requested to submit Trusteeship Agreements for all or some of such territories as are not ready for immediate self-government."

In the course of the discussion which took place at the 43rd and 44th meetings of the Fourth Committee on October 13 and 14, 1947, the representatives of United Kingdom, United States, Netherlands, France, Belgium, Colombia, Uruguay and South Africa expressed opposition to the Indian resolution on the ground that it contained an implied criticism of the colonial system and was an attempt to apply moral pressure against the Metropolitan Powers as regards the application of Article 77, 1c. The voluntary aspect of Trusteeship Agreements would be lost if the Indian resolution were adopted. If some of the Administering Powers felt unable to comply with the terms of the resolution they would be charged with defiance of the General Assembly's recommendations.

The Indian resolution, it was maintained further by representatives opposed to it, was based on the assumption that the Trusteeship System offered a better prospect for Non-Self-Governing Territories than the system defined in Chapter XI of the Charter. This assumption, it was maintained, was open to question. Chapter XI, it was maintained, was as much a part of the Charter as Chapter XII, and the Charter provided no reason for transfer of any territory from one system to the other. The Trusteeship System was a new experiment and there was as yet no proof that it provided greater benefits to the peoples of Non-Self-Governing Territories than the system at present in force. The colonies themselves, it was argued, might resent a transfer such as was proposed in the Indian resolution. They all desired to be fully self-governing and would regard being placed under the Trusteeship System as a retrograde step. It was pointed out in this connection that a number of countries had recently attained independence without the intervention of the Trusteeship System.

In supporting the Indian resolution the representatives of China, U.S.S.R., Pakistan, Cuba and Brazil expressed the view that the United

Nations had established the Trusteeship System because they were opposed to the old colonial system, the defects of which International Trusteeship was supposed to remedy. That the Trusteeship System was considered more progressive, it was argued, was evidenced by the fact that while the Charter made provision for placing Non-Self-Governing Territories covered under Chapter XI under Chapters XII and XIII, it made no provision for transferring Trust Territories back to their former status under Chapter XI.

The basic difference between the system of Chapter XI and the Trusteeship System, representatives supporting the Indian resolution stated, lay in the fact that there was no control by collective action for territories under Chapter XI, while the United Nations exercised such control in the case of Trust Territories. On the other hand, any material advantages which the administering Powers claimed were provided by the colonial system would be retained, as those Powers would continue to administer the Trust Territories. It was maintained that Article 77, 1c, of the Charter would in fact be meaningless if the colonial Powers never brought any of their Non-Self-Governing Territories under the International Trusteeship System. The Indian resolution, it was stressed, recognized the voluntary character of Article 77, 1c, and merely served as a reminder.

The representative of China submitted an amendment (A/C.4/119) to the last paragraph of the resolution to the effect that the General Assembly "expresses its hope" rather than formally "resolves" that Trusteeship Agreements should be submitted for Non-Self-Governing Territories. The representative of China withdrew his amendment after the representative of India had submitted the following revised text of the last paragraph (A/C.4/98/Rev.1) similar to the Chinese text:

"The General Assembly . . .

"Hopes that Members of the United Nations responsible for the administration of non-self-governing territories will propose Trusteeship Agreements under Article 77, 1 (c) of the Charter of the United Nations for all or some of such territories as are not ready for self-government"

The representative of Cuba suggested the deletion of the second paragraph of the Indian resolution, to which the Indian representative agreed.

The representative of Brazil submitted an amendment (A/C.4/120) to revise the text of the third paragraph of the resolution as follows:

"Whereas the International Trusteeship System, in conformity with the high principles and purposes of the Charter, provides the surest and quickest means of en-

abling the peoples of dependent territories that are not yet ready for immediate self-government, to fulfill, under the collective guidance and supervision of the United Nations, all conditions essential to self-government or independence."

The Fourth Committee rejected the Brazilian amendment by a vote of 24 to 1, and, voting paragraph by paragraph, adopted the Indian resolution (with the deletion of the second paragraph and the revision of the last paragraph). The resolution as a whole was adopted by a vote of 25 to 23, with 3 abstentions.

The General Assembly considered the report of the Fourth Committee (A/423) at its 106th plenary meeting on November 1, 1947. In the course of the discussion the representatives of China and India supported the resolution recommended by the Fourth Committee, while the representatives of Netherlands, United Kingdom and United States expressed opposition on the grounds indicated in the course of the discussion in the Fourth Committee.

The General Assembly rejected the resolution recommended by the Fourth Committee by a tie vote of 24 to 24, with 1 abstention.

d. FUTURE STATUS OF SOUTH WEST AFRICA

The delegation of the Union of South Africa had submitted a proposal to the second part of the first session of the General Assembly calling for approval by the General Assembly of the incorporation of the Mandated territory of South West Africa into the Union of South Africa.

The General Assembly, on December 14, 1946, had adopted resolution 65 (I) expressing the inability of the General Assembly to accede to the incorporation of the territory of South West Africa in the Union of South Africa, had recommended that the territory be placed under the International Trusteeship System and had invited the Government of the Union of South Africa to propose for the consideration of the General Assembly a Trusteeship Agreement for that territory.¹⁴³

The Government of the Union of South Africa was formally notified of the General Assembly's decision in a letter from the Secretary-General dated January 22, 1947.

By letter of July 23, 1947 (A/334), the South African Government informed the United Nations that the Union Government had decided not to proceed with the incorporation of South West Africa in the Union. The South African Government declared, however, that in view of the wish of the majority of the inhabitants that South West Africa be incorporated in the Union, the Union

Government could not act in accordance with the General Assembly's recommendation that South West Africa be placed under the International Trusteeship System, and it considered that it was under no legal obligation to propose a Trusteeship Agreement for the territory. The Union Government would therefore maintain the *status quo* and would continue to administer the territory in the spirit of the existing Mandate, and would transmit to the United Nations for its information an annual report on the administration of South West Africa.

In its letter of July 23 the South African Government also informed the United Nations that the South African Parliament, after considering the General Assembly's resolution, had adopted a resolution expressing the opinion that South West Africa should be represented in the Parliament of the Union as an integral portion thereof, and requesting the Union Government to introduce legislation, after consultation with the inhabitants of the territory, providing for its representation in the Union Parliament. The South African Government informed the United Nations that steps would be taken in due course to carry out the required consultation.

By a further letter of September 17, 1947 (A/394/Add.1), the South African Government informed the United Nations that it had informed the population of South West Africa of the outcome of the discussions at the second part of the first session of the General Assembly. The letter stated that at a large number of tribal meetings held throughout the non-European areas of South West Africa, the action of the United Nations was explained and the tribes were asked what their attitude was in the light of the United Nation's decision. The results of their deliberations showed, the South African Government reported, that the overwhelming majority were still in favor of South West Africa's being incorporated in the Union.

As far as the European population of South West Africa was concerned, the South African Government reported that the South West African Legislative Assembly, on May 7, 1947, had unanimously adopted a resolution thanking the Prime Minister of the Union, General Smuts, for his "firm and courageous stand before the United Nations", and expressing confidence that the United Nations would grant the wishes of the majority of the inhabitants of South West Africa.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the question

¹⁴³See *Yearbook of the United Nations*, 1946-47, pp. 205-8.

of the future status of South West Africa to the Fourth Committee. The Fourth Committee engaged in a general debate on the question at its 30th, 31st and 32nd meetings on September 25, 26 and 27. At its 38th, 39th and 40th meetings the Fourth Committee considered draft resolutions and amendments thereto proposed by various delegations. Following the appointment of a sub-committee, the question was considered further at the 44th and 45th meetings of the Fourth Committee on October 14 and 15.

At the 31st meeting of the Fourth Committee the representative of South Africa outlined the position of his Government as indicated in the communications from the South African Government mentioned above. In response to a request for amplification of the proposal to maintain the *status quo* in South West Africa and to continue to administer the territory in the spirit of the Mandate, the representative of the Union of South Africa explained at the 33rd meeting of the Fourth Committee that the annual report which his Government would submit on South West Africa would contain the same type of information on the territory as is required for Non-Self-Governing Territories under Article 73 e of the Charter. It was the assumption of his Government, he said, that the report would not be considered by the Trusteeship Council and would not be dealt with as if a Trusteeship Agreement had in fact been concluded. He further explained that, since the League of Nations was no longer in existence, the right to submit petitions could no longer be exercised, since that right presupposed a jurisdiction which would exist only where there was a right of control or supervision, and in the view of the Union of South Africa no such jurisdiction was vested in the United Nations with regard to South West Africa.

In the course of the Committee's discussion several representatives, including those of France, Mexico, United Kingdom, United States and Venezuela, expressed satisfaction that the Union of South Africa had not incorporated South West Africa and that this part of the resolution of the General Assembly had been respected. In this connection, however, the representative of the U.S.S.R. stated that certain measures introduced by the Government of the Union of South Africa with respect to the territory of South West Africa, as for example the invitation to the territory to participate in the South African Parliament, signified, in fact, annexation of the territory by the Union.

The representatives of Brazil, Byelorussian

S.S.R., China, Colombia, Dominican Republic, Egypt, Guatemala, Haiti, Honduras, India, Iraq, Liberia, Mexico, Philippines, Poland, Ukrainian S.S.R., U.S.S.R., Uruguay, Venezuela and Yugoslavia expressed the view that there was both a moral and legal obligation to submit a Trusteeship Agreement for South West Africa on the ground that the provisions of Chapter XII of the Charter were obligatory with respect to former Mandated territories. With regard to the incorporation of South West Africa in the Union, several representatives recalled that the General Assembly in its resolution of December 14, 1946, had recognized that the African inhabitants of South West Africa had not yet reached a stage of political development which would enable them to express a considered opinion which the General Assembly could recognize on such an important question as the future political status of their territory and had thereby dismissed the contention of the Union of South Africa that the overwhelming majority of the inhabitants were in favor of incorporation.

The representatives of Australia, Belgium, Bolivia, Canada, Denmark, France, Greece, Netherlands, New Zealand, United Kingdom and United States stated that they could not accept the view that there was a legal obligation to submit a Trusteeship Agreement for a former Mandated territory. Article 77, it was maintained, was permissive and not mandatory. The representative of the United Kingdom considered that the South African Government was fully entitled to adopt the attitude it had taken up. The representatives of Argentina, Greece and the Netherlands suggested that the International Court of Justice might be asked to give an advisory opinion on the question of legal obligation, while the representative of Cuba expressed the view that there was unquestionably a moral obligation and suggested that the Sixth (Legal) Committee of the General Assembly might be asked for an opinion on the matter.

The representatives of France and the United States expressed the view that while there was no legal obligation, there was a strong moral obligation for the South African Government to submit a Trusteeship Agreement for South West Africa. Although the application of Article 77 was not mandatory, they stated, it had been hoped at San Francisco that all former Mandated territories would be placed under the United Nations Trusteeship System. Moreover, they stressed that a recommendation of the General Assembly had a moral power, and expressed the hope that the moral force reflected in the General Assembly's

resolution 65 (I) of December 14, 1946, would prevail. The representative of France recommended that this resolution be maintained.

With respect to the means to be employed for considering the report submitted by the Government of the Union of South Africa the majority of representatives considered that the Trusteeship Council, as the logical successor to the Permanent Mandates Commission, should consider the report. Some representatives considered that the Trusteeship Council was not competent to consider the report, as South West Africa had not yet been placed under Trusteeship. The report should therefore be dealt with in the same manner as information submitted by other Administering Authorities under Article 73 c of the Charter and should be examined by the *ad hoc* Committee established by the General Assembly to examine information submitted under Article 73 c of the Charter. Other representatives suggested that the Fourth Committee of the General Assembly or a committee appointed especially for the purpose should examine the report. This suggestion was opposed by the majority on the ground that this would constitute a recognition of the anomalous status of South West Africa, which should be classed either as a Non-Self-Governing Territory or as a Trust Territory, but should not be placed in a special category of its own.

At the 38th meeting of the Fourth Committee the representative of India submitted the following draft resolution (A/C.4/99) concerning the future status of South West Africa:

"Whereas in its Resolution dated 9 February, 1946, the General Assembly invited all states administering territories then held under mandate to submit Trusteeship agreements for approval;

"Whereas in its Resolution dated 14 December, 1946, the General Assembly recommended for reasons given therein that the mandated territory of South West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to propose for the consideration of the General Assembly a Trusteeship agreement for the aforesaid territory;

"Whereas the Government of the Union of South Africa have twice failed to carry out the aforesaid recommendations of the United Nations,

"Whereas all other states responsible for the administration of territories previously held under mandate have without exception either placed such territories under the International Trusteeship System, or offered them independence;

"Whereas the territory of South West Africa, though not self-governing, is at present outside the control and supervision of the United Nations;

"Whereas it is the clear intention of Chapter XII of the Charter of the United Nations that all territories previously held under mandate, if not granted independ-

ence, shall be brought under the International Trusteeship System,

"The General Assembly, while taking note of the announced intention of the Government of the Union of South Africa not to proceed with incorporation, expresses its disapproval of the failure of that Government to carry out its recommendations and strongly urges it to propose for the consideration of the next session of the General Assembly a Trusteeship agreement for the territory of South West Africa."

An alternative resolution was submitted by the representative of Denmark. The aim of the resolution was the same as that of the Indian proposal—to bring South West Africa under Trusteeship. The Danish resolution, however, was phrased in more conciliatory language. The main difference of substance between the two resolutions concerned a time limit for the submission of a Trusteeship Agreement by the Union of South Africa. The Indian resolution provided that a Trusteeship Agreement should be submitted in time to be considered by the General Assembly at its third regular session, while the Danish resolution set no such time limit. Following is the text of the resolution submitted by the representative of Denmark (A/C.4/100):

"Referring to the resolution of the General Assembly of 9 February, 1946, inviting the placing of mandated territories under Trusteeship, and to the resolution of the General Assembly of 14 December, 1946, stating that the Assembly is unable to accede to the incorporation of the territory of South West Africa in the Union of South Africa, recommending that this mandated territory be placed under the International Trusteeship System, and inviting the Government of the Union to propose for the consideration of the General Assembly a Trusteeship agreement for the aforesaid territory,

"Recalling that all other states administering territories previously held under mandate have placed these territories under the Trusteeship System or offered them independence,

"Noting that the Government of the Union of South Africa in a letter of 23 July, 1947, informed the United Nations that they have decided not to proceed with the incorporation of South West Africa in the Union but to maintain the *status quo* and to continue to administer the territory in the spirit of the existing mandate, and that the Union Government have undertaken to submit reports on their administration for the information of the United Nations,

"The General Assembly, therefore,

"Takes Note of the decision of the Union of South Africa not to proceed with the incorporation of South West Africa,

"Maintains its recommendation that South West Africa be placed under the Trusteeship System,

"Expresses its regret that the Union has not yet submitted a Trusteeship agreement for South West Africa and its hope that the Union will soon comply with the aforesaid recommendation, and

"Requests the Fourth Committee in the meantime to constitute a special committee composed of a representative of each state member of the Trusteeship Council, a

representative of the Union of South Africa, and a representative of one other member state designated by the Fourth Committee, to examine the report on South West Africa now submitted by the Union Government, and to submit its observations thereon for the consideration of the General Assembly with such recommendations as it may deem desirable."

The representative of Denmark subsequently submitted an amendment (A/C.4/117) to his own resolution to the effect that the General Assembly authorize the Trusteeship Council to examine the report on South West Africa.

The representatives of Poland, Egypt, China, U.S.S.R., Pakistan, Mexico, Cuba, Guatemala, Philippines, Haiti, Ukrainian S.S.R., Iraq, Panama, Liberia and Costa Rica expressed themselves in favor of the Indian resolution. Most of the representatives supporting the Indian resolution stressed the importance of setting a time limit for the submission by the Government of South Africa of a Trusteeship Agreement for South West Africa. Amendments to the Indian draft resolution were submitted by the representatives of Poland (A/C.4/103), Cuba (A/C.4/112), Panama (A/C.4/113) and the Philippines (A/C.4/115).

The Danish resolution was supported by the representatives of the United States, Netherlands, Argentina, Nicaragua, Belgium, France, Brazil, Peru, Canada, Uruguay and Chile. The representatives of Peru (A/C.4/114) and of Belgium (A/C.4/116) submitted amendments to the Danish resolution.

The representative of South Africa declared that his Government could not accept either of the draft resolutions, and claimed that his Government was neither legally nor morally obliged to place South West Africa under Trusteeship. He urged that Article 22 of the Covenant of the League of Nations did not envisage separate statehood for this territory under a Category "C" Mandate; that the evolution envisaged for it had been in the direction of a self-governing unit integrated in the Union of South Africa, and that reservations had been made in respect of this territory both at San Francisco and at the first part of the first session of the General Assembly in London. The representative of the Union of South Africa furthermore emphasized the contiguity of the territory of South West Africa and its ethnological kinship with the Union, as well as its strategic importance to that country, all of which differentiated it from other territories formerly under Category "C" Mandates.

At its 40th meeting on October 9, 1947, the Fourth Committee appointed a sub-committee of

eight members, consisting of the two Members introducing resolutions, Denmark and India, and the six Members proposing amendments to the resolutions, namely, Belgium, Cuba, Panama, Peru, Philippines and Poland, to undertake the formulation of a single text.

The sub-committee held two meetings and was unable to reach complete agreement on a single text. The representatives of Denmark and India, however, submitted revised versions of their respective draft resolutions which were identical in all respects with the exception of the paragraphs relating to the setting of a time limit for the submission of a Trusteeship Agreement. The revised Indian resolution (A/C.4/99/Rev.1) provided that the General Assembly

"Urges the Government of the Union of South Africa to propose for the consideration of the Third Session of the General Assembly a Trusteeship agreement for the territory of South West Africa."

The relevant portion of the revised Danish resolution (A/C.4/100/Rev.1) provided that the General Assembly

"Urges the Government of the Union of South Africa to propose at an early date for the consideration of the General Assembly a Trusteeship agreement for the territory of South West Africa,

"Requests the Secretary-General to report to the General Assembly at its Third Session regarding such action as may have been taken in pursuance of this recommendation."

At the 45th meeting of the Fourth Committee on October 15, 1947, the representative of Poland proposed an amendment (A/C.4/122) to add the following paragraph to the revised Indian resolution:

"Whereas it is the clear intention of Chapter XII of the Charter of the United Nations that all territories previously held under mandate, until granted self-government or independence, shall be brought under the International Trusteeship System."

The representative of the Netherlands submitted an amendment (A/C.4/121) to the revised Danish resolution to the effect that the General Assembly "request" (instead of "urge") the Government of the Union of South Africa to submit a Trusteeship Agreement for South West Africa. The amendment provided further for the deletion of the paragraph which stated that the Secretary-General should report to the third session of the General Assembly regarding action taken pursuant to the Assembly's recommendation.

The Chairman ruled that the Indian resolution should be put to the vote first. The Fourth Committee adopted the Polish amendment to the Indian resolution by a vote of 21 to 19 and, voting

paragraph by paragraph, adopted the Indian resolution; the resolution as a whole, as amended, was adopted by a vote of 27 to 20, with 4 abstentions. In view of the adoption of the Indian resolution, the revised text of the Danish resolution and the Netherlands amendment thereto were not put to the vote.

The General Assembly considered the report of the Fourth Committee (A/422) at its 104th and 105th plenary meetings on November 1, 1947.

The representative of Denmark submitted an amendment (A/429) to the resolution recommended by the Fourth Committee. The amendment provided that the fourth paragraph of the resolution (i.e., the Polish amendment adopted by the Fourth Committee) be deleted and that the operative part of the resolution be revised to read as follows:

"Urges the Government of the Union of South Africa to propose for the consideration of the General Assembly a Trusteeship agreement for the territory of South West Africa and expresses the hope that the Union Government may find it possible to do so in time to enable the General Assembly to consider the agreement at its third session."

In submitting his amendment the representative of Denmark stated that the discussion in the Fourth Committee had shown a decided difference of opinion concerning the existence of a legal obligation on the part of the Mandatory Powers to place all Mandated territories under the Trusteeship System. If this controversial point were included in the resolution, the representative of Denmark stated, the necessary two-thirds majority for adoption of the resolution might not be obtained. Concerning the proposal to revise the operative part of the resolution, the representative of Denmark stated that in his view it would not be wise to include a time limit which might be construed as an ultimatum and which might arouse such resentment on the part of South Africa as to defeat the purpose of the resolution.

In the course of the lengthy discussion which ensued a number of representatives supported the Danish amendment. Others expressed opposition on the ground that deletion of the fourth paragraph, as recommended by the Danish amendment, would deprive the resolution of its *raison d'être*, for in the absence of an obligation on the part of South Africa the General Assembly was not justified in making a recommendation to the effect that the Government of South Africa should propose a Trusteeship Agreement for South West Africa. The question of the existence of such an obligation was again debated at length. As to

the proposal to eliminate a definite time limit for the submission of a Trusteeship Agreement, it was objected that the absence of such a time limit would only encourage the Union Government not to comply with the General Assembly's recommendation. On the other hand, doubt was expressed as to whether the substitution of the Danish text would render the resolution more acceptable to the South African Government, inasmuch as that text indirectly also implied a time limit.

The representative of South Africa stated that his delegation could not accept any resolution which contained a recommendation that the Government submit a Trusteeship Agreement for South West Africa. The representative of Australia supported the view of the South African delegation. He considered that neither the resolution recommended by the Fourth Committee nor the Danish text was acceptable. Insisting that there was no obligation on the part of the Union of South Africa to submit a Trusteeship Agreement for South West Africa, the Australian representative expressed the view that the purpose of the resolution was to transform a voluntary act into an act entered into under pressure and compulsion. He maintained that the action of the South African Government in relation to South West Africa was reasonable and that the censure implied in the resolution under consideration was not justified. He urged that the General Assembly should be careful not to exercise its enormous powers of recommendation against a particular Power unless it had overwhelming proof that this was essential to the interest of the United Nations as a whole.

In the course of the discussion the question was raised as to whether a two-thirds or a simple majority was required for the adoption of the resolution on the future status of South West Africa. After considerable debate as to voting procedure, the President ruled that a two-thirds majority was required. This ruling was upheld by a vote of 31 to 20, with 5 abstentions.

In view of the decision that a two-thirds majority was required, the representative of India announced that he would vote for the Danish amendment, as without that amendment it was doubtful that the resolution recommended by the Fourth Committee would obtain a two-thirds majority.

The General Assembly then adopted the Danish amendment by a vote of 36 to 9, with 11 abstentions. The resolution as amended was adopted by a vote of 40 to 10, with 4 abstentions, at the Assembly's 105th plenary meeting on November 1.

The resolution adopted by the Assembly (resolution 141(II)) reads as follows:

"Whereas, in its resolution dated 9 February 1946,¹⁴⁴ the General Assembly invited all States administering territories then held under mandate to submit trusteeship agreements for approval;

"Whereas, in its resolution dated 14 December 1946,¹⁴⁵ the General Assembly recommended, for reasons given therein, that the mandated Territory of South West Africa be placed under the International Trusteeship System and invited the Government of the Union of South Africa to propose, for the consideration of the General Assembly, a trusteeship agreement for the aforesaid Territory;

"Whereas the Government of the Union of South Africa has not carried out the aforesaid recommendations of the United Nations,

"Whereas it is a fact that all other States administering territories previously held under mandate have placed these territories under the Trusteeship System or offered them independence,

"Whereas the Government of the Union of South Africa in a letter of 23 July 1947 [A/334] informed the United Nations that it has decided not to proceed with the incorporation of South West Africa in the Union but to maintain the *status quo* and to continue to administer the Territory in the spirit of the existing mandate, and that the Union Government has undertaken to submit reports on its administration for the information of the United Nations;

"The General Assembly, therefore,

"Takes note of the decision of the Government of the Union of South Africa not to proceed with the incorporation of South West Africa,

"Firmly maintains its recommendation that South West Africa be placed under the Trusteeship System;

"Urges the Government of the Union of South Africa to propose for the consideration of the General Assembly a trusteeship agreement for the Territory of South West Africa and expresses the hope that the Union Government may find it possible to do so in time to enable the General Assembly to consider the agreement at its third session;

"Authorizes the Trusteeship Council in the meantime to examine the report on South West Africa recently submitted by the Government of the Union of South Africa and to submit its observations thereon to the General Assembly."¹⁴⁶

e. INFORMATION ON NON-SELF-GOVERNING TERRITORIES TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER

In accordance with Article 73 e of the Charter, Members of the United Nations responsible for the administration of Non-Self-Governing Territories are obliged to send to the Secretary-General for information purposes statistical and other technical information concerning the economic, social and educational advancement of the inhabitants of these territories.

During 1946 the Governments of Australia, France and the United States transmitted infor-

mation on the territories under their administration. The United Kingdom and New Zealand submitted information concerning some territories, and at the same time declared their intention of transmitting information concerning other territories under their administration. The Governments of Belgium, Denmark and the Netherlands also declared their intention of submitting information on the territories under their administration.

At the second part of its first session the General Assembly by resolution 66 (I) of December 14, 1946, noted the information which had been transmitted or promised and invited Members to send to the Secretary-General by June 30 of each successive year the most recent information at their disposal concerning the Non-Self-Governing Territories administered by them. It recommended that the information transmitted in 1947 should be summarized, analyzed and classified by the Secretary-General and included in his report to the second session of the General Assembly.

By the same resolution the General Assembly established an *ad hoc* Committee consisting of equal numbers of Members administering and Members not administering Non-Self-Governing Territories to consider the Secretary-General's summaries and analysis and to recommend procedures for dealing with the information in the future. Representatives of specialized agencies were to be requested by the Secretary-General to attend the meetings of the *ad hoc* Committee in an advisory capacity.¹⁴⁷

In accordance with the General Assembly's recommendations the Governments of Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom and United States had, prior to the opening of the Assembly's second session, submitted information on Non-Self-Governing Territories under their administration.¹⁴⁸

The Secretary-General transmitted summaries of the information transmitted by the Governments listed to the *ad hoc* Committee established by the General Assembly on December 14, 1946. He also transmitted analyses of the information (see A/327 and Add.5) under the following headings: Labor (A/327/Add.1), Education (A/327/-

¹⁴⁴See resolution 9(1), see also *Yearbook of the United Nations*, 1946-47, pp. 80-81.

¹⁴⁵See resolution 65(1), see also *Yearbook of the United Nations*, 1946-47, p. 208.

¹⁴⁶For consideration of the report by the Trusteeship Council, see pp. 781-86.

¹⁴⁷For details see *Yearbook of the United Nations*, 1946-47, pp. 208-11.

¹⁴⁸For list of these territories, see *Non-Self-Governing Territories*, p. 708.

Add.2), Public Health (A/327/Add.3), Agriculture (A/327/Add.4).¹⁵¹

The *ad hoc* Committee met at Lake Success from August 28 to September 12, 1947, to consider the summaries and analyses and to recommend procedures for dealing with this information in the future. The Committee was composed of sixteen representatives. The following eight represented Governments transmitting information under Article 73 e. Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, and United States. The other eight were representatives of the following Members elected by the General Assembly: Brazil, China, Cuba, Egypt, India, Philippines, USSR, Uruguay. In accordance with the General Assembly's resolution of December 14, 1947, the following specialized agencies sent representatives in an advisory capacity. Food and Agriculture Organization of the United Nations, International Labour Organisation, Interim Commission of the World Health Organization, and United Nations Educational, Scientific and Cultural Organization. The International Civil Aviation Organization was represented at some of the meetings of the *ad hoc* Committee. The officers elected by the Committee were Sir Carl Berendsen (New Zealand), Chairman; Brigadier General Carlos P. Romulo (Philippines), Vice-Chairman; Guy Perez Cisneros (Cuba), Rapporteur.

As a result of its deliberations the *ad hoc* Committee drew up five draft resolutions which it recommended for adoption by the General Assembly (see below) and submitted a detailed report on its work (A/385).

At its 91st plenary meeting on September 23 the General Assembly referred the report of the *ad hoc* Committee to the Fourth Committee, which considered it at its 35th meeting on October 2, its 36th meeting on October 3, its 37th meeting on October 6, its 41st meeting on October 10 and its 42nd meeting on October 11.

The Fourth Committee used the draft resolutions submitted by the *ad hoc* Committee as its basis of discussion and after adopting a number of amendments presented draft resolutions for adoption by the General Assembly in plenary meeting (A/424). The General Assembly considered the report of the Fourth Committee at its 106th, 107th and 108th plenary meetings. The following subjects were dealt with by the *ad hoc* Committee, the Fourth Committee and the General Assembly:

(1) *Standard Form for the Guidance of Members in the Preparation of Information to be Transmitted under Article 73 e*

The *ad hoc* Committee, in the course of its session, examined the summaries and analyses of information transmitted by the Secretary-General in accordance with the General Assembly's resolution 66 (I) of December 14, 1946. Although expressing appreciation of the action taken by countries transmitting information under Article 73 e in supplying such documentation for the first time, the Committee considered that the information transmitted did not give a sufficiently clear picture of the conditions of life of the peoples of Non-Self-Governing Territories. The *ad hoc* Committee, therefore, decided to draw up a Standard Form for the guidance of Members in the preparation of information to be transmitted. The Standard Form (A/385, pp. 20-28) which the *ad hoc* Committee adopted unanimously was based on a draft form submitted by the representative of the United States. A number of amendments were adopted on the recommendation of the representatives of the specialized agencies.

The first part of the standard form relates to general information, certain parts of which are of a political and administrative nature. The transmission of this type of information is optional.¹⁵² The other parts refer to economic, social and educational conditions, in accordance with the subjects enumerated in Article 73 e. The *ad hoc* Committee also prepared a draft resolution which it recommended for adoption by the General Assembly. This draft resolution provided that the General Assembly recommend that the Governments transmitting information take all necessary steps to render the information as complete and up to date as possible.

The resolution provided further that in analyzing the information submitted, the Secretary-General should, as far as possible, follow the Standard Form to be used by Member Governments in transmitting information (A/385, p. 14). It had been urged in the *ad hoc* Committee that the Secretary-General's analysis should be expanded to cover, in addition to labor, education, agriculture and public health, such fields as general economic conditions, the standards of living of the local, European and other populations in the territories concerned, birth and death rates, and

¹⁵¹For Secretary-General's summaries, see United Nations, *Non-Self-Governing Territories, Summaries and Analysis of Information Transmitted to the Secretary-General during 1947*. United Nations Publications, Sales No.: 1948. VI B.1.

¹⁵²For further discussion concerning the transmission of political information, see pp. 151-53.

any information that might be supplied regarding the participation of the local population in local organs of self-government.

In the Fourth Committee of the General Assembly the representative of India submitted amendments (A/C4/109) to the Standard Form. One of these amendments provided that information on the government of Non-Self-Governing Territories should include data concerning the "extent of participation of indigenous and non-indigenous inhabitants in the administrative and judicial services of government and in legislative and advisory bodies".

Another amendment provided for the addition of a note to the Standard Form that "whenever possible information should be so classified as to show the manner in which the different elements of the population, indigenous and non-indigenous, are affected, and, in particular, whether in law or administrative practice there is any discrimination based on race, colour or religion".

The first of these amendments was adopted by a vote of 16 to 6. The second one was adopted by 32 votes to 0. A drafting change also proposed by the representative of India was adopted by a vote of 21 to 2.

The Fourth Committee then adopted the draft resolution and the Standard Form proposed by the *ad hoc* Committee by 41 votes without opposition.

At its 108th plenary meeting on November 1, 1947, the General Assembly unanimously adopted the resolution recommended by the Fourth Committee which follows (resolution 142(II)):

"The General Assembly

"1. Recommends that the Members transmitting information under Article 73 e of the Charter be invited to undertake all necessary steps to render the information as complete and up to date as possible, in order to facilitate the completion of the Secretary-General's summaries and analyses of the information as described in paragraph 2, and, for this purpose, to ensure that the items mentioned in sections II, III and IV of the standard form be covered in so far as they apply to the territories concerned. The Assembly also draws attention to section I of the standard form,

"2. Recommends that the Secretary-General, in submitting annually to the General Assembly his summary and analysis of the information required under Article 73 e, including the use of supplemental information as recommended in the resolution 143 (II), should in his analyses follow, as far as practicable, the standard form annexed to this resolution,¹² and should include summaries of such information as may be transmitted on the participation by local populations in local organs of government."

(2) Supplemental Documents relating to Information to be Transmitted under Article 73 e of the Charter

The representative of India suggested in the

course of the *ad hoc* Committee's discussion that the use by the Secretary-General of official documents other than those transmitted under Article 73 e would be of great help to him in carrying out his task. After considerable discussion the Committee agreed on the following points:

(a) The Secretary-General may use official publications of the Members responsible for the administration of Non-Self-Governing Territories, giving appropriate citation of sources.

(b) The use of such information is limited to the subjects treated in the information required in Article 73 e.

(c) Its use is subject to the consent of the governments concerned.

(d) Not only official governmental publications may be used but also publications issued by inter-governmental or scientific organizations, provided always that the Secretary-General's use be limited to subjects treated in Article 73 e and that the responsible governments give their prior consent.

(e) The Secretary-General is asked to communicate the supplemental information to the specialized agencies.

The *ad hoc* Committee drafted a resolution (A/385) embodying these points which it recommended for adoption by the General Assembly. The representative of Denmark proposed (A/AC.9/W.19) the addition of a sixth paragraph to the resolution to read as follows:

"[The General Assembly Recommends:]

"That the Member States, the territories of which offer a natural basis for comparison with the Non-Self-Governing Territories as to economic, social and educational conditions, be invited on request of the Secretary-General to supply him with such statistical and other information of a technical nature as may serve the purpose of comparison."

As a result of the discussion which took place in the *ad hoc* Committee, the text of the sixth paragraph was altered to read as follows

"[The General Assembly Recommends:]

"That for purposes of comparison the Secretary-General shall be authorized, in addition, to include in his summaries and analyses all relevant and comparable official statistical information as is available in the statistical services of the Secretariat and as may be agreed upon between the Secretary-General and Member States, giving appropriate citation of sources."

The representatives of Australia, Denmark, France, Netherlands, United Kingdom, United States and Uruguay, who supported the principle contained in the above paragraph, emphasized the advantages of comparisons between Non-Self-Governing Territories and self-governing states on the ground that economic, social and educational problems were not confined to Non-Self-Governing Territories, and could therefore only be evaluated in the light of world conditions.

¹²For text of Standard Form, annexed to the resolution, see *Non-Self-Governing Territories*, pp. 721-24.

Such an evaluation might be of considerable benefit to the Non-Self-Governing Territories.

The representatives of China, Cuba and Egypt stated that they opposed the consideration and adoption of paragraph 6, as quoted. They thought that this question was outside the competence of the *ad hoc* Committee and that it could not be dealt with under Article 73 c, which related to information from Non-Self-Governing Territories only. They also considered that it was impossible to make useful comparisons between sovereign states and Non-Self-Governing Territories simply on the basis of statistics.

The representative of the U.S.S.R. suggested that the information submitted in accordance with paragraph 6 should contain statistical data on social, educational and health problems in order to make comparisons, on the one hand, between the local and European population in Non-Self-Governing Territories and on the other, between the peoples of the metropolitan territories of the administering Powers and those of their Non-Self-Governing Territories.

The *ad hoc* Committee adopted the resolution concerning supplemental documents by a vote of 12 to 1, with 2 abstentions. The representatives of Cuba, Egypt, India and the U.S.S.R. reserved their position in regard to paragraph 6 (A/385, pp. 8-11).

In the Fourth Committee the representative of India submitted an amendment (A/C.4/107) to the resolution proposed by the *ad hoc* Committee to the effect that paragraph 6 of the resolution be deleted. An amendment (A/C.4/110) proposed by the representative of the U.S.S.R. provided that the Secretary-General should be authorized to use comparable official statistical information for purposes of comparison "between data relating to the various Non-Self-Governing Territories and their metropolitan areas".

It was argued by representatives supporting the Indian amendment that comparisons between Non-Self-Governing Territories and self-governing territories were fallacious, as good government was not a substitute for self-government. Fear was expressed in this connection that comparisons of statistics of a Non-Self-Governing Territory with those of an independent state might be used as a plea for retarding the progress of a dependent territory on the ground that it was more advanced than an independent state. It was maintained further that paragraph 6 was not in conformity with Article 73 c of the Charter, which did not mention sovereign states. Independent territories were not within the purview of Chapter XI of

the Charter. The task of comparing the Non-Self-Governing Territories with other territories rested with the Economic and Social Council, in accordance with Article 62 of the Charter.

Representatives opposing the Indian amendment to delete paragraph 6 of the resolution recommended by the *ad hoc* Committee maintained that comparative data from sovereign countries would be useful and would provide a standard against which the achievements of the Non-Self-Governing Territories could be measured. Dependent people would, in fact, benefit by a knowledge of what was being done in neighboring states in the fields of health, economics and social welfare.

As regards the amendment proposed by the representative of the U.S.S.R., it was maintained in opposition that comparisons with metropolitan territories were of little or no value. Conditions in metropolitan territories and Non-Self-Governing Territories were not comparable, it was argued. The former were generally located in regions of temperate climate and were inhabited by economically and culturally advanced peoples. Non-Self-Governing Territories, on the other hand, were to be found mostly in the tropical zone and were inhabited by backward peoples whose social and economic conditions could not usefully be compared with those of the inhabitants of the metropolitan territories. Comparisons, to be useful, must be made with countries within the same geographic area where similar conditions prevail. It was also stated that the text of paragraph 6 adopted by the *ad hoc* Committee would have permitted comparisons with metropolitan territories where appropriate. The U.S.S.R. amendment would limit the Secretary-General to such comparisons. Such a limitation was considered undesirable and not in the interests of the peoples of Non-Self-Governing Territories.

At its 41st meeting on October 10, 1947, the Fourth Committee rejected by a vote of 19 to 20 the Indian amendment to delete paragraph 6 of the resolution recommended by the *ad hoc* Committee. The Committee then adopted by a vote of 20 to 19 the U.S.S.R. amendment providing that the Secretary-General be authorized to use supplemental documents for purposes of comparison between Non-Self-Governing Territories and the Metropolitan territories of the administering Powers.

The third paragraph of the resolution provided that "only such publications should be used as may be transmitted or notified to the Secretary-General by the administering Member or Members

concerned". The representatives of the U.S.S.R. and of Poland opposed this paragraph, the retention of which, however, was decided upon by the Fourth Committee by 17 votes to 14. The other paragraphs were adopted without objection.

The resolution as a whole, as amended, was adopted by a vote of 22 to 18.

When the General Assembly, in plenary meeting, considered the report of the Fourth Committee (A/424), the representatives of Brazil, Denmark, France, Netherlands, Nicaragua, United States and Uruguay jointly submitted an amendment (A/436) to the resolution recommended by the Fourth Committee to substitute the original text of paragraph 6, as recommended by the *ad hoc* Committee for the Fourth Committee's text.

After some discussion the General Assembly at its 108th plenary meeting on November 3, adopted the joint amendment by a vote of 30 to 18, with 9 abstentions. The resolution as amended was then adopted by 44 votes in favor without opposition. Following is the text of the resolution (143(II)):

"The General Assembly recommends

"1. That, in order to present in the best possible manner the summaries and analyses of information transmitted under Article 73 e of the Charter, the Secretary-General may use official publications of the Members responsible for the administration of Non-Self-Governing Territories, in addition to the information transmitted under Article 73 e, giving appropriate citation of sources;

"2. That the Secretary-General's use of data derived from the official publications mentioned in paragraph 1 above shall be limited to the subjects treated in the information required under Article 73 e;

"3. That only such publications shall be used as may be transmitted or notified to the Secretary-General by the administering Member or Members concerned;

"4. That, to the same end, the Secretary-General may use the documents published by inter-governmental or scientific bodies on matters relating to Non-Self-Governing Territories, subject to the provisions of paragraphs 2 and 3 above;

"5. That, in addition to the information transmitted under Article 73 e, the above-mentioned supplemental information shall be communicated to the appropriate specialized agencies through the intermediary of the Secretary-General;

"6. That, for purposes of comparison, the Secretary-General shall be authorized, in addition, to include in his summaries and analyses all relevant and comparable official statistical information which is available in the statistical services of the Secretariat and which may be agreed upon between the Secretary-General and the Member concerned, giving appropriate citation of sources."

(3) Voluntary Transmission of Information regarding the Development of Self-Governing Institutions in the Non-Self-Governing Territories

The *ad hoc* Committee discussed at some length the question of the transmission of information

relating to political and administrative matters in Non-Self-Governing Territories.

According to one point of view expressed in the Committee the transmission of such information was desirable and the consideration of its analysis was within the competence of the Committee. Some representatives considered the transmission of such information obligatory under Article 73 e of the Charter.

On the other hand a number of representatives expressed the view that the Committee was not competent to consider information on political matters. There was no obligation, it was maintained, to transmit such information, and the Secretary-General had not submitted any analysis of such information.

Finally agreement was reached that the Members responsible for the administration of Non-Self-Governing Territories might on their own initiative transmit to the Secretary-General information concerning the development of self-governing institutions. It was noted that certain Members had already transmitted such information and there was no objection, it was agreed, to its inclusion in the summary of information by the Secretary-General.

By a vote of 8 to 0, with 3 abstentions, the *ad hoc* Committee approved the following resolution (A/385, p. 18) on this matter, which it recommended for adoption by the General Assembly:

"The General Assembly,

"Having Noted that some Powers responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted information on the development of self-governing institutions in the Non-Self-Governing Territories,

"Considers that the voluntary transmission of such information and its summarizing by the Secretary-General are entirely in conformity with the spirit of Article 73 of the Charter, and be therefore duly noted and encouraged."

A number of proposals submitted by the representative of the U.S.S.R. were rejected by the *ad hoc* Committee. By a vote of 10 to 5 the *ad hoc* Committee rejected a proposal that the administering authority of each Non-Self-Governing Territory should be requested to furnish detailed data on the participation of the population in the local organs of administration. By a vote of 10 to 4, with 1 abstention, the Committee rejected a proposal that the Secretary-General should be authorized to receive information from local organizations, individuals and groups in the Non-Self-Governing Territories. A third proposal, that the United Nations should send rep-

representatives each year to the Non-Self-Governing Territories to investigate conditions on the spot, was rejected by a vote of 10 to 4, with 1 abstention. By the same vote the *ad hoc* Committee rejected a proposal that the Committee on Information from Non-Self-Governing Territories should be authorized to examine petitions from the local inhabitants of Non-Self-Governing Territories.

When the Fourth Committee considered the resolution recommended by the *ad hoc* Committee, the question of the obligations of the administering Powers under Article 73 was discussed at considerable length. One group of representatives, including the representatives of Netherlands, France, Belgium, United States, United Kingdom and Uruguay, maintained that Chapter XI of the Charter was a unilateral declaration of policy on the part of the administering Powers which did not involve any specific obligations on their part, with the exception of that specifically mentioned in Article 73 e and which did not authorize any intervention on the part of the United Nations in matters pertaining to Non-Self-Governing Territories.

The obligation contained in Article 73 e was to transmit to the Secretary-General technical information relating to economic, social and educational conditions in Non-Self-Governing Territories. There was no mention in Article 73 e of political information. This omission, it was maintained, was deliberate. The question had been raised in San Francisco and it had been decided that the administering Powers should not be required to transmit information of a political nature. Moreover, it was argued that information was to be transmitted for "information purposes", i.e., for purposes of documentation and not to be the subject of examination, criticism or recommendation on the part of the United Nations.

The majority of representatives who stressed that the transmission of political information was not obligatory, considered, however, that those governments which had voluntarily transmitted such information should be encouraged to do the same in the future. The representatives of the Netherlands and the United States, as administering Powers, declared that they were willing to accept the resolution recommended by the *ad hoc* Committee, if it were clearly understood that the transmission of information of a political nature was voluntary. The representative of the United Kingdom, however, stated that he would vote against any resolution designed to encourage or recommend transmission to the United Nations of

any information of a political or constitutional character. He expressed the view that the Non-Self-Governing Territories themselves would resent any criticism of or interference in their constitutional progress and their relationship with the United Kingdom.

The opposite view was taken by a number of representatives, including those of U.S.S.R., Egypt, Colombia, Ukrainian S.S.R., Byelorussian S.S.R., Poland, India, Pakistan and Yugoslavia, who maintained that there was a definite obligation on the part of the administering Powers to transmit political information. Chapter XI of the Charter, these representatives maintained, was not a unilateral declaration, but a treaty adhered to by the Member States. Chapter XI, therefore, had the same mandatory powers as other parts of the Charter. Under Article 73 the administering Powers had assumed, as a sacred trust, the obligation of promoting the political development of Non-Self-Governing Territories, of developing self-government, and of assisting the peoples of Non-Self-Governing Territories in the progressive development of their free political institutions (see Article 73 a and b). If such were the obligations of the administering Powers, all Members of the United Nations had the right, it was maintained, to know whether the administering Powers were fulfilling their obligations. Paragraph e of Article 73, it was argued, could not be separated from the other parts of that Article. In view of the administering Powers' obligation to promote political progress, they were under a corresponding obligation to transmit the information necessary to judge such progress. Moreover, it was stated, information on economic, social, and educational conditions could not be separated from information on political matters.

Three amendments to the resolution recommended by the *ad hoc* Committee were submitted to the Fourth Committee. The representative of Brazil proposed (A/C.4/106) to amend the second paragraph of the resolution (see above) to the effect that the voluntary transmission of information on the development of self-governing institutions in the Non-Self-Governing Territories and its summarizing by the Secretary-General were "highly desirable and not in conflict with either the letter or the spirit of Article 73 of the Charter and [should] be therefore duly noted and encouraged".

An amendment submitted by the representative of France (A/C.4/105) was designed to stress the fact that the transmission of political information was voluntary. It stated that although the

transmission of such information "does not arise out of the obligation contained in paragraph (e) of the Article [73], it is nonetheless deserving of notice and encouragement".

The representative of the U.S.S.R. submitted an alternative text (A/C.4/111) to be substituted for the draft resolution recommended by the *ad hoc* Committee. The U.S.S.R. text read as follows:

"Considering that the Members of the United Nations responsible for the administration of territories the populations of which have not yet attained a full measure of self-government undertake the obligation under Article 73 (b) to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement,

"The General Assembly

"Considers that the transmission of information relating to the results achieved in the matter of the participation of local populations in the work of local organs of administration is entirely in conformity with the spirit of Article 73 of the United Nations Charter, and recommends those States responsible for Non-Self-Governing Territories to transmit such information."

The Fourth Committee proceeded to vote on these amendments at its 42nd meeting on October 11. The Chairman ruled that the U.S.S.R. amendment should be put to the vote first and that adoption of the U.S.S.R. amendment would make unnecessary a vote on the other amendments and the original resolution recommended by the *ad hoc* Committee.

The Fourth Committee adopted the U.S.S.R. amendment by a vote of 20 to 19.

When the General Assembly considered, in plenary meeting, the report of the Fourth Committee (A/424), the representatives of Brazil, Denmark, France, Netherlands, Nicaragua, United States and Uruguay jointly submitted an amendment (A/437) to the resolution recommended by the Fourth Committee to substitute for the Fourth Committee's text the text of the original resolution recommended by the *ad hoc* Committee. In opposition to the resolution recommended by the Fourth Committee it was stated that a recommendation by the General Assembly that the administering Powers transmit information of a political nature implied at least a moral obligation and tended to give the United Nations jurisdiction in matters concerning Non-Self-Governing Territories, a jurisdiction not based on the provisions of Chapter XI of the Charter.

The General Assembly rejected the resolution recommended by the Fourth Committee (A/424) by a vote of 25 to 17, with 9 abstentions. The joint amendment was then adopted by a vote of

44 to 2, with 5 abstentions. Following is the text of the resolution (144(II)) which the General Assembly thus adopted at its 108th plenary meeting on November 3:

"The General Assembly,

"Having noted that some Members responsible for the administration of Non-Self-Governing Territories already have voluntarily transmitted information on the development of self-governing institutions in the Non-Self-Governing Territories,

"Considers that the voluntary transmission of such information and its summarizing by the Secretary-General are entirely in conformity with the spirit of Article 73 of the Charter, and should be therefore duly noted and encouraged."

(4) *Collaboration of the Specialized Agencies in regard to Article 73 e of the Charter*

The General Assembly's resolution 66 (I) of December 14, 1946,¹⁴⁴ concerning the transmission of information under Article 73 e provided that the *ad hoc* Committee should make

"recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies are used to the best advantage."

The *ad hoc* Committee decided that it could not set out in detail the machinery of liaison between the Secretary-General and the specialized agencies, but it drafted a resolution giving certain general indications, which it recommended for adoption by the General Assembly.

The Fourth Committee, at its 42nd meeting on October 11, and the General Assembly, at its 108th plenary meeting on November 3, unanimously adopted the resolution recommended by the *ad hoc* Committee, which reads as follows (resolution 145(II)):

"The General Assembly

"Invites the Secretary-General to enter into relations with the secretariats of the specialized agencies in order to allow these agencies:

"1. To assist the Secretary-General of the United Nations in preparing analyses of the information required under Article 73 e of the Charter on a functional basis;

"2. To make recommendations through the appropriate channels, to the General Assembly with respect to the form and content of the information with a view to incorporating therein the informational needs of the specialized agencies, and

"3. To bring to the notice of the General Assembly through the appropriate channels, conclusions based on this information and supplemental information as to the conditions, within their respective fields of interest, of Non-Self-Governing Territories generally and particularly as to the services which the specialized agencies might make available to the administering nations in improving these conditions."

¹⁴⁴See *Yearbook of the United Nations, 1946-47*, pp. 210-11.

(5) *Creation of a Special Committee on Information Transmitted under Article 73 e of the Charter*

The *ad hoc* Committee (A/385) recommended to the General Assembly the establishment of a Special Committee to be composed of those Members of the United Nations transmitting information under Article 73 e and of an equal number of Members elected by the Fourth Committee of the General Assembly, on as wide a geographical basis as possible. The Committee, which was to meet as the General Assembly might decide, would examine the information transmitted under Article 73 e of the Charter on the economic, social and educational conditions in the Non-Self-Governing Territories, and submit reports thereon for the consideration of the General Assembly with such procedural recommendations as it may deem fit and with such substantive recommendations as it may deem desirable relating to functional fields generally, but not with respect to individual territories.

The representative of India submitted to the Fourth Committee an amendment (A/C.4/108) to the resolution recommended by the *ad hoc* Committee which provided that the members of the Special Committee should be elected by the General Assembly instead of by the Fourth Committee for a period of two years and should meet several weeks before the opening of each regular session of the General Assembly. The functions of the Committee would be

"to examine the information transmitted under Article 73 e of the Charter and to submit reports thereon for the consideration of the General Assembly with such recommendations as it may deem appropriate. . . ."

In support of the Indian amendment it was stated that the General Assembly itself, and not the Fourth Committee, should elect the members of the Special Committee, and that it was desirable that the Committee should have a certain degree of continuity. This would be ensured by the provision that members were to be elected for two years.

The representatives of France, Belgium, the United States, the United Kingdom and the Netherlands expressed opposition to the Indian amendment on the ground that it placed no limit on the powers of the Special Committee and would give to the United Nations a voice in determining policies to be followed in individual territories. This, it was maintained, was contrary to Article 2, paragraph 7, of the Charter, which provided that the United Nations was not to interfere in matters essentially within the domestic jurisdiction of any Member. The Indian amend-

ment was an attempt, its opponents considered, to obliterate the differences between Chapter XI and Chapters XII and XIII of the Charter and aimed at the establishment of a rival organ to the Trusteeship Council. Chapter XI of the Charter, it was insisted, conferred upon the United Nations no powers of supervision whatever. Article 73 did not provide for any organ to examine the information transmitted by the administering Powers in respect of their Non-Self-Governing Territories. The establishment of a committee to examine information transmitted under Article 73 e with a view to making recommendations as to the policies to be followed by the administering Powers would require an amendment to the Charter.

The representative of France expressed the view that there was no need at all for the establishment of a Special Committee which would merely examine the Secretariat's work and would duplicate the work of the Fourth Committee.

The Fourth Committee at its 42nd meeting on October 11, 1947, adopted the Indian amendment by a vote of 23 to 19.

When the General Assembly, in plenary meeting, considered the report of the Fourth Committee (A/424) the representatives of Brazil, Denmark, France, Netherlands, Nicaragua, United States and Uruguay jointly submitted an amendment (A/438) to the resolution adopted by the Fourth Committee to restore the original text of the resolution recommended by the *ad hoc* Committee.

The representative of India in turn submitted an amendment (A/446) which provided that the Special Committee should be established as an "experimental measure", and which provided further that the Committee should be elected for two years and should meet several weeks before "the third and fourth regular sessions of the General Assembly" (instead of before "each regular session"). The representative of India stated that the purpose of his amendment was to indicate that the Special Committee was not a permanent body.

Before the General Assembly proceeded to vote on the resolution recommended by the Fourth Committee and the amendments thereto, it decided by a vote of 29 to 22, with 5 abstentions, that a two-thirds majority would be required for the adoption of the resolution. The General Assembly rejected the first part of the Indian amendment by a vote of 25 to 16, with 15 abstentions, and the second part by a vote of 23 to 15, with 14 abstentions. The resolution recommended by the Fourth Committee was rejected by a vote of 24 to 17, with 9 abstentions. The General Assembly

then adopted the joint amendment (i.e., the text of the resolution originally proposed by the *ad hoc* Committee) by a vote of 49 to 0, with 4 abstentions. Following is the text of the resolution (146(II)) which the General Assembly thus adopted at its 108th plenary meeting on November 3, 1947:

"The General Assembly

"1. *Invites* the Fourth Committee to constitute a special committee to examine the information transmitted under Article 73 e of the Charter on the economic, social and educational conditions in the Non-Self-Governing Territories, and to submit reports thereon for the consideration of the General Assembly with such procedural recommendations as it may deem fit, and with such substantive recommendations as it may deem desirable relating to functional fields generally but not with respect to individual territories;

"2. *Authorizes* this special committee for this purpose

"(a) To avail itself of the counsel and assistance of the specialized agencies in such manner as it may consider necessary or expedient;

"(b) To establish liaison with the Economic and Social Council;

"(c) To invite the Members to provide such supplemental information as may be desired within the terms of Article 73 e, and

"3. *Considers* that the special committee should be composed of the Members of the United Nations transmitting information and an equal number of Members elected by the Fourth Committee on behalf of the General Assembly on as wide a geographical basis as possible, the Committee to meet as the General Assembly may decide."

By letter of November 4, 1947 (A/C.4/129), the President of the General Assembly informed the Chairman of the Fourth Committee that the Committee would be required to meet in order (1) to constitute the Special Committee; and (2) to make a recommendation to the General Assembly concerning the time of meeting of the Special Committee.

The Fourth Committee accordingly, at its 48th meeting on November 6, elected the following as members of the Special Committee: China, Colombia, Cuba, Egypt, India, Nicaragua, Sweden, U.S.S.R. In addition the Special Committee would include the following Members transmitting information under Article 73 e: Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, United States.

Two proposals were submitted concerning the date of meeting of the Special Committee. The representative of India recommended that the Committee should meet a few weeks before the opening of the next regular session of the General Assembly. That proposal was supported by the representatives of the Netherlands, Poland, the U.S.S.R. and China. The second proposal, sub-

mitted by the representative of Belgium, provided that the Special Committee should meet *during* the next regular session of the General Assembly. That proposal was supported by the representatives of Canada, Denmark, France, the United Kingdom and the Union of South Africa.

The Fourth Committee rejected the Belgian proposal by a vote of 28 to 13. On the proposal of the representative of China, the Fourth Committee then decided that the Special Committee should meet at a date to be fixed by the Secretary-General not less than two weeks before the opening of the next regular session of the General Assembly.

The General Assembly took note of the Fourth Committee's report (A/451) at its 117th plenary meeting on November 17, 1947.

6. Administrative and Budgetary Matters

a. SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1947

At the second part of its first session the General Assembly by resolution 68(I) of December 14, 1946, appropriated a total of \$27,740,000 for the financial year 1947. At the same time the General Assembly authorized the Secretary-General to draw on the Working Capital Fund to meet unforeseen or extraordinary expenses in 1947.¹⁵⁵

The Secretary-General reported to the second session of the General Assembly (A/C.5/145) that unforeseen and extraordinary expenses in 1947 totalled \$2,817,346. This expenditure resulted from such measures as the following: the establishment of an Economic Commission for Europe and an Economic Commission for Asia and the Far East, the activities of the Security Council's Balkan Commission, the holding of a special session of the General Assembly to consider the Palestine problem, the establishment of the Special Committee on Palestine to study the question on the spot and to report to the second regular session of the General Assembly, the sending of a visiting mission to Western Samoa, and the organization of the United Nations Appeal for Children. The Secretary-General estimated that of the total of \$2,817,346 in unforeseen and extraordinary expenses \$1,717,743 could be met out of savings in the 1947 budget, leaving \$1,099,603 to be covered by supplementary ap-

¹⁵⁵See *Yearbook of the United Nations*, 1946-47, p. 216.

proprations. The total revised budget for 1947 thus would be \$28,839,603.

At its 91st plenary meeting on September 23, the General Assembly referred the Secretary-General's supplementary estimates for 1947 to the Fifth Committee, which referred them to the Advisory Committee on Administrative and Budgetary Questions.

The Advisory Committee (A/C.5/159) recognized that in view of the fact that a considerable part of the funds requested by the Secretary-General had already been spent or committed there was little scope for reductions in the estimates. The Advisory Committee considered, however, that probably savings on the budget of the International Court of Justice could be used in part to meet unforeseen and extraordinary expenses and recommended therefore that a sum of \$80,000 be transferred from the Court budget to that of the United Nations, leaving a total revised budget for 1947 of \$28,759,603.

The Fifth Committee considered the supplementary estimates for 1947 and the Advisory Committee's report thereon at its 54th meeting on October 3 and its 100th meeting on November 17.

The Chairman of the Advisory Committee emphasized at the earlier meeting that the supplementary estimates for 1947 represented for the most part expenditures which had already been made or commitments entered into by the Secretary-General. The whole presentation of such estimates gave rise to considerable discussion in the Committee relative to the need for greater financial control by the General Assembly. It was emphasized that the major part of the expenditures had grown out of directives by the Councils and by the special session of the General Assembly and that the Secretary-General had had little discretion in regard to the amounts spent. The Assistant Secretary-General for Administrative and Budgetary Questions stated that the Secretary-General would be glad to have his constitutional position with respect to demands of the Councils clarified.

There was also considerable discussion regarding the travelling expenses of members of commissions. At its 99th meeting the Fifth Committee decided to refer the whole question to the Advisory Committee for study and report to the next regular session of the General Assembly.

In view of this decision, the Fifth Committee approved the supplementary estimates for 1947 relating to the Special Committee on the Greek Question and the Temporary Commission on Korea, which included travel and subsistence for one representative and one alternate, subject to the following reservation (A/493):

"It was expressly understood by the Committee that these cases will not constitute a precedent and will not prejudice the adoption of a general principle on the whole question now submitted to the Advisory Committee for consideration and report to the next regular session of the General Assembly."

The Fifth Committee at its 54th meeting adopted by a vote of 39 to 0, with 3 abstentions, the report of the Advisory Committee including a draft appropriation resolution (A/C.5/218) for the financial year 1947. Later appropriations for the Special Committee on the Balkans (\$72,840) and the Temporary Commission on Korea (\$114,350) were added and \$330,225 was transferred to the budget for 1948 in consequence of the new financial regulations approved by the Fifth Committee. The budget for 1947 thus revised totalled \$28,616,568. A sum of \$325,621 in casual revenue was to be appropriated in aid of this total estimated expenditure. The Fifth Committee approved the revised supplementary estimates at its 100th meeting on November 17 by a vote of 27 to 6, with 5 abstentions.

The General Assembly considered the report of the Fifth Committee (A/493) at its 121st plenary meeting on November 20, 1947, and, by a vote of 40 to 0, with 7 abstentions, adopted the following resolution recommended by the Fifth Committee (resolution 164(II)):

"The General Assembly resolves that:

"1. For the financial year 1947, an amount of \$US876,568 is hereby appropriated as a supplement to the amount of \$US 27,740,000 appropriated by resolution 68(1)¹⁰⁶ adopted on 14 December 1946, as follows [as detailed in table on opposite page],

"2. Amounts not exceeding those in the third column (revised amounts of appropriation) of the above schedule shall be available for the payment of obligations in respect of goods supplied or services rendered during the period 1 January 1947 to 31 December 1947;

"3. Casual revenue not exceeding \$US325,621 is hereby appropriated in aid of the above expenditure."

¹⁰⁶See *Yearbook of the United Nations*, 1946-47, pp. 215-17.

budget estimates for 1948. A number of delegations emphasized the need for economy in view of the world-wide dollar shortage and the economic straits in which many Members found themselves. Certain specific recommendations for economies were made. Among these were a re-examination of the public information program, the establishment of new machinery to assign priorities to projects of various bodies meeting under United Nations auspices, the curtailment and postponement of certain meetings, greater volume of purchases outside the United States to take advantage of the low prices prevailing elsewhere, revision or re-interpretation of the rules of procedure for documentation in order to reduce translation, editing and printing costs, and a closer co-ordination of the work of the United Nations and the specialized agencies. A number of delegations favored a reduction of the total sum of the budget to a predetermined figure. A proposal, however, to appoint a sub-committee with instructions to reduce the budget to \$30,000,000 was defeated by a vote of 27 to 21.

Following the general debate the Fifth Committee undertook a detailed examination of the budget estimates. During a "first reading", questions of principles were discussed, the original estimates and the reports of the Advisory Committee examined, oral testimony of the Secretary-General and his Assistant Secretaries-General heard, and specific proposals for reduction or change in the estimates voted upon.

Because of the important financial implications involved the Committee considered, at seven meetings, the questions concerning the preparation and reproduction of records and documents of the General Assembly, the Councils and their commissions and committees. The possibility of significant economies in this field had been suggested by the Advisory Committee (A/336) and the Secretary-General (A/C.5/152). In addition, the General Assembly had referred to the Fifth Committee for consideration Chapter IX (Languages) and Chapter X (Records) of the provisional rules of procedure (A/C.5/146/Add.1). The Fifth Committee then referred the whole question to the Advisory Committee, which submitted two reports on the subject (A/C.5/168, and Add.1).

Approving in principle the Advisory Committee's recommendation that sound recordings should replace the written verbatim records in cases where only summary records were printed, estimated to save \$225,000 in 1948, the Committee

at its 67th meeting, by 41 votes to 0, with 2 abstentions, the Committee's Rapporteur reported to the Assembly (A/498), had approved the following statement:

"The Fifth Committee understood that with the present resources at his disposal, the Secretary-General would at most be able to make written verbatim records for only one of the Main Committees of the General Assembly in addition to the plenary meetings of the General Assembly, and of the Security Council and its commissions.

"The Fifth Committee recommends therefore that the Secretary-General be authorized to provide this service for one Main Committee at a time, a committee which, in the opinion of the General Committee, has the most important items on its agenda, and requests the Secretary-General to approach the Economic and Social Council and the Trusteeship Council to see whether they are disposed, in view of financial stringencies, to agree for the present to dispense with written verbatim records of their meetings."

In lieu of an Advisory Committee proposal for the abridgment of the printed verbatim records of the plenary meetings of the General Assembly, the Security Council and its commissions and the Trusteeship Council, the Fifth Committee accepted at its 68th meeting, by 27 votes to 6, with 3 abstentions, an alternative proposal:

(a) That verbatim records of the plenary meetings of the General Assembly be distributed in the working languages in mimeograph form (with opportunity for correction by delegations);

(b) That summary records of the plenary meetings of the General Assembly be translated and printed in the official languages; and

(c) That the Trusteeship Council be invited to adopt printed records for its meetings similar to those of the Economic and Social Council.

It was estimated that the budgetary saving in 1948 resulting from this proposal would be \$600,000. It was also the sense of the meeting that this action should be brought to the attention of the Security Council where a further saving of \$400,000 in 1948 might be expected if the Security Council could see fit to accept, for itself and its commissions, the same type of records as were proposed for the plenary meetings of the General Assembly.

The Advisory Committee had proposed that official records of an historical nature be printed in the non-working language only if officially requested by delegations, and that where such records were printed, mimeograph and other less expensive printing processes might be used for certain of the documents, the potential saving being estimated at \$1,100,000 in 1948. In a roll-call vote, the Committee at its 85th meeting re-

jected by 22 votes to 17, with 7 abstentions, these two recommendations of the Advisory Committee, but approved, by a roll-call vote of 32 to 1, with 14 abstentions, the following resolution proposed by Argentina (A/C.5/W.34) and amended by the representatives of Australia and Norway:

"The General Assembly,

"Mindful of the necessity of safeguarding the equal status of the five official languages of the United Nations;

"Also mindful of the need to observe the most stringent economy while making available to the delegations of Member States, their governments, their parliaments and the general public the official records and the essential documents of the organs of the United Nations:

"Initiates the Secretary General

"(1) While continuing the preparation and publication of all official records and essential documents in conformity with the rules of procedure of the various organs of the United Nations, to study the best means of providing for the widest possible diffusion of these official records and documents through the judicious use of less expensive printing or near-printing processes which will make it possible to produce even the more bulky documents in a convenient and enduring form;

"(2) To effect economies of \$500,000 in the original estimates of document A/318 for the translation and printing of official records and important documents in 1948."

The importance of program planning and a system for establishing work-priorities for the United Nations, and also for the specialized agencies, was a recurring note throughout the budget discussions. The question was crystallized by the presentation of a draft resolution by Belgium for the establishment of a work-planning committee of the United Nations (A/C.5/179); and a proposal by Canada to extend the functions of the Interim Committee of the General Assembly to include authorization of the use of the Working Capital Fund for unforeseen or extraordinary expenses in certain cases (A/C.5/W.55).

During the discussion at the 96th meeting, a majority of the speakers recognized the problem but did not agree that new machinery was necessary or desirable. Several delegations pointed out constitutional difficulties in establishing such machinery and the overlapping which might occur between the work of a body established specifically for such a purpose and the Advisory Committee on the one hand and the Economic and Social Council and its Co-ordination Committee on the other. At the suggestion of the representative of Mexico, it was agreed that the Advisory Committee should study the whole problem and report in 1948, giving an indication of the manner in which the terms of reference of the Advisory Committee might be altered with a view to dealing with the problem. The Belgian and Canadian

delegations withdrew their proposals in the light of this conclusion, the representative of Belgium requesting that the Advisory Committee's report on the subject should include more precise views regarding regular consultation between the Advisory Committee and the Co-ordination Committee (A/498).

Reductions were also recommended by the Committee on the expenditure for local transportation and on the estimates for the Secretariat.

As a result of the detailed examination at its "first reading" the Fifth Committee made recommendations effecting savings in the amount of \$2,413,987. As against these savings new items involving estimated costs of \$443,725 were added. This amount represented estimated costs of simultaneous translation equipment and transfers of appropriations from the 1947 to the 1948 budget. Following a second reading of the budget beginning at its 95th meeting, the Fifth Committee at its 98th meeting on November 19, 1947, approved budget estimates totalling \$32,529,500. Supplementary estimates (A/C.5/217) for 1948 approved by the Fifth Committee at its 100th meeting on November 17, 1948, totalled \$2,295,695. These supplementary estimates covered the cost of holding the third regular session of the General Assembly in Europe (\$1,047,875), the cost of the Special Committee on Information transmitted under Article 73 e (\$6,440), the Interim Committee of the General Assembly (\$169,500), the Temporary Commission on Korea (\$533,280) and the Special Committee on the Greek Question (\$538,600). The final figure for the budget estimates recommended by the Fifth Committee therefore was \$34,825,195. The Fifth Committee approved a draft appropriation resolution which it recommended for adoption by the General Assembly (see below).

The General Assembly considered the Report of the Fifth Committee (A/498) at its 121st plenary meeting on November 20. After a brief discussion in the course of which the representatives of the United States, Uruguay and Norway supported the budget recommended by the Fifth Committee, and the representatives of the United Kingdom and the U.S.S.R. expressed opposition, indicating that they would abstain from voting on the budget as a whole, the General Assembly adopted the appropriation resolution recommended by the Fifth Committee by a vote of 37 to 0, with 10 abstentions. Following is the text of the resolution (166(II)A):

"The General Assembly

Resolves that for the financial year 1948:

budget estimates for 1948. A number of delegations emphasized the need for economy in view of the world-wide dollar shortage and the economic straits in which many Members found themselves. Certain specific recommendations for economies were made. Among these were a re-examination of the public information program, the establishment of new machinery to assign priorities to projects of various bodies meeting under United Nations auspices, the curtailment and postponement of certain meetings, greater volume of purchases outside the United States to take advantage of the low prices prevailing elsewhere, revision or re-interpretation of the rules of procedure for documentation in order to reduce translation, editing and printing costs, and a closer co-ordination of the work of the United Nations and the specialized agencies. A number of delegations favored a reduction of the total sum of the budget to a predetermined figure. A proposal, however, to appoint a sub-committee with instructions to reduce the budget to \$30,000,000 was defeated by a vote of 27 to 21.

Following the general debate the Fifth Committee undertook a detailed examination of the budget estimates. During a "first reading", questions of principles were discussed, the original estimates and the reports of the Advisory Committee examined, oral testimony of the Secretary-General and his Assistant Secretaries-General heard, and specific proposals for reduction or change in the estimates voted upon.

Because of the important financial implications involved the Committee considered, at seven meetings, the questions concerning the preparation and reproduction of records and documents of the General Assembly, the Councils and their commissions and committees. The possibility of significant economies in this field had been suggested by the Advisory Committee (A/336) and the Secretary-General (A/C.5/152). In addition, the General Assembly had referred to the Fifth Committee for consideration Chapter IX (Languages) and Chapter X (Records) of the provisional rules of procedure (A/C.5/146/Add.1). The Fifth Committee then referred the whole question to the Advisory Committee, which submitted two reports on the subject (A/C.5/168, and Add.1).

Approving in principle the Advisory Committee's recommendation that sound recordings should replace the written verbatim records in cases where only summary records were printed, estimated to save \$225,000 in 1948, the Committee

at its 67th meeting, by 41 votes to 0, with 2 abstentions, the Committee's Rapporteur reported to the Assembly (A/498), had approved the following statement:

"The Fifth Committee understood that with the present resources at his disposal, the Secretary-General would at most be able to make written verbatim records for only one of the Main Committees of the General Assembly in addition to the plenary meetings of the General Assembly, and of the Security Council and its commissions."

"The Fifth Committee recommends therefore that the Secretary-General be authorized to provide this service for one Main Committee at a time, a committee which, in the opinion of the General Committee, has the most important items on its agenda, and requests the Secretary-General to approach the Economic and Social Council and the Trusteeship Council to see whether they are disposed, in view of financial stringencies, to agree for the present to dispense with written verbatim records of their meetings."

In lieu of an Advisory Committee proposal for the abridgment of the printed verbatim records of the plenary meetings of the General Assembly, the Security Council and its commissions and the Trusteeship Council, the Fifth Committee accepted at its 68th meeting, by 27 votes to 6, with 3 abstentions, an alternative proposal:

(a) That verbatim records of the plenary meetings of the General Assembly be distributed in the working languages in mimeograph form (with opportunity for correction by delegations);

(b) That summary records of the plenary meetings of the General Assembly be translated and printed in the official languages; and

(c) That the Trusteeship Council be invited to adopt printed records for its meetings similar to those of the Economic and Social Council.

It was estimated that the budgetary saving in 1948 resulting from this proposal would be \$600,000. It was also the sense of the meeting that this action should be brought to the attention of the Security Council where a further saving of \$400,000 in 1948 might be expected if the Security Council could see fit to accept, for itself and its commissions, the same type of records as were proposed for the plenary meetings of the General Assembly.

The Advisory Committee had proposed that official records of an historical nature be printed in the non-working language only if officially requested by delegations, and that where such records were printed, mimeograph and other less expensive printing processes might be used for certain of the documents, the potential saving being estimated at \$1,100,000 in 1948. In a roll-call vote, the Committee at its 85th meeting re-

jected by 22 votes to 17, with 7 abstentions, these two recommendations of the Advisory Committee, but approved, by a roll-call vote of 32 to 1, with 14 abstentions, the following resolution proposed by Argentina (A/C.5/W.34) and amended by the representatives of Australia and Norway:

"The General Assembly,

"Mindful of the necessity of safeguarding the equal status of the five official languages of the United Nations;

"Also mindful of the need to observe the most stringent economy while making available to the delegations of Member States, their governments, their parliaments and the general public the official records and the essential documents of the organs of the United Nations:

"Invites the Secretary General

"(1) While continuing the preparation and publication of all official records and essential documents in conformity with the rules of procedure of the various organs of the United Nations, to study the best means of providing for the widest possible diffusion of these official records and documents through the judicious use of less expensive printing or near-printing processes which will make it possible to produce even the more bulky documents in a convenient and enduring form;

"(2) To effect economies of \$500,000 in the original estimates of document A/318 for the translation and printing of official records and important documents in 1948."

The importance of program planning and a system for establishing work-priorities for the United Nations, and also for the specialized agencies, was a recurring note throughout the budget discussions. The question was crystallized by the presentation of a draft resolution by Belgium for the establishment of a work-planning committee of the United Nations (A/C.5/179); and a proposal by Canada to extend the functions of the Interim Committee of the General Assembly to include authorization of the use of the Working Capital Fund for unforeseen or extraordinary expenses in certain cases (A/C.5/W.55).

During the discussion at the 96th meeting, a majority of the speakers recognized the problem but did not agree that new machinery was necessary or desirable. Several delegations pointed out constitutional difficulties in establishing such machinery and the overlapping which might occur between the work of a body established specifically for such a purpose and the Advisory Committee on the one hand and the Economic and Social Council and its Co-ordination Committee on the other. At the suggestion of the representative of Mexico, it was agreed that the Advisory Committee should study the whole problem and report in 1948, giving an indication of the manner in which the terms of reference of the Advisory Committee might be altered with a view to dealing with the problem. The Belgian and Canadian

delegations withdrew their proposals in the light of this conclusion, the representative of Belgium requesting that the Advisory Committee's report on the subject should include more precise views regarding regular consultation between the Advisory Committee and the Co-ordination Committee (A/498).

Reductions were also recommended by the Committee on the expenditure for local transportation and on the estimates for the Secretariat.

As a result of the detailed examination at its "first reading" the Fifth Committee made recommendations effecting savings in the amount of \$2,413,987. As against these savings new items involving estimated costs of \$443,725 were added. This amount represented estimated costs of simultaneous translation equipment and transfers of appropriations from the 1947 to the 1948 budget. Following a second reading of the budget beginning at its 95th meeting, the Fifth Committee at its 98th meeting on November 19, 1947, approved budget estimates totalling \$32,529,500. Supplementary estimates (A/C.5/217) for 1948 approved by the Fifth Committee at its 100th meeting on November 17, 1948, totalled \$2,295,695. These supplementary estimates covered the cost of holding the third regular session of the General Assembly in Europe (\$1,047,875), the cost of the Special Committee on Information transmitted under Article 73 e (\$6,440), the Interim Committee of the General Assembly (\$169,500), the Temporary Commission on Korea (\$533,280) and the Special Committee on the Greek Question (\$538,600). The final figure for the budget estimates recommended by the Fifth Committee therefore was \$34,825,195. The Fifth Committee approved a draft appropriation resolution which it recommended for adoption by the General Assembly (see below).

The General Assembly considered the Report of the Fifth Committee (A/498) at its 121st plenary meeting on November 20. After a brief discussion in the course of which the representatives of the United States, Uruguay and Norway supported the budget recommended by the Fifth Committee, and the representatives of the United Kingdom and the U.S.S.R. expressed opposition, indicating that they would abstain from voting on the budget as a whole, the General Assembly adopted the appropriation resolution recommended by the Fifth Committee by a vote of 37 to 0, with 10 abstentions. Following is the text of the resolution (166(II)A):

"The General Assembly

Resolves that for the financial year 1948:

"1. An amount of \$US34,825,195 is hereby appropriated for the following purposes:

PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES

Section	Amount in dollars (US)	
1. The General Assembly and commissions and committees thereof	2,260,725	
2. The Security Council and commissions and committees thereof	246,374	
3. The Economic and Social Council and commissions and committees thereof	324,117	
4. The Trusteeship Council and commissions and committees thereof	69,380	2,900,596

PART II SPECIAL CONFERENCES, INVESTIGATIONS AND INQUIRIES

5. Special conferences	32,286	
6. Investigations and inquiries	1,122,472	1,154,758

PART III THE SECRETARIAT

7. Executive Office of the Secretary General	338,000	
8. Department of Security Council Affairs	659,917	
9. Military Staff Committee Secretariat	156,830	
10. Department of Economic Affairs	1,689,159	
11. Department of Social Affairs	1,225,555	
12. Department for Trusteeship and Information from Non-Self-Governing Territories	741,262	
13. Department of Public Information	3,339,915	
14. Department of Legal Affairs	669,490	
15. Conference and General Services	7,425,962	
16. Administrative and Financial Services	1,529,000	
17. Geneva office	1,430,562	
18. Information and correspondent centres	488,758	
19. Overseas recruitment programme	57,736	
20. Hospitality	20,000	
21. Common staff costs	5,010,000	24,782,146

PART IV. COMMON SERVICES

22. Telephone and postage	388,487	
23. Rental and maintenance of premises	923,900	
24. Stationery, office supplies, rental and maintenance of office equipment	233,193	
25. Internal reproduction and printing	275,800	
26. Maintenance and operation of transport	74,400	
27. Miscellaneous supplies and contractual services	407,518	2,303,298

PART V. CAPITAL EXPENSES

28. Office furniture, fixtures and equipment	265,400	
29. Motion picture, photographic, radio, recording and translation equipment	169,500	
30. Library books and equipment	129,000	
31. Purchase of motor vehicles	82,000	
32. Miscellaneous capital equipment	97,300	743,200

PART VI. ECONOMIC COMMISSIONS, ADMINISTRATION OF THE FREE TERRITORY OF TRIESTE, AND ADVISORY SOCIAL WELFARE FUNCTIONS

33. Economic Commissions for Europe and for Asia and the Far East	1,430,000	
34. Administration of the Free Territory of Trieste	150,000	
35. Advisory social welfare functions	670,186	2,250,186
		34,134,184

INTERNATIONAL COURT OF JUSTICE

PART VII. THE INTERNATIONAL COURT OF JUSTICE

36. Salaries and expenses of members of the Court	390,943	
37. Salaries, wages and expenses of the Registry	221,388	
38. Common services of the Court	66,604	
39. Capital expenses of the Court	12,076	691,011
		34,825,195

"2. Casual revenue not exceeding \$761,727 is hereby appropriated in aid of the above expenditure. The balance of expenditures (\$34,063,468) shall be met by annual contributions;

"3. Amounts not exceeding the above appropriations shall be available for the payment of obligations in respect of goods supplied and services rendered during the period 1 January 1948 to 31 December 1948.

"4. The Secretary-General is authorized

"(i) To transfer credits from Part VI to such other parts of the budget as are appropriate, provided that the credits may only be used for purposes within the ambit of Part VI;

"(ii) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, to transfer credits between sections of the budget."

c. UNFORESEEN AND EXTRAORDINARY EXPENDITURES

In connection with the consideration of the budget estimates for 1948, the Fifth Committee discussed at considerable length the question of financial controls and the relation of the Secretary-General to the Councils of the United Nations. In its report concerning the budgetary estimates

(A/336) the Advisory Committee on Administrative and Budgetary Questions had expressed the view that one of the weaknesses in the financial system of the United Nations was the fact that projects might be approved by bodies other than the General Assembly, which is the only appropriating authority. In order to remedy this situation the General Assembly during the second part of its first session had adopted financial regulation 25, which provides that no resolution involving expenditure should be approved by a Council or other body unless it has before it an estimate of the costs involved. Speaking at the 48th meeting of the Fifth Committee on September 24, 1947, the Secretary-General stated that experience had shown that the Councils had continued to approve work programs in full knowledge that funds were not available within the regular budget.

The Advisory Committee on Administrative and Budgetary Questions as well as a number of delegations therefore stressed the need for the establishment of machinery to develop a balanced work program and to determine priorities. Several proposals were submitted to this end.

A draft resolution on unforeseen and extraordinary expenditures recommended by the Advisory Committee for adoption by the General Assembly (A/336) provided, *inter alia*, that commitments for unforeseen and extraordinary expenditures of less than \$2,000,000 were to be authorized only if the Secretary-General certified that they related to the maintenance of peace and security or to economic rehabilitation. (Commitments for expenditures exceeding \$2,000,000 would require the approval of the Advisory Committee.)

The representative of Belgium proposed the establishment of a work planning committee composed of representatives of the General Assembly and of each of the three Councils. The draft resolution (A/C.5/179) defined the tasks of the Committee as follows:

"It will be the task of the committee to prepare, with the assistance of the Advisory Committee on Administrative and Budgetary Questions and of the Secretary-General, the plan of work of the United Nations. It will in the first place decide the order of priority of the various activities and endeavour to distribute these evenly over the whole year and over the various regions, in order to avoid excessive work at any one time and reduce expenditure. . . .

"Before taking any decision involving expenditure for which no credit has been provided, each Council will consult the Permanent Work-Planning Committee through the Secretary-General.

"When, in the case provided for in the preceding paragraph, expenditure exceeds any credit which may

have been approved in the budget of the appropriate Council to meet unforeseen expenditure, the Permanent Committee may, particularly in the case of activities relating to the maintenance of peace and of urgent measures in the economic field, immediately recommend the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions that the necessary advance be made from the Working Capital Fund. . . ."

The representative of Canada submitted a proposal (A/C.5/W.55) to extend the functions of the Interim Committee of the General Assembly to include authorization of the use of the Working Capital Fund for unforeseen or extraordinary expenses, in certain cases.

During the discussion of these proposals at the 96th meeting of the Fifth Committee on November 11, a majority of the speakers recognized the problem but did not agree that new machinery was necessary or desirable. Several representatives pointed out constitutional difficulties in establishing such machinery and the overlapping which might occur between the work of a body established specifically to plan the work of the United Nations and the Advisory Committee on the one hand and the Economic and Social Council and its Co-ordination Committee on the other. At the suggestion of the representative of Mexico, it was agreed that the Advisory Committee should study the whole problem and report in 1948, giving an indication of the manner in which the terms of reference of the Advisory Committee might be altered with a view to dealing with the problem. The representatives of Belgium and Canada thereupon withdrew their draft resolutions.

At its 99th meeting on November 14, the Fifth Committee considered the draft resolution (A/336) recommended by the Advisory Committee on Administrative and Budgetary Questions relating to unforeseen and extraordinary expenses. The representative of Australia proposed to delete the clause requiring that the Secretary-General certify that such expenses "relate to the maintenance of international peace and security or to economic rehabilitation", as he considered that it was not desirable to restrict the activities of the Councils in this manner. The Fifth Committee, however, rejected the Australian proposal by a vote of 23 to 5, with 9 abstentions. The Fifth Committee then adopted, with slight drafting changes, the resolution recommended by the Advisory Committee on Administrative and Budgetary Questions by a vote of 35 to 0, with 2 abstentions.

At its 121st plenary meeting on November 20, 1947, the General Assembly adopted without

opposition the resolution recommended by the Fifth Committee. Following is the text of the resolution (166(II)B):

"The General Assembly

"Resolves that, for the financial year 1948,

"The Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, and subject to the financial regulations of the United Nations, is authorized to enter into commitments to meet unforeseen and extraordinary expenses; provided that the concurrence of the Advisory Committee shall not be necessary for:

"(a) Such commitments not exceeding a total of \$2,000,000, if the Secretary-General certifies that they relate to the maintenance of peace and security or to economic rehabilitation, or .

"(b) Such commitments not exceeding a total of \$75,000, if the President of the International Court of Justice certifies that they are necessary to enable the Court to hear cases away from The Hague, under Article 22 of its Statute.

"The Secretary-General shall report to the Advisory Committee and to the next convened General Assembly all commitments made under the provision of this resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the General Assembly in respect of such commitments"

d. WORKING CAPITAL FUND

The Secretary-General, in submitting the budget estimates for 1948 (A/318, p.162), and the Advisory Committee in its report on these estimates (A/336, p.32), recommended that the Working Capital Fund be maintained in 1948 at \$20,000,000. The Advisory Committee's report included a draft resolution containing detailed provisions regarding the Secretary-General's authority to draw on the Fund for unforeseen and extraordinary expenditures.

In the course of the general debate on the budget estimates which took place in the Fifth Committee, the majority of representatives supported the recommendation that the Working Capital Fund be maintained at \$20,000,000. A number of representatives, however, including the representatives of U.S.S.R., Byelorussian S.S.R. and Yugoslavia, proposed that the Working Capital Fund should be reduced to \$10,000,000. At the 99th meeting of the Fifth Committee the representative of the U.S.S.R. proposed a Working Capital Fund of \$15,000,000 (\$5,000,000 for possible unforeseen expenditures relating to the Free Territory of Trieste).¹⁵⁸ The Fifth Committee rejected this proposal by a vote of 20 to 5, with 1 abstention, and decided, by a vote of 27 to 0, with 2 abstentions, to maintain the Working Capital Fund at \$20,000,000 in 1948.

The representative of Australia submitted an

amendment (A/C.5/W.61) to the resolution recommended by the Advisory Committee to authorize the Secretary-General to make loans not only to specialized agencies, but also to "preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations". The Fifth Committee adopted this amendment by a vote of 19 to 9, with 8 abstentions.

The representative of the United States submitted an amendment to the draft resolution on the Working Capital Fund providing for financial assistance to the Free Territory of Trieste (up to \$5,000,000). The amendment provided that if such advances were made the Working Capital Fund should be replenished by Members according to a special operational scale to be established at the next regular session of the General Assembly.

A number of representatives expressed opposition to the United States amendment on the ground that the Security Council, which under the peace treaty with Italy had assumed responsibility for the Free Territory of Trieste, had made no request for an authorization as contained in the United States amendment. In the absence of such a request from the appropriate organ, there was no need for the General Assembly to adopt special measures. Certain representatives opposed the provision concerning a special operational scale for contributions on the ground that it represented an innovation which might have far-reaching implications. Other representatives insisted that in determining this special scale of contributions the General Assembly should take into consideration not only capacity to pay but also the interest Members might have in the Free Territory of Trieste.

After considerable discussion in the course of which amendments to the United States amendment were submitted by the representatives of Poland, Canada, Mexico and Norway, the representative of the United States submitted a revised text of his amendment which the Fifth Committee adopted by a vote of 27 to 7, with 12 abstentions (A/C.5/W.47/Rev.2).

The Fifth Committee adopted the resolution as a whole, including the Australian and United States amendments, by a vote of 30 to 5, with 11 abstentions.

Voting paragraph by paragraph, the General Assembly at its 121st plenary meeting on November 20, 1947, adopted the resolution on the Work-

¹⁵⁸See pp. 352-56.

ing Capital Fund recommended by the Fifth Committee by a vote of 41 to 1, with 8 abstentions. Following is the text of the resolution (166(II)C):

"The General Assembly

"Resolves that:

"1. The Working Capital Fund shall be maintained to 31 December 1948 at the amount of \$US20,000,000;

"2. Members shall make advances to the Working Capital Fund in accordance with the scale adopted by the General Assembly for contributions of Members to the third annual budget;

"3. There shall be set off against this new allocation of advances, the amounts paid by Members to the Working Capital Fund for the financial year 1947; provided that should the advance paid by any Member to the Working Capital Fund for the financial year 1947 exceed the amount of that Member's advance under the provisions of paragraph 2 hereof, the excess shall be set off against the amount of contributions payable by that Member in respect of the third annual budget, or any previous budget.

"4. The Secretary-General is authorized to advance from the Working Capital Fund:

"(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

"(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolution relating to unforeseen or extraordinary expenses. The Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

"(c) Such sums as, together with the sums advanced for the same purpose in 1947, will not exceed \$250,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities. Advances in excess of the total of \$250,000 may be made with the prior concurrence of the Advisory Committee. The Secretary-General shall submit, with the annual accounts, an explanation of the outstanding balance of the revolving fund at the end of each year;

"(d) Loans to specialized agencies and preparatory commissions of agencies to be established by inter-governmental agreement under the auspices of the United Nations to finance their work, pending receipt by the agencies concerned of sufficient contributions under their own budgets. In making such loans, which shall be repayable within two years, the Secretary-General shall have regard to the proposed financial resources of the agency concerned, and shall obtain the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions for any cash issues which would increase the aggregate balance outstanding (including amounts outstanding from 1947) at any one time to an amount in excess of \$3,000,000, and for any issue which would increase the balance outstanding (including amounts outstanding from 1947) in respect of any one agency to an amount in excess of \$1,000,000,

"(e) Such sums as, together with the sums advanced for the same purpose in 1947, do not exceed \$675,000 to continue the staff housing fund in order to finance advance rental payments, guarantee deposits

and working capital requirements for housing the staff of the Secretariat. Such advances shall be reimbursed to the Working Capital Fund following the recovery of the rental advances, guarantee deposits and working capital advances;

"(f) Such sums as, together with sums advanced for the same purpose in 1947, do not exceed \$100,000 to establish a revolving fund to finance loans to certain staff members for purchase of furniture and household goods;

"(g) Such sums, not to exceed \$5,000,000 for emergency assistance in 1948 to the Free Territory of Trieste as the Security Council may approve, upon request from the Governor and Provisional Council of Government of the Free Territory of Trieste under terms to be agreed upon between the Secretary-General and the Governor. If any such advances are made, the Working Capital Fund shall include a special subdivision for this purpose and shall be replenished by Members according to a special operational scale to be established at the next regular session of the General Assembly. Such repayments as may be made by the Free Territory of Trieste to the United Nations under the terms of such advances shall be credited to Members in proportion to the contribution paid by them under the special scale."

e. SCALE OF CONTRIBUTIONS

On December 14, 1946, the General Assembly adopted a scale of contributions to the 1947 budget and to the Working Capital Fund. Although rule 43 of the provisional rules of procedure of the General Assembly provides that the scale of payments, when once fixed by the General Assembly, should not be subject to a general revision for at least three years, the Assembly requested the Committee on Contributions to review the 1947 scale and to report to the second regular session of the General Assembly.¹⁵⁹

The Committee on Contributions accordingly held nineteen meetings between August 11 and 29, 1947, during which it examined the scale of contributions in detail. In its report to the General Assembly (A/377), the Committee on Contributions recommended unanimously that the scale approved by the General Assembly on December 14, 1946, be continued for the 1948 budget. The only modifications proposed by the Committee concerned new Members admitted to the United Nations in 1946 and 1947. Thus the Committee recommended that the contribution of Siam be 0.27 per cent, that of Sweden 2.04 per cent (instead of 2.35 per cent as provided in the 1947 scale) and that of Yemen 0.04 per cent. Should Pakistan be admitted to membership in the United Nations, the Committee recommended that the assessment attributed to India and Pakistan

¹⁵⁹See *Yearbook of the United Nations*, 1946-47, pp. 217-19.

in the proposed scale be divided between those two Members of the United Nations.

In submitting its report, the Committee on Contributions pointed out that the scale it had originally proposed for 1947 had been based largely on the principle of capacity to pay. The General Assembly, the Committee's report stated, had altered the Committee's scale by fixing the contribution of the United States at a proportion substantially lower than that recommended by the Committee and by deciding on a minimum proportion that Members should pay. The Committee therefore, although its terms of reference laid particular emphasis upon capacity to pay as the criterion on which it should base its scale,¹⁶⁰ felt that it would be acting contrary to the intentions of the General Assembly, if it were to propose either a reduction in the minimum assessment involved in membership in the United Nations or an increase in the assessment of the largest contributor, the United States.

At its 91st plenary meeting on September 23 the General Assembly referred the report of the Committee on Contributions to the Fifth Committee, which considered it at its 53rd meeting on October 2

The Fifth Committee unanimously approved the report of the Committee on Contributions and recommended to the General Assembly that the scale for the administrative budget of the United Nations contained therein should be reviewed again in 1948.

The Swedish delegation expressed its appreciation of the reduction in the assessment of Sweden from 2.35 per cent to 2.04 per cent, but pointed out that the per capita contribution of Sweden was still high and that, in its view, the assessment of Sweden should be around 1.60 per cent.

The United States delegation agreed to accept for one more year the allocation of 39.89 per cent, in view of the present state of world economy. It reiterated, however, the conviction upheld the year before—that in an organization of sovereign equals no single Member should pay more than 33 1/3 per cent of an administrative budget.

The delegations of India and Pakistan accepted the assessment of 3.95 per cent for 1948 on the understanding that the total contributions payable by India and Pakistan would in the first instance be paid by the Government of India, subject to an inter-governmental adjustment between the two States. Since India had paid the total assessment for 1947, the Fifth Committee recommended that Pakistan, which became a Member of the United Nations on September 30, 1947, should

not be called upon to pay any contributions for 1947.

The Fifth Committee also recommended that no assessment for 1946 should be levied on Siam, which became a Member of the United Nations on December 16, 1946, and which therefore did not participate in the first session of the General Assembly. As regards Yemen, which became a Member of the United Nations on September 30, 1947, the Fifth Committee recommended that it should pay 33 1/3 per cent of its assessment for 1947. (The General Assembly had decided on December 14, 1946, that new Members should pay at least 33 1/3 per cent of their assessment for the year of admission.)¹⁶¹

The General Assembly at its 115th plenary meeting on November 15, 1947, unanimously adopted the following resolution recommended by the Fifth Committee (151(II)):

"The General Assembly resolves

"1. That the scale of assessments for the 1948 budget shall be as follows.

Country	Per Cent
Afghanistan	0.05
Argentina	1.85
Australia	1.97
Belgium	1.35
Bolivia	0.08
Brazil	1.85
Byelorussian Soviet Socialist Republic	0.22
Canada	3.20
Chile	0.45
China	6.00
Colombia	0.37
Costa Rica	0.04
Cuba	0.29
Czechoslovakia	0.90
Denmark	0.79
Dominican Republic	0.05
Ecuador	0.05
Egypt	0.79
El Salvador	0.05
Ethiopia	0.08
France	6.00
Greece	0.17
Guatemala	0.05
Haiti	0.04
Honduras	0.04
Iceland	0.04
India and Pakistan	3.95 ¹⁶²
Iran	0.45
Iraq	0.17
Lebanon	0.06
Liberia	0.04

¹⁶⁰See Report of the Preparatory Commission, Chapter IX, paragraph 13, section 2, and resolution 14 (1) of the General Assembly, dated February 13, 1946.

¹⁶¹See Yearbook of the United Nations, 1946-47, p. 219.

¹⁶²In accordance with the undertaking of the Government of India in the first instance to pay the total assessment for India and Pakistan for 1948, subject to an inter-governmental adjustment between the two States.

Country	Per Cent
Luxembourg	0.05
Mexico	0.63
Netherlands	1.40
New Zealand	0.50
Nicaragua	0.04
Norway	0.50
Panama	0.05
Paraguay	0.04
Peru	0.20
Philippines	0.29
Poland	0.95
Saudi Arabia	0.08
Siam	0.27
Sweden	2.04
Syria	0.12
Turkey	0.91
Ukrainian Soviet Socialist Republic	0.84
Union of South Africa	1.12
Union of Soviet Socialist Republics	6.34
United Kingdom	11.48
United States of America	39.89
Uruguay	0.18
Venezuela	0.27
Yemen	0.04
Yugoslavia	0.33
	100.00

"2. That, notwithstanding the provisions of rule 43 of the provisional rules of procedure, the scale of assessments for the apportionment of expenses of the United Nations shall be reviewed by the Committee on Contributions in 1948 and a report submitted for the consideration of the General Assembly at its next regular session;

"3. That, in view of the fact that Siam became a Member of the United Nations on 16 December 1946, and did not participate in the first session of the General Assembly and that the United Nations was not called upon to contribute to the travelling expenses of the Siamese delegation, no assessment shall be levied on Siam for the year 1946;

"4. That, in view of the fact that India has contributed the total percentage for 1947 now attributed to India and Pakistan, no assessment shall be levied on Pakistan for the year 1947,

"5. That, in the case of Yemen, the minimum contribution of 33⅓ per cent of the percentage of assessment determined for the year 1948, applied to the budget for the year of admission, shall be levied for the year 1947."

f. FINANCIAL REPORT AND ACCOUNTS FOR THE FIRST FINANCIAL PERIOD ENDED DECEMBER 31, 1946, AND REPORT OF THE BOARD OF AUDITORS

On December 7, 1946, by resolution 74(I), the General Assembly established a Board of Auditors composed of the Auditor-General (or equivalent) of the Ukrainian S.S.R., Canada and Sweden to conduct the external audit of the accounts of the United Nations. In accordance with the General Assembly's instructions, the Board of Auditors examined and certified the financial statements which were submitted by the Secretary-General

with respect to the financial period ending December 31, 1946. Along with the certified accounts the Board transmitted its report (A/313) to the Advisory Committee on Administrative and Budgetary Questions, which according to the General Assembly's resolution of December 7, 1946, was to forward its comments on the audit report to the General Assembly.

On the basis of the observations contained in the report of the Board of Auditors (A/313), the Advisory Committee (A/395) made a number of recommendations designed to eliminate weaknesses in the financial system of the United Nations. In general the Advisory Committee concluded that despite initial difficulties with which the organization was faced, the audit report did not disclose any fundamental defects and did not raise any major criticism which could not be attributed to those initial difficulties. In all cases where deficiencies in the financial system were disclosed, the Advisory Committee stated, the Secretary-General had taken prompt remedial action.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the reports of the Board of Auditors and of the Advisory Committee to the Fifth Committee, which considered them at its 53rd meeting on October 2, 1947. After some discussion both reports were approved.

On the recommendation of the Fifth Committee the General Assembly at its 96th plenary meeting on October 20 unanimously adopted the following resolution (147(II)):

"The General Assembly

"Approves the Financial Report and Accounts for the first financial period, ended 31 December 1946 (document A/313);

"Consents in the recommendations made in the report of the Advisory Committee on Administrative and Budgetary Questions relating to the External Audit Report on the 1946 accounts (document A/395)."

g. ADOPTION OF FINANCIAL REGULATIONS

At its 51st plenary meeting on December 11, 1946, the General Assembly adopted provisional financial regulations and at the same time instructed the Secretary-General to submit draft financial regulations to the Advisory Committee on Administrative and Budgetary Questions for consideration and final adoption by the General Assembly at its second regular session.

Draft regulations were accordingly submitted to the Advisory Committee, which suggested a number of changes which the Secretary-General accepted. The Advisory Committee in its report to the General Assembly (A/C.5/203) listed the principal differences between the proposed finan-

cial regulations and the regulations currently in force as follows:

"Scope and Application: Regulations 1-3: This is a new introductory section.

"The Budget: Regulations 5-11: This section has been redrafted to define more explicitly the procedure for submission of the budget and any supplementary estimates (Regulations 7 and 8). The supporting detail required with the budget is likewise defined with more precision (Regulation 6). The date by which the Advisory Committee's report on the budget must be circulated to Members is brought forward to five weeks (instead of four) before the opening of the General Assembly session (Regulation 7).

"Availability of Appropriations: Regulations 13 and 14: It is proposed that the appropriations for any given year shall be available only to meet the cost of goods supplied or services rendered to the United Nations in that year. Hitherto, the appropriations for any year have remained available for three years to the full extent of "obligations incurred" in the year (that is the full value of contracts placed in the year, irrespective of the extent to which the obligations have matured). Under the new regulation appropriations not required for goods or services related to the financial year of the appropriation would have to be surrendered at the end of the year. . . .

"Provision of Funds: Regulations 15-22: The changes proposed in this section provide for

(a) the application of certain adjustments in assessing Members' contributions (Regulation 17);

(b) codification of the procedure established under resolution 69 (I) in connection with the admission of new Members (Regulation 19);

(c) an orderly application of monies received from Members (Regulation 21);

(d) contributions from non member states which become parties to the Statute of the International Court of Justice (Regulation 22).

"Internal Control: Regulations 24 to 28: The changes made in this section provide for:

(a) closer control over commitments and expenditure, in accordance with recommendations of the Board of External Auditors (Regulation 25);

(b) authorization to the Secretary-General to make *ex-gratia* payments subject to such limits as may be prescribed by the General Assembly; any such payments must be reported to the General Assembly in the annual accounts (Regulation 26);

(c) authorization to the Secretary-General to write off certain types of losses: the amounts written off must be reported to the External Auditors (Regulation 27).

"The Accounts: Regulations 29-33: This section now includes a closer definition of the accounts required to be kept (Regulation 32) and provides for submission of the accounts to the External Auditors (Regulation 33).

"Appointments of External Auditors: Regulation 34: The provisional regulation provided that the External Auditors should be appointed in a manner to be determined by the General Assembly. The General Assembly has since determined the manner of appointment in Resolution 74 (I), and that decision has been incorporated into the regulations.

"Investments: Regulation 36: The regulation proposed still restricts the investment of general fund and working capital fund monies to short-term investments. It provides, however, that on the advice of the Invest-

ments Committee the Secretary-General may make long-term investments of monies of special funds such as the Staff Pension Fund. It provides also that income derived from the short term investments of Working Capital Fund monies shall be accounted for as miscellaneous income.

"Regulations by Councils which involve expenditure: Regulation 38: On the recommendations of the Advisory Committee in 1916, a regulation was introduced to provide that no Council should approve a resolution involving expenditure unless it had before it a report from the Secretary-General on the financial implications of the proposals, together with an estimate of cost. This regulation has not been, in the opinion of the Advisory Committee, adequate to its purpose, and . . . the regulation (now No. 38) has been redrafted with the object of restricting unforeseen expenditure to measures relating to the maintenance of peace and security or to urgent economic rehabilitation."

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the question of financial regulations to the Fifth Committee, which considered it at its 93rd and 94th meetings on November 8 and 10.

The Fifth Committee decided that the regulations proposed by the Secretary-General and the Advisory Committee should be considered provisional and not permanent. After discussing and voting on each regulation, the Fifth Committee adopted, with some amendments, the financial regulations as a whole.

In connection with the financial regulations the Fifth Committee discussed the question of the payment of Members' contributions in currencies other than that "of the state in which the United Nations has its headquarters", as provided in financial regulation 20. The Committee finally, by a vote of 35 to 7, with 1 abstention, decided at its 102nd meeting on November 24, 1947, to add a paragraph to the resolution approving the financial regulations to the effect that, notwithstanding the terms of regulation 20, the Secretary-General be empowered to accept, at his discretion, and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial year 1948 in currencies other than United States dollars. This paragraph was adopted although the Secretariat informed the Fifth Committee that it might afford little assistance to countries experiencing a dollar shortage. The Secretariat would, however, do what it could, within the authorization granted by the General Assembly, to assist in meeting the difficulties caused to many Members by the requirement of paying contributions in United States dollars.

On the recommendation of the Fifth Committee the General Assembly at its 121st plenary meeting

on November 20, 1947, adopted without objection the following resolution (163(II)):

"The General Assembly resolves

"1. That the following Provisional Financial Regulations be adopted in place of those adopted by the General Assembly at the second part of its first session under resolution 80(I);

"2. That, notwithstanding the terms of regulation 20 of the Provisional Financial Regulations, the Secretary-General be empowered to accept, at his discretion, and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial year 1948, in currencies other than United States dollars"

• ANNEX

PROVISIONAL FINANCIAL REGULATIONS

SCOPE AND APPLICATION

Regulation 1

These regulations are established in accordance with the provisions of rule 37 of the provisional rules of procedure and shall be cited as the Provisional Financial Regulations. They shall become effective as from the date of their approval by the General Assembly.

Regulation 2

These regulations shall govern the financial administration of the United Nations, including the International Court of Justice.

Regulation 3

These regulations shall apply to the financial administration of the specialized agencies to the extent provided in Agreements entered into between the specialized agencies and the United Nations.

THE FINANCIAL YEAR

Regulation 4

The financial year shall be the calendar year, 1 January to 31 December.

THE BUDGET

Regulation 5

The Secretary-General shall submit to the regular annual session of the General Assembly estimates for the following financial year. He may also submit such supplementary estimates as may be deemed necessary for the current financial year.

The estimates of the International Court of Justice shall be prepared by the Court, in consultation with the Secretary-General, and shall be submitted to the General Assembly by the Secretary-General, together with such observations as he may deem desirable.

Regulation 6

The estimates submitted to the General Assembly shall be divided into parts, sections and chapters, and shall be accompanied by:

(a) A detailed statement of the estimated expenditure provided for under each chapter and each item of a chapter,

(b) A statement of the estimated miscellaneous or other income under appropriate headings;

(c) An explanatory statement with regard to the expenditures proposed in connexion with any new activity or any extension of an existing activity;

(d) A statement of the estimated expenditure of the current financial year, and the expenditure of the last completed financial year;

(e) An information annex containing the budgets or

proposed budgets of the specialized agencies, or such summaries thereof as the Secretary-General may deem appropriate and useful.

Regulation 7

The estimates shall be submitted to the Advisory Committee on Administrative and Budgetary Questions (hereinafter referred to as the "Advisory Committee") at least twelve weeks before the opening of the annual session of the General Assembly. They shall be examined by the Advisory Committee, which shall prepare a report thereon. The estimates, together with the Committee's report, shall be transmitted to all Members at least five weeks before the opening of the regular session of the General Assembly.

Regulation 8

Supplementary estimates shall be submitted to the Advisory Committee for examination and report.

Regulation 9

The estimates, and the reports of the Advisory Committee thereon, shall be submitted to the General Assembly and referred to the Administrative and Budgetary Committee of the General Assembly for consideration and report to the Assembly.

Regulation 10

All appropriations shall require a two-thirds majority of the General Assembly in accordance with the provisions of Article 18, paragraph 2, of the Charter of the United Nations.

Regulation 11

The adoption of the budget shall constitute an authorization to the Secretary-General to incur obligations and make expenditures for the purposes for which appropriations have been voted and up to the amounts so voted.

The appropriations shall be available for obligations in respect of goods supplied and services rendered in the financial year to which the appropriations relate.

The Secretary-General shall make allotments in writing from the appropriations as voted by the General Assembly and under such further sub-headings as may appear appropriate and necessary, before obligations are incurred thereunder.

TRANSFERS WITHIN APPROPRIATIONS

Regulation 12

Transfers by the Secretary-General within the total amount appropriated under the estimates may be made to the extent permitted by the terms of the budget resolution adopted by the General Assembly.

AVAILABILITY OF APPROPRIATIONS AT THE CLOSE OF THE FINANCIAL YEAR

Regulation 13

Appropriations shall remain available to the extent that they are required to meet the outstanding obligations as at 31 December represented by goods supplied and services rendered up to and including that date.

Regulation 14

The balance of appropriations shall be surrendered in accordance with the provisions of regulation 17. Outstanding obligations not represented by goods supplied or services rendered up to and including 31 December shall be a charge to the appropriations of the succeeding year.

PROVISION OF FUNDS

Regulation 15

The appropriations, subject to the adjustments to be

effected in accordance with the provisions of regulation 17, shall be financed by contributions from Members according to the scale of assessments determined by the General Assembly. Pending the receipt of such contributions, the appropriations may be financed from the Working Capital Fund.

Regulation 16

The General Assembly shall determine the amount of the Working Capital Fund and any sub-divisions thereof.

Regulation 17

In the assessment of the contributions of Members, there shall be adjustments to the amount of the appropriations approved by the General Assembly for the following financial year in respect of:

(a) Supplementary appropriations for which contributions have not previously been assessed on the Members;

(b) Estimated miscellaneous income for the financial year to which the appropriations relate,

(c) Miscellaneous income of former years for which credit has not previously been taken into account, and deficiencies in estimated income which was previously taken into account,

(d) Contributions resulting from the admission of new Members under the provisions of regulation 19,

(e) Any balance of the appropriations of the last completed financial year surrendered under regulation 14

Regulation 18

After the General Assembly has adopted the budget and determined the amount of the working capital fund and its sub-divisions, the Secretary-General shall

(a) Transmit all relevant documents to Members,

(b) Inform Members of their commitments in respect of annual contributions and of advances to the working capital fund,

(c) Request them to remit their contributions and any advances to the working capital fund.

Regulation 19

New Members shall be required to make a contribution for the year in which they are first admitted and an advance to the working capital fund, at rates to be determined by the General Assembly.

Regulation 20

Annual contributions and advances to the working capital fund shall be assessed and paid in the currency of the State in which the United Nations has its headquarters.

Regulation 21

Payments made by a Member shall be applied first as a credit to the working capital fund and then to the contributions due in the order in which the Member was assessed.

Regulation 22

States which are not Members of the United Nations, but which become parties to the Statute of the International Court of Justice, shall contribute to the expenses of the Court in amounts as may be determined by the General Assembly. Such amounts shall be taken to account as miscellaneous income.

CUSTODY OF FUNDS

Regulation 23

The Secretary-General shall designate the bank or banks in which the funds of the Organization shall be kept.

INTERNAL CONTROL

Regulation 24

The Secretary-General shall:

(a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;

(b) Cause an accurate record to be kept of all capital acquisitions and all supplies purchased and used;

(c) Render to the auditors with the accounts a statement as at 31 December of the financial year concerned, showing the supplies in hand and the assets and liabilities of the Organization, together with a statement of losses of cash, stores and other assets written off under regulation 27;

(d) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or commodities have been received and that payment has not previously been made;

(e) Designate the officials who may receive monies, incur obligations and make payments on behalf of the United Nations;

(f) Maintain an internal financial control which shall provide for an effective current examination or review of financial transactions in order.

(i) To ensure the regularity of the receipt, disposal and custody of all funds and other financial resources of the Organization,

(ii) To ensure the conformity of all expenditures with the appropriations or other financial provisions voted by the General Assembly,

(iii) To obviate any uneconomic use of the resources of the Organization.

Regulation 25

No contract, agreement or undertaking of any nature, involving a charge against the United Nations exceeding \$US100 shall be entered into, or have any force or effect, unless:

(a) Credits are reserved in the accounts to discharge any obligations which may come in course of payment in the financial year under such contract, agreement or undertaking;

(b) The charge is a proper one against the United Nations; and

(c) Proof has been provided that the service is for the benefit of the United Nations and the cost thereof is fair and reasonable.

The Board of Auditors shall draw the attention of the General Assembly to any case where, in the opinion of the Board, any charge has been improperly made or was in any way irregular.

Regulation 26

The Secretary-General may make such *ex gratia* payments as he deems to be necessary in the interests of the United Nations, provided that a statement of such payments shall be submitted to the General Assembly with the annual accounts.

Regulation 27

The Secretary-General may, after full investigation, authorize the writing off of losses of cash, stores and other assets, subject to the requirements of regulation 24 (c).

Regulation 28

Tenders for equipment, supplies and other requirements shall be invited by advertisement, except where the Secretary-General deems that, in the interest of the United Nations, a departure from the rule is desirable.

THE ACCOUNTS

Regulation 29

The accounts of the Organization shall be kept in the currency of the State in which the United Nations has its

headquarters, provided, however, that the local accounts of branch offices may be maintained in the currency of the country in which they are situated.

Regulation 30

There shall be established one cash control record in which shall be recorded all cash receipts accruing to the benefit of the Organization. The cash control record shall be divided into such subsidiary receipts classifications as may be deemed necessary.

Regulation 31

Cash shall be deposited in one or more bank accounts as required; branch accounts, or special funds which involve a separation of cash assets, shall be established as charges to the cash control record under appropriate regulations as to objects, purposes and limitations of such accounts and funds.

Regulation 32

The accounts shall consist of:

- (a) Budget accounts showing:
 - (i) Original appropriations;
 - (ii) Appropriations after modification by any transfers, carried out in accordance with the provisions of regulation 12,
 - (iii) Credits, if any, other than appropriations made available by the General Assembly;
 - (iv) Allotments made;
 - (v) Obligations incurred;
 - (vi) Expenditures.
- (b) A cash account showing all cash receipts and actual disbursements made;
- (c) Separate accounts for the Working Capital Fund, its sub-funds, and any other fund which may be established;
- (d) Property records showing:
 - (i) Capital acquisitions and disposals;
 - (ii) Equipment and supplies purchased, used and on hand.
- (e) Such records as will provide for a statement of assets and liabilities for each fund at 31 December of each financial year.

Regulation 33

The accounts shall be submitted by the Secretary-General to the Board of Auditors by 31 March following the end of the financial year.

APPOINTMENT OF EXTERNAL AUDITORS

Regulation 34

A board of three auditors, each of whom shall be the Auditor-General (or officer holding equivalent title) of a Member Government, shall be appointed by the General Assembly as External Auditors of the accounts of the United Nations and of such specialized agencies as shall have agreed thereto. The appointments shall be made in the following manner, and subject to the following provisions:

- (a) In 1947, and every year thereafter, the General Assembly at its regular session shall appoint an auditor to take office from 1 July of the following year and to serve for a period of three years;
- (b) The auditors in office shall constitute the Board of Auditors, which shall elect its own Chairman and adopt its own rules of procedure;
- (c) The Board, subject to the budgetary provision made by the General Assembly for the cost of audit, and after consultation with the Advisory Committee on Administrative and Budgetary Questions relative to the scope

of the audit, may conduct the audit, subject to the provisions of this regulation, in such manner as it thinks fit and may engage commercial public auditors of international repute;

(d) If any member of the Board ceases to hold the national office described in the opening paragraph of this regulation, he shall be replaced by his successor in the national office described;

(e) The Board of Auditors shall submit its report, together with the certified accounts and such other statements as it thinks necessary, to the General Assembly to be available to the Advisory Committee on Administrative and Budgetary Questions not later than 1 June following the end of the financial year to which the accounts relate. The Advisory Committee shall forward to the General Assembly its comments, if any, on the audit report;

(f) The audit shall be carried out by the Board of Auditors subject to the requirements of the General Assembly as established by resolution thereof.

TRUST AND OTHER SPECIAL FUNDS

Regulation 35

Appropriate separate accounts shall be maintained for trust funds and other special funds for the purpose of accounting for unclaimed monies, and monies received and held in suspense, and for projects where the transactions involve a cycle of operations. The purpose and limits of each trust or other special fund established shall be clearly defined by the appropriate authority.

INVESTMENTS

Regulation 36

The Secretary-General may make short-term investments of monies which are not needed for immediate requirements and shall inform the Advisory Committee periodically of the investments which he has made. Notwithstanding these provisions, the Secretary-General may make long term investments on account of the Joint Staff Pension Scheme on the advice of the Investments Committee, established under the Provisional Regulations for the United Nations Joint Staff Pension Scheme, and in respect of the Library Endowment and other special funds.

Regulation 37

Income from investments of the Working Capital Fund shall be accounted for as miscellaneous income.

Income from investments of the Staff Provident Fund shall be credited to the Pension Fund.

COUNCIL RESOLUTIONS INVOLVING UNITED NATIONS EXPENDITURES

Regulation 38

No resolution involving expenditure from the United Nations funds shall be approved by a Council unless the Council has before it a report from the Secretary-General on the financial implications of the proposals and an estimate of the costs involved in the specific proposal.

Where, in the opinion of the Secretary-General, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the General Assembly has made the necessary appropriations unless the Secretary-General certifies that provision can be made under the conditions of the resolutions of the General Assembly relating to unforeseen and extraordinary expenses and the Working Capital Fund.

b. TAX EQUALIZATION

During the first part of its first session the General Assembly agreed that in order to achieve equity among Members and equality among personnel of the organization, it was indispensable that Members should exempt from national taxation the salaries and allowances paid by the organization. Pending such action being taken by Members, the General Assembly authorized the Secretary-General to reimburse staff members who were required to pay taxation on remuneration received from the organization. At the same time it requested the Secretary-General to submit to the second part of the first session recommendations regarding a staff contributions plan.

During the second part of its first session the General Assembly requested Members which had not yet completely exempted from taxation salaries and allowances paid out of the budget of the Organization to take early action in the matter. The Assembly referred the question of a staff contributions plan to the Advisory Committee on Administrative and Budgetary Questions, authorizing it to request the Secretary-General to submit proposals to the next regular session of the General Assembly.

In June 1947 the Secretary-General recommended to the Advisory Committee that decisions on the question of a staff contributions plan should be deferred until it was known whether the Congress of the United States would grant exemption from national taxation on the salaries of United States citizens serving as staff members in the organization. The Advisory Committee requested the Secretary-General to present to the General Assembly a report on the action taken by Member Governments with a view to exempting their nationals from income tax on salaries and allowances paid out by the United Nations budget.

The Advisory Committee itself reported to the Assembly (A/396) on September 24, 1947, that it had reached the conclusion that a staff contributions plan was desirable in principle, but that because of inherent difficulties the plan should not be introduced immediately.

Among the advantages which the Advisory Committee believed such a plan would yield were:

- (a) Elimination of a tax-free class of public servants;
- (b) Achievement of a greater degree of social equity between staff of differing family status and at different salary levels;
- (c) Facilitation of the grant of exemption from national taxation by Members;
- (d) Flexibility in adjustment of United Nations salaries in line with major changes in outside rates;

(e) Under certain conditions, achievement of a greater degree of equity among Members;

(f) Elimination of special provision for tax reimbursement, a provision which the General Assembly might be unwilling to continue indefinitely.

The Advisory Committee stressed, however, that introduction of the plan would not remove the urgent need for Members to exempt salaries of staff members from national taxation. Such exemption, the Committee believed, was necessary not only to achieve equity among Members, but to emphasize the international character of the staff. If a staff contributions scheme were to be put into effect it was essential, in order to ensure equality among staff members, that Member Governments which had not yet granted exemption from national taxation should at least give relief from double taxation.

The Advisory Committee made the following recommendations concerning the application of a staff contributions scheme:

(a) Internal taxation should apply only to salaries and cost of living allowance (if any) and to any pensionable allowances which may be in payment. It should not apply to allowances which are intended to compensate for specific expenses—for example, travel expenses, installation grants or allowances.

(b) A simple scheme of personal exemptions (for example, for dependants) should be evolved, but no other exemptions should be allowed.

(c) The scale of taxation should be graduated so that its incidence would weigh more heavily on the higher than the lower salary levels.

(d) Tax rates should be determined by specific resolution of the General Assembly.

(e) Revenue derived from the tax scheme should be applied as an appropriation in aid of the budget.

The Advisory Committee recommended that the General Assembly should ask the Secretary-General to prepare, for the 1948 regular session of the General Assembly, a detailed plan for a staff contributions plan with a view to having the plan ready for introduction at an appropriate time. The plan should be accompanied by an estimate of the cost of its operation.

In accordance with the Advisory Committee's request the Secretary-General submitted to the second session of the General Assembly a report on the status of income tax exemption by Member States (A/C.5/155). In this report the Secretary-General stated, *inter alia*, that nationals of only three Members had applied for tax reimbursement under the tax refund provision: United States, United Kingdom and Canada. The largest disbursement had been on account of United States income tax, approximately \$265,000 to date (October 1, 1947); United Kingdom tax reimbursement had

been mainly through the London office, and only about twelve Canadians had requested tax refunds, although more applications were expected.

The Secretary-General reported that the status of income tax exemption had changed little since the second part of the first session of the General Assembly. The position of staff members residing or serving outside their home countries, he stated, was generally satisfactory. The main problem still was to obtain exemption for staff members maintaining residence or serving in their home countries, particularly the United States, since a large proportion of the staff of United States citizenship was employed in the United States.

The Secretary-General informed the Assembly further that the following fourteen states had deposited with him their instruments of accession to the Convention on Privileges and Immunities of the United Nations, Article V, Section 18 (b), of which provides exemption from taxation for salaries and emoluments paid to officials of the United Nations (except locally recruited hourly-rate workers):

United Kingdom, September 17, 1946
 Dominican Republic, March 7, 1947
 Liberia, March 14, 1947
 Iran, May 8, 1947
 Honduras, May 16, 1947
 Panama, May 27, 1947
 Guatemala, July 7, 1947
 El Salvador, July 9, 1947
 Ethiopia, July 22, 1947
 Haiti, August 6, 1947
 France, August 18, 1947
 Norway, August 18, 1947
 Sweden, August 28, 1947
 Afghanistan, September 5, 1947

As regards action by the United States, although the House of Representatives of Congress had not taken final action on the Convention, the Senate had approved it with a reservation in respect of Article V, Section 18 (b), insofar as that section might apply to United States nationals. The Secretary-General reported that in view of this, he had on September 5, 1947, addressed a communication to the United States permanent representative proposing for the consideration of his Government that, should the Convention be acceded to by the United States with the reservation mentioned above, the United States agree to have its contribution to the budget of the United Nations increased by the expense incurred by the United Nations through the reimbursement of United States income tax. The United States permanent representative had replied on September 13, 1947, that the United States delegation could not accept a procedure which would accomplish indirectly an exemp-

tion from taxation which only the United States Congress itself could authorize.

The Fifth Committee of the General Assembly considered the question of tax equalization in connection with the 1948 budget estimates, which included an item of \$500,000 for reimbursement of national income tax payments by staff members.

At the 72nd and 73rd meeting of the Fifth Committee on October 22 and 23 a number of proposals were submitted (A/C.5/W.31). The representative of the U.S.S.R. proposed the deletion from the budget of the \$500,000 item for tax reimbursement. The Ukrainian S.S.R. proposed that, besides deleting this sum, the sum paid by the United Nations in 1946 and 1947 on account of tax reimbursement should be repaid by the governments which had failed to exempt their nationals from income tax on United Nations salaries and allowances. France proposed to reduce the figure of \$500,000 to \$250,000 so that tax reimbursements could be continued for the first half of 1948, but not thereafter.

The representative of Belgium proposed a resolution to the effect that the 1948 budget should include a credit permitting the reimbursement of officials for national income taxes they would have to pay. The sum equivalent to the reimbursement thus made, should, however, be added to the sum of contribution to the United Nations budget due from Members whose nationals in the service of the organization had been obliged to pay income taxes on the salaries and allowances paid by the United Nations.

Finally a proposal of the Chairman of the Advisory Committee provided that a staff contributions scheme, effective July 1948, should be introduced, in accordance with the recommendations of the Advisory Committee. All United Nations staff members would, under the plan, pay taxation from their salary to the United Nations. The total amount thus levied, it was proposed, should at least equal any additional expenditure which might be incurred in converting salaries to a gross basis. Furthermore, Members which had not yet granted income tax exemption to their nationals employed by the United Nations should be requested to grant relief from double taxation.

Those supporting the Belgian proposal, which included the representatives of the United Kingdom, Syria, Poland and India, maintained that under the tax reimbursement system currently in effect the organization was actually subsidizing those Members which had failed to give tax exemption to their nationals, since contributions of such Members were abated by the amount of

reimbursement. There was no reason, it was stated, why some Members should contribute to the national revenue of other Members. Those Members which had not exempted their nationals should pay a proportional part of the amount needed for tax reimbursement, in addition to their regular contributions to the United Nations budget.

Opposing the Belgian draft resolution, the representative of the United States said that it amounted indirectly to tax exemption and would not be acceptable to Congress which would not sanction the creation of a tax-privileged group of its own nationals. The United States representative favored a staff contributions scheme, although he stated that he could not give an assurance that United States citizens would be relieved from double taxation. The representatives of Denmark, Australia and El Salvador likewise expressed themselves in favor of a staff contributions scheme.

In opposition to a staff contributions scheme, the representative of Belgium maintained that taxes could be levied only by a public authority. The United Nations, however, was an employer, and not a public authority, and as such had no right to impose a levy on the emoluments of its personnel. It was understood, he stated further, that net salaries would remain unchanged. Hence, as a first step, certain amounts would be added to the existing figures of salaries, in order to arrive at nominal salaries from which the same amounts would be deducted by way of tax. It was therefore a question of an entirely fictitious operation involving administrative complications that would not be inconsiderable. The public, on the other hand, would understand only one thing, namely that the figures of nominal salaries showed appreciably higher amounts than in the past. This, the representative of Belgium asserted, would create a deplorable impression.

The representative of Poland opposed a staff contributions scheme on the ground that it would increase the budget of the United Nations and would mean increased contributions by Member States.

At its 74th meeting on October 23 the Fifth Committee rejected by a vote of 29 to 6, with 9 abstentions, the Ukrainian proposal and by a vote of 30 to 7, with 7 abstentions, the U.S.S.R. proposal. The French proposal was rejected by a vote of 29 to 1, with 3 abstentions. The Committee then adopted the Belgian resolution by a vote of 29 to 12, with 6 abstentions, and approved the budget item of \$500,000 for tax reimbursement by a vote of 39 to 4, with 3 abstentions.

After the adoption of the Belgian resolution

there was considerable discussion as to its application. At the 75th meeting of the Fifth Committee on October 24 the Assistant Secretary-General for Administrative and Financial Services stated that in the Secretariat's opinion the last paragraph of the Belgian resolution (concerning repayment of amounts needed for tax reimbursement by Governments which had failed to exempt their nationals from income tax) could not be implemented until 1949, as the total amount of reimbursements made would not be known till then. A number of representatives maintained that in view of the fact that the Fifth Committee had projected its decision into 1949 the last paragraph of the Belgian resolution was invalid, as subsequent sessions of the Assembly could not be bound by such a decision, which did not relate solely to the budget estimates for 1948. Other representatives maintained that the resolution applied to 1948 and that the decision of the Committee should be upheld. A U.S.S.R. proposal that the Committee proceed to the next item on the agenda was, however, defeated by a vote of 29 to 10, with 6 abstentions. A proposal by the representatives of Poland and the Ukrainian S.S.R. to refer the question of the validity of the Belgian resolution to the Sixth Committee was rejected by a vote of 22 to 12, with 9 abstentions. A proposal by the representative of Panama to establish a sub-committee of the Fifth Committee to consider the legal aspect of the question was likewise rejected by a vote of 19 to 8, with 12 abstentions. The Fifth Committee by a vote of 23 to 11, with 10 abstentions, finally adopted a Canadian proposal to reconsider the entire problem.

At the 86th meeting of the Fifth Committee on November 4, 1947, the Rapporteur proposed a draft resolution (A/C.5/192) which provided that the Assembly should request Members which had not ratified the Convention on Privileges and Immunities to exempt their nationals employed by the United Nations from national income taxes. The Secretary-General should be requested to prepare and submit to the next session of the General Assembly a staff contributions plan in accordance with the recommendations of the Advisory Committee. Pending the granting of tax exemption, Members were to be requested to grant relief from double taxation to their nationals employed by the United Nations. Tax reimbursement was to continue until the end of 1948, but no reimbursement was to be made to staff members with respect to taxes paid on salaries and allowances received after December 31, 1948.

A number of amendments to the Rapporteur's proposal were put forward by the representatives

of France, Guatemala, Belgium and China and by the Chairman of the Advisory Committee. As a result, the suggested draft resolution was voted paragraph by paragraph, certain of the amendments being accepted. The resolution as a whole, as amended, was approved by a vote of 25 to 1, with 18 abstentions. The Chairman ruled that this resolution superseded the resolution adopted at the 74th meeting on October 23.

At its 121st plenary meeting on November 20 the General Assembly adopted without objection the resolution recommended by the Fifth Committee, the text of which follows (160(II)):

"The General Assembly,

"Reaffirming the principles set forth in the Convention on the Privileges and Immunities of the United Nations¹⁶⁵ and in resolutions 13 (I)¹⁶⁶ and 78 (I)¹⁶⁶ adopted at the two parts of the first session of the General Assembly with respect to taxation;

"Considering that in order to achieve both equity among the Member States and equality among the staff members of the Organization, Member States should exempt from national income taxation salaries and allowances paid by the United Nations, and

"Noting that certain Members have not yet established this exemption,

"Resolves:

"1. That Members which have not acceded to the Convention on Privileges and Immunities are requested to take the necessary legislative action to do so in order to exempt their nationals employed by the United Nations from national income taxation;

"2. That the Secretary-General is requested to prepare and submit to the next regular session of the General Assembly a Staff Contributions Plan in accordance with the recommendations of the Advisory Committee (document A/396);

"3. That, pending granting tax exemption, Members are requested to grant relief from double taxation to their nationals employed by the United Nations;

"4. That the Secretary-General is invited to omit from all future personnel contracts any clause which binds the Organization to refund national income taxation in the absence of annual authorization by the General Assembly;

"5. That, in order to achieve equality among staff members, the Secretary-General is authorized to reimburse staff members for national taxes paid on salaries and allowances received from the United Nations during the years 1946, 1947, and 1948, and

"6. That the Secretary-General is requested to submit a report to the next regular session of the General Assembly on the action taken under this resolution."

i. PROVISIONAL STAFF REGULATIONS AND STAFF RULES

On February 13, 1946, the General Assembly adopted provisional staff regulations (resolution 13(I)). To implement these regulations the Secretary-General was to issue staff rules, submitting an annual report to the General Assembly on such rules as he might have made (staff regulation 29).

The General Assembly transmitted to the Secretary-General draft provisional staff rules which had been drawn up by the Preparatory Commission (Chapter VIII, Section IV, of the Report of the Preparatory Commission).¹⁶⁶

The Secretary-General, accordingly, submitted to the second regular session of the General Assembly a report (A/435) on the staff rules which had been issued to implement the staff regulations. These staff rules, the Secretary-General reported, were based, in the main, on the rules recommended by the Preparatory Commission. The principal changes, which had been introduced in the light of experience, pertained to leave, the Provident Fund and notice of resignation. The Secretary-General concluded that the staff rules, issued in the form of Secretary-General's Bulletins, had on the whole been found satisfactory. He recommended, however, that the rules should not be made permanent until further experience had been gained.

The Fifth Committee, to which the General Assembly at its 91st plenary meeting on September 23 referred the question of staff rules, took note of the rules transmitted by the Secretary-General. At the suggestion of the representatives of Belgium and Canada, the Committee recommended (A/488) that the General Assembly should request the Secretary-General to present, four months prior to the third regular session of the General Assembly, a codification of staff rules for the information of the Assembly.¹⁶⁷ (A comprehensive set of staff rules was issued on June 25, 1948 (SGB/81), to take effect on July 1, 1948.)¹⁶⁸

The following questions were discussed in detail in connection with the staff regulations and staff rules:

(1) Children's Allowances and Education Grants

On December 15, 1946, the General Assembly adopted (resolution 82(I)C), as an addition to the staff regulations, with effect from January 1, 1947, provisions relating to children's allowances and education grants. Every full-time member of the staff, under these provisions, was entitled to a children's allowance of \$144 per annum in respect

¹⁶⁵See *Yearbook of the United Nations, 1946-47*, pp. 100-3.

¹⁶⁶*Ibid.*, pp. 83-92.

¹⁶⁷*Ibid.*, p. 225.

¹⁶⁸See *Yearbook of the United Nations, 1946-47*, pp. 85-88.

¹⁶⁹See text of the resolution, p. 177.

¹⁷⁰On September 1, 1948, an Administrative Manual was established as the official medium for the issuance of administrative policies, instructions and procedures. Volume 2 of the Manual is concerned with personnel questions.

of each child, and each full-time staff member employed in a country other than his home country was entitled to an education grant of \$144 per annum for each child in full-time attendance at a school or university in his home country. In addition, the United Nations was to pay, once a year, travelling expenses of each child to and from his home country.¹⁶⁹

The Secretary-General recommended (A/C.5/153) to the second session of the General Assembly that the children's allowances and education grants be increased from \$144 to \$200. In the case of the children's allowance, the Secretary-General stated that the increase was to take into account the normal effect of income taxes for persons with dependent children as compared with those without children. As regards the education grant, the Secretary-General stated that the sum of \$144 per annum was deemed to be inadequate to offset the extra board and lodging expenses of the child living away from his family. The Secretary-General also proposed, as an alternative provision, that should a staff member elect to send his children to special national schools in the area where he was serving, including international schools organized for children of United Nations staff members, the United Nations should pay for such a child one half of the cost of tuition up to a maximum of \$400 for each scholastic year. The proposed maximum of \$400 took into account the fact that special national schools were private institutions and had accordingly higher tuition rates.

The Advisory Committee on Administrative and Budgetary Questions approved the increase of the children's allowance and education grant from \$144 to \$200 (A/336). As regards the alternative proposal in connection with education grants, the Advisory Committee recommended that the Secretary-General should be authorized to pay in the case of children attending special national schools in the area where a staff member was serving, an allowance equal to the difference between the cost of education at the special national schools and the cost of a comparable United States school, provided that the allowance did not exceed \$200. Children should be eligible for this allowance only, the Advisory Committee recommended, if there was a valid reason why they should not attend school in their home country, e.g., if they were under eleven years of age.

At its 76th meeting on October 24, 1947, the Fifth Committee adopted the recommendation that the children's allowance and education grants be increased from \$144 to \$200. The vote on the increase in the children's allowance was 33 to 2,

with 5 abstentions. The proposal to increase the education grant (A/C.5/153) was adopted by a vote of 30 to 1, with 9 abstentions, after the Committee had, by a vote of 25 to 7, with 10 abstentions, rejected a United States oral proposal that education grants and related travel should be maintained on the existing basis in 1948. As regards allowances for children attending special national schools in the area where a staff member is serving, the Fifth Committee, by a vote of 29 to 9, with 5 abstentions, adopted the Advisory Committee's recommendations in preference to the Secretary-General's proposal.¹⁷⁰

(2) Expatriation Allowance

In its resolution 13(I) of February 13, 1946, concerning classifications, salaries and allowances, the General Assembly instructed the Secretary-General that in determining salaries for the several grades he should take into account, *inter alia*, the additional expense which a large proportion of the staff will incur by living away from their own country.

Accordingly, the Secretary-General, on June 16, 1947, established a temporary system of expatriation allowances. In the 1948 budget estimates, the Secretary-General, however, made provision for the payment of expatriation allowances on a continuing basis.

The Advisory Committee on Administrative and Budgetary Questions, in its report on the 1948 budget estimates (A/336), expressed the view that United Nations conditions of service already compensated in good measure for the disadvantages of expatriation. The Advisory Committee therefore recommended that the General Assembly should not make the expatriation allowance permanent. The General Assembly should accept the allowance for 1948. If it should decide to make the expatriation allowance a permanent part of the allowance structure, the Advisory Committee would in any case suggest that no staff member should receive the allowance after completing two years of service.

The Fifth Committee discussed the question of expatriation allowance at its 76th meeting on October 24. The Assistant Secretary-General in charge of Administrative and Financial Services stated that the Secretary-General was not in agreement with the views of the Advisory Committee. Some discrimination in favor of non-Americans, he

¹⁶⁹See *Yearbook of the United Nations*, 1946-47, pp. 227, 233.

¹⁷⁰See p. 177, for text of the resolution and for text of revised regulations.

stated, was desirable if the international character of the Secretariat was to be maintained. Not only did they incur expenses in the process of adjusting themselves to foreign ways of life, but they suffered a continuing penalty in the loss of professional or business contacts and, in some cases, through the need to maintain a home in their own country.

A number of representatives supported the Secretary-General's point of view that the allowance formed part of the salary, and that to limit it to two years would increase the difficulty of recruiting an international staff. Those favoring the Advisory Committee's recommendations stressed the economy that would result from a limited application of the expatriation allowance.

By a vote of 19 to 10, with 5 abstentions, the Fifth Committee adopted an Australian proposal that the Secretary-General should be invited to submit, for the information of the Fifth Committee, first, a revised staff rule, providing that no staff member should receive the expatriation allowance after the completion of two years of service and, second, a revised appropriation.

In response to the Committee's request, the Secretary-General submitted a report (A/C.5/199), in which he stated, *inter alia*, that the only allowances affecting expatriation were the education grant and the home leave provisions. Neither of these, the Secretary-General stated, took account of many expenses and disadvantages of staff members living in a foreign country. In addition, he stated, there was the difficulty of persuading competent individuals to leave their home country and professional ties for service abroad. The Secretary-General's report therefore concluded that "as a matter of equity to staff members and as a distinct aid to recruiting an international staff in the Secretariat, it is again recommended that the expatriation allowance be approved as a permanent feature of the United Nations salary and allowance system and not restricted to the first two years of employment with the United Nations".

After some discussion in which some representatives urged that the Secretary-General's recommendation should be accepted, the Chairman ruled that the payment of expatriation allowances limited to two years had been decided by its action at the 76th meeting. Appropriate budgetary action, giving effect to this ruling, was taken at the 98th meeting of the Fifth Committee.

(3) Home Leave

Regulation 25 of the provisional staff regulations adopted by the General Assembly on Febru-

ary 13, 1946, authorized the Secretary-General to define conditions under which members of the staff, and in appropriate cases their wives and dependent children, should receive travel expenses to and from the place recognized as their home at the time of initial appointment.

On the basis of the draft staff rules drawn up by the Preparatory Commission, the Secretary-General in July 1946 issues rules regarding home leave, which provided that all staff members except those who were citizens of the country in which they worked, are to be allowed every second year home leave consisting of ten working days plus actual travelling time by an approved route to and from the place recognized as their home at the time of appointment. The rules were subsequently extended to cover staff members whose home is in the country where they are employed. Such staff members are allowed actual traveling time, but not the additional ten days leave. In all cases of home leave the United Nations pays the fares of staff members and dependents, who also receive subsistence allowance while in transit. The Administration estimated (A/318) that 1522 staff members would be eligible for home leave in 1948 and included a total of \$1,784,385 in the 1948 budget estimates¹⁷¹ to cover the cost of the journeys of these staff members and their dependents.

The Advisory Committee on Administrative and Budgetary Questions in its report on the 1948 budget estimates (A/336, pp. 13-14) recommended that the rules governing home leave should be substantially revised. It expressed the view that both on administrative and budgetary grounds they were too favorable and that the Secretary-General should give consideration, for example, to extending the qualifying period of service.

At the 72nd meeting of the Fifth Committee the representative of Canada proposed (A/C.5/W.45) that the Fifth Committee should request the Secretary-General to revise the staff rules to the effect that home leave would be granted every three years, that subsistence allowance would not be paid during the term of such leave and that, the Secretary-General should submit a paper giving a statement of the existing regulations together with his proposed revisions.

Representatives opposing the Canadian proposal stated that the terms of appointment of staff members presumably specified the conditions of home leave and that it would therefore be unfair if any revision came into effect in 1948. They also urged

¹⁷¹\$1,727,485 according to later revised estimates.

that home leave was important in maintaining contact with other countries and in preserving the international character of the Secretariat.

In response to the Canadian representative's proposal, the Secretary-General submitted a report (A/C.5/204) giving detailed information concerning the staff rules governing home leave and also including a statement of the estimated budgetary effect of the Canadian proposal. If home leave were to be granted every three years instead of every two years, the Secretary-General stated, the cost to the United Nations in 1948 would be relatively small (\$25,000 to \$50,000) since the only staff members eligible for home leave in 1948 would be those who served with the organization in London in 1945. Thereafter, the Secretary-General, on the basis of an assumed staff strength of 3450, estimated that the annual cost of home leave on a three-year basis would be approximately \$740,000 as compared with an annual cost of \$1,110,000 for home leave every two years, i.e., \$370,000 less.

At the 95th meeting of the Fifth Committee on November 13, the representative of New Zealand orally proposed as a compromise measure that home leave should be granted every two and one-half years. This proposal was rejected by a vote of 20 to 6, with 11 abstentions. The Fifth Committee then rejected by a vote of 20 to 15, with 4 abstentions, the Canadian proposal for home leave every three years.

(4) Age of Retirement

Regulation 20 of the provisional staff regulations adopted by the General Assembly on February 13, 1946, provides that the normal age of retirement for members of the staff should be 60 years. In exceptional circumstances the Secretary-General might extend this age limit to 65 years, if it would be in the interest of the United Nations to do so.

The Secretary-General recommended to the second session of the General Assembly that the age of retirement be raised from 60 to 65 years (A/C.5/165). Under present conditions, the Secretary-General stated, 60 years of age did not represent the conclusion of the active working life of an individual. The organization would therefore lose trained staff who, in addition to their professional qualifications, had gained experience in international administration and outlook. The Secretary-General also pointed out that the effect of a revised retirement age on the pension scheme would be that more satisfactory pensions could be provided, particularly for short service staff entering the

United Nations at an advanced age, of whom there were considerable numbers at the early period of the organization's growth.

The Fifth Committee referred the Secretary-General's recommendations to the Advisory Committee on Administrative and Budgetary Questions. In its report to the Fifth Committee (A/C.5/202) the Advisory Committee stated that it doubted the desirability of the proposed change. In its view the present regulations enabled the Secretary-General to retain in employment after the age of 60 any staff member whose exceptional capabilities made his retention desirable in the interest of the organization. The proposed change would have the disadvantage of slowing up the rate of promotion, which, the Advisory Committee stated, in an international organization was likely in any case to be comparatively slow.

The Advisory Committee therefore recommended that retention of a staff member beyond the age of 60 should continue to be at the discretion of the Secretary-General.

The Fifth Committee approved the Advisory Committee's recommendation at its 90th meeting on November 7, 1947.

(5) Termination of Appointments

Regulation 21 of the provisional staff regulations adopted by the General Assembly on February 13, 1946, provided that "The Secretary-General may terminate the appointment of a member of the staff if the necessities of the service require the abolition of the post or a reduction of the staff, or if the services of the individual concerned prove unsatisfactory".

The Secretary-General considered that the intentions of the Assembly relating to the appointment of short-term staff had not been clearly stated. The regulation, if taken by itself, might be held to imply that the Secretary-General could not terminate the appointment of a staff member holding a short-term appointment for any reason other than abolition of the post, reduction in staff or inefficiency. The Secretary-General therefore proposed to the second session of the General Assembly that the text of the regulation be revised and submitted as an amended draft regulation (A/C.5/165).

The Advisory Committee on Administrative and Budgetary Questions approved the Secretary-General's recommendations, and the Fifth Committee at its 92nd meeting on November 10 adopted revised regulations regarding the termination of appointments.

At its 121st plenary meeting on November 20, 1947, the General Assembly approved the Fifth

Committee's report (A/488) concerning the question of staff rules and regulations and on the Committee's recommendations adopted the following resolution (161(II)):

"The General Assembly

Takes note of the report of the Secretary-General on the staff rules and amendments thereto which he had promulgated to implement the Provisional Staff Regulations (document A/435);

"Requests the Secretary-General to present, four months prior to the third regular session of the General Assembly, a codification of the staff rules for the information of the Assembly;

"Resolves that the Provisional Staff Regulations relating to children's allowances and education grants (regulations 30, 31, 32, 33 and 34) be cancelled and superseded, with effect from 1 January 1948, by the amended regulations contained in Annex A, and

"Resolves that the Provisional Staff Regulations relating to appointment, probation and promotion be amended by the addition of regulation 12 A and that regulation 21 be revised, as contained in Annex B."

ANNEX A. STAFF REGULATIONS

XII. CHILDREN'S ALLOWANCES AND EDUCATION GRANTS

Regulation 30

As from 1 January 1948, full-time members of the staff, with the exception of those specifically excluded by resolution of the General Assembly, shall be entitled to a children's allowance of \$US200 per annum in respect to each child under the age of sixteen years, or, if the child is in full-time attendance at a school or a university (or similar educational institution), under the age of eighteen or twenty-two years respectively; provided that, if both parents are members of the staff of the United Nations, only one allowance will be paid in respect of each of their children, and provided further that, where the Secretary-General deems it advisable, no allowance or an allowance of an amount other than \$US200 may be paid under special circumstances, as for example, short-term assignments or assignments at duty stations where the levels of United Nations salary scales are fixed at levels varying from the Headquarters scale.

Regulation 31

The allowance shall continue to be payable in respect of his children to a full-time member of the staff who becomes entitled under the United Nations Joint Staff Pension Fund Regulations to a retirement or a disability benefit and to a widow if in receipt of a widow benefit.

Regulation 32

Upon the death of a member of the staff who receives a children's allowance under these regulations, and following the death of the other parent, there shall be paid to the legal guardian of each child an allowance of \$US400, or such other appropriate amount as may be fixed by the United Nations Staff Pension Committee, having regard to the further proviso in regulation 30.

Regulation 33

Each full-time member of the staff, with the exception of those specifically excluded by a resolution of the General Assembly, entitled to receive a children's allowance under regulation 30, who is employed by the United Nations in a country other than his own country

as specified in his letter of appointment, shall be entitled to the following education grant:

(a) The sum of \$US200 per annum for each child, in respect of whom a children's allowance is payable, in full-time attendance at a school or a university in his home country; provided that, where a child attended such an educational institution for a period of less than two-thirds of any one scholastic year, the allowance shall be reduced to such proportion of \$US200 as the period so attended bears to a full scholastic year;

(b) Once in each scholastic year the traveling expenses of the outward and return journey of such a child by a route approved by the Secretary-General;

(c) Should staff members elect to send their children to special national schools in the area where they are serving, including international schools organized for children of United Nations staff members, rather than to schools in their home countries, the United Nations will pay for each child otherwise eligible for the education grant, an allowance equal to the difference between the cost of education at the special school which he attends and the cost at a comparable school attended by children of persons normally resident in the area, provided that the allowance shall not exceed \$US200 per year. This allowance shall be payable only when there is a valid reason for the child not to attend school in the home country; for instance, in the case of children under eleven years of age or when the health of the child is such that return to the home country is not feasible.

If both parents are members of the staff of the United Nations, only one grant will be paid in respect of each of their children.

Regulation 34

The Secretary-General may decide in each case whether allowances or grants under regulations 30 and 33 shall extend to adopted children or step-children.

ANNEX B. STAFF REGULATIONS

II. APPOINTMENT, PROBATION AND PROMOTION

Regulation 12A

The appointment of any member of the staff for a probationary period or on a short-term contract, which shall include any temporary contract, may be subject to such conditions as the Secretary-General may deem desirable.

Regulation 21

The Secretary-General may terminate the appointment of a member of the staff in accordance with the terms of his appointment if made under the provisions of regulation 12A, or if the necessities of the service require the abolition of the post or a reduction of the staff, or if the services of the individual concerned prove unsatisfactory.

j. WORKING OF THE SECRETARIAT UNDER CHAPTER XV OF THE CHARTER

By letter of August 19, 1947, the Australian Mission to the United Nations requested the inclusion of the question of "the working of the Secretariat under Chapter XV of the Charter" in the agenda of the second session of the General Assembly.

At its 91st plenary meeting on September 23 the General Assembly referred this item to the

Fifth Committee, which considered it at its 82nd meeting on October 30, its 90th and 91st meetings on November 7 and its 92nd meeting on November 8.

In a note submitted to the Fifth Committee (A/C.5/167 and Add.1) the head of the Australian delegation stated that the object of this item was to clarify the functions of the Secretariat, particularly of the substantive Departments assisting the Economic and Social Council. The Australian delegation believed, the note stated, that the Secretariat had not yet been instructed to undertake the full task which needed to be undertaken to enable the Second and Third Committees of the General Assembly and the Economic and Social Council and its Commissions to work effectively. These organs, in addition to the formal documentation hitherto provided by the Secretariat, needed at each session a *general report* on the world economic situation in the light of which all items should be considered. Appropriate reports and analyses of relevant facts should also be provided for appropriate individual items with which the General Assembly or the Economic and Social Council might have to deal. Adequate substantive documentation, the Australian delegation considered, was an indispensable basis for wise policy decisions and recommendations.

In the course of the discussion the representative of Australia referred to the fact that the Second Committee had adopted a draft resolution under which the General Assembly would request the Secretary-General to assist the Council and its subsidiary bodies by providing factual surveys and analyses of economic conditions and trends.¹⁷²

He also referred to the fact that the General Assembly had adopted a resolution looking to the fullest utilization of the services of the Secretariat, and recommending that the three Councils and their commissions as well as commissions appointed by the General Assembly should refrain from establishing special committees and sub-committees until it had been ascertained that a particular task could not be usefully entrusted to the Secretariat.¹⁷³

If there were general agreement on this matter and if the Secretariat would state that it accepted the general interpretation which had been presented, the Australian delegation would not propose an additional resolution in the Fifth Committee.

The Assistant Secretary-General for Administrative and Financial Services assured the representative of Australia that the Secretariat would make every effort commensurate with its resources to

carry out any assignments which might be made in accordance with the resolutions referred to above.

(1) *Geographical Distribution*

In connection with this agenda item the Fifth Committee then proceeded to discuss the composition of the Secretariat, with particular reference to geographic representation.

Opening the discussion, the representative of Brazil stated that the Administration as a whole had shown little determination in correcting the geographically uneven distribution among the staff. Certain groups in the Secretariat, he charged, held the view that efficiency and administrative ability were concentrated in certain areas and countries, and that other countries should be content to pay their contributions and to secure a few minor posts for their nationals. He cited figures to show that in relation to their contributions certain countries were clearly under-represented while certain other countries enjoyed excessive representation. The results of the recruitment program, the Brazilian representative stated further, had been a disappointment. The majority of new appointments made between January 1 and July 31, 1947, had gone to nationals of over-represented countries.

The representative of Brazil orally suggested certain measures designed to correct the situation of which he complained:

"(a) Schedules of geographic distribution of personnel should be drawn up on the basis of an agreed criterion, and in the absence of a better alternative, that criterion should be the financial contribution of each country.

"(b) The Bureau of Personnel should be strengthened in relation to the heads of departments. The analysis of a candidate's application presented by the Bureau of Personnel Selection Committee should indicate the relative quota position of the candidate's country.

"(c) Upon receipt of a personnel qualification form, the Bureau of Personnel should ascertain whether candidates possessing equal qualifications were available among the under-represented countries.

"(d) Periodical reports on the progress of the internationalization of the Secretariat should be submitted to the Advisory Committee [on Administrative and Budgetary Questions] and a full report to the third session of the General Assembly."

The representatives of Turkey, Mexico, Uruguay, U.S.S.R., Argentina, Panama, Chile, Syria, Pakistan, Lebanon, India and Philippines supported the point of view of the representative of Brazil and stressed the importance of broadening the geographic distribution within the Secretariat. A number of these representatives complained that

¹⁷²See p. 97.

¹⁷³See p. 185.

their countries were definitely under-represented.

The representative of Colombia submitted a draft resolution (A/C.5/W.28) proposing that within 60 days of approval the Secretary-General should issue a working regulation implementing the provisions of the Charter in regard to the geographic distribution of the staff, the regulation to include a definition of geographic representation and to lay down a system of quotas based on the contribution of each Member and providing for a minimum quota of three staff members. For the strict observance of this resolution, the representative of Colombia proposed that the Secretary-General should abide by the following principles:

(a) Appointments should aim at an improvement in number and in rank of the geographical distribution of the staff.

(b) In filling newly established posts or vacancies, the Secretary-General should limit the recruitment to under-represented countries. In the event that such countries could not provide a qualified candidate, the recruitment might be extended on a temporary basis to the over-represented countries.

The representatives of Norway, Poland, Czechoslovakia, France, Belgium, Canada and the Netherlands opposed the Colombian resolution.

The foremost consideration in the recruitment of staff, they maintained, should be the efficiency and competence of the candidate. The international character of the Secretariat could not be assured through a precise mathematical scheme. Staff members, moreover, were not supposed to represent their national governments, but were to be considered international civil servants. It would not be practicable to work out a satisfactory relation between Members' contributions and their representation on the staff. A system of quotas, for example, would unnecessarily limit the recruitment of staff members from war-devastated countries, whose contributions had been fixed at a relatively low percentage, which took into account the damage suffered by these countries during the war. Also, the scale of contributions was subject to change. Finally, the opponents of the Colombian proposal urged that the General Assembly should not limit the Secretary-General's freedom of action in building up an efficient Secretariat.

At its 91st meeting on November 7 the Fifth Committee rejected the Colombian draft resolution by a vote of 20 to 19, with 7 abstentions. The Committee then considered a compromise draft resolution (A/C.5/W.40) which had been submitted by the representatives of Argentina, Canada, Mexico and United States. Several amendments to this resolution were proposed by the representatives of the U.S.S.R., France, Belgium and Lebanon.

Between the 91st and 92nd meetings of the Fifth Committee the authors of the resolutions and the authors of the amendments agreed on a joint text which the Fifth Committee unanimously adopted at its 92nd meeting without further discussion.

The resolution recommended by the Fifth Committee was unanimously adopted by the General Assembly at its 115th plenary meeting on November 15, 1947. Following is the text of the resolution (153(II)):

"Whereas it is desirable to attain a balanced geographical distribution in the composition of the Secretariat, thus improving the present distribution, which results from unavoidable difficulties encountered in the initial stages of an organization;

"Whereas the above consideration does not conflict with the paramount consideration of employment of the staff, as laid down in Article 101, paragraph 3, of the Charter, namely, the necessity of securing the highest standard of efficiency, competence and integrity;

"Whereas, in view of its international character and in order to avoid undue predominance of national practices, the policies and administrative methods of the Secretariat should reflect, and profit to the highest degree from, assets of the various cultures and the technical competence of all Member nations,

"The General Assembly

"1. Reaffirms the principle of securing the highest standard of efficiency, competence and integrity in the staff of the Secretariat, as well as the importance of recruiting the staff on as wide a geographical basis as possible, and

"2. Requests the Secretary-General:

"(a) To examine the recruitment policy that has been followed to date with a view to improving the present geographical distribution of the posts within the various Departments;

"(b) To take, as soon as possible, the necessary steps with a view to engaging staff members from those countries which have not yet any of their nationals in the Secretariat;

"(c) To review, in accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions, the qualifications, background and experience of the present members of the staff, with a view to replacing those who do not reach the high standards fixed by the Charter;

"(d) To take all practicable steps to ensure the improvement of the present geographical distribution of the staff, including the issuance of such rules and regulations as may be necessary to comply with the principles of the Charter as elaborated in this resolution;

"(e) To present to the next regular session of the General Assembly a report of the action taken under this resolution."

k. APPOINTMENT TO FILL A VACANCY IN THE MEMBERSHIP OF THE BOARD OF AUDITORS

Of the three members of the Board of Auditors whom the General Assembly appointed on December 7, 1946 (resolution 74(I)), the Auditor-General (or equivalent official) of the Ukrainian S.S.R.

was chosen to serve until June 30, 1947, the corresponding Swedish official until June 30, 1949, and the Canadian official until June 30, 1950. In 1947 and every year thereafter the General Assembly, it was decided, was to appoint one Board member in the course of its regular session. At its second session the General Assembly therefore had to appoint one member to succeed the Auditor-General of the Ukrainian S.S.R.

The General Assembly instructed the Fifth Committee to select a nominee for recommendation to the General Assembly. At its 77th meeting on October 25, 1947, the Fifth Committee proceeded to a vote, after having decided that the selection should be made on the basis of a two-thirds majority.

On the first ballot the Auditor-General of Colombia received 32 votes and the Auditor-General of the Ukrainian S.S.R., 17. The Auditor-General of Colombia was elected on the second ballot by 39 votes, the Auditor-General of the Ukrainian S.S.R. receiving 11 votes only.

On the recommendation of the Fifth Committee (A/431), the General Assembly at its 104th plenary meeting on November 1, 1947, adopted without objection the following resolution (150(II)):

"The General Assembly

"Resolves that the Auditor-General (or officer holding equivalent title) of COLOMBIA be appointed as a member of the Board of Auditors for a three-year term to commence on 1 July 1948 and to continue until 30 June 1951."

I. UNITED NATIONS STAFF PENSION SCHEME

(1) *Report of the United Nations Staff Benefit Committee*

During the second part of its first session the General Assembly adopted provisional regulations for a United Nations Joint Staff Pension Scheme.¹⁷⁴ In accordance with Section 20 of the provisional regulations, a Staff Benefit Committee, which was to administer the pension scheme, was to be composed of three members elected by the General Assembly, three appointed by the Secretary-General and three elected by the participants.¹⁷⁵

The pension scheme was inaugurated on January 27, 1947. The Staff Benefit Committee submitted its first annual report (A/397) to the second session of the General Assembly, giving an account of the operation of the pension scheme to August 31, 1947. On that date, the report indicated, 690 United Nations staff members were admitted to the pension scheme on acceptance of employment

contracts. In addition, some 700 others, it was stated, had been recommended for contracts and would be admitted shortly. The membership of the pension scheme was to date, the report indicated further, restricted to the United Nations, but negotiations were under way with the Director-General of ILO with a view to admitting ILO personnel into the pension scheme.

Further, in accordance with Section 36 of the provisional regulations, the Staff Benefit Committee drew up a set of administrative rules for carrying out the provisional regulations (A/397, Annex I).

When the General Assembly adopted the provisional regulations for the Joint Staff Pension Scheme it did so on condition that the Scheme should be regarded as provisional during its first year and that it should be open to complete review in the light of experience. The Staff Benefit Committee therefore appointed a special sub-committee to make an intensive study of the regulations. In consultation with an International Commission of Actuaries and on the basis of an actuarial valuation of the pension fund, the sub-committee prepared a complete redraft of the regulations, which the Staff Benefit Committee recommended for approval by the General Assembly as the permanent pension scheme.

At its 91st plenary meeting on September 23, the General Assembly referred all questions pertaining to the Joint Staff Pension Scheme to the Fifth Committee, which referred the annual report and the review of the provisional regulations submitted by the Staff Benefit Committee to the Advisory Committee on Administrative and Budgetary Questions for recommendations. A communication from A. J. Altmeyer, a member of the Staff Benefit Committee, was also referred to the Advisory Committee.

The Advisory Committee considered that more careful study was needed prior to the adoption of a permanent pension scheme and therefore recommended (A/C5/201) that the provisional scheme should continue unchanged, and on a provisional basis for a further period of one year, a final decision to be taken in 1948.

The Fifth Committee at its 90th meeting on November 8 approved, after a brief discussion, the recommendation of the Advisory Committee.

On the recommendation of the Fifth Committee (A/489) the General Assembly at its 121st plen-

¹⁷⁴See *Yearbook of the United Nations*, 1946-47, pp. 226-32.

¹⁷⁵For membership of the Staff Benefit Committee, see p. 322.

ary meeting on November 20, 1947, adopted without objection the following resolution (162(II)):

"The General Assembly

"Takes note of the administrative rules relating to the Provisional Joint Staff Pension Scheme (document A/397);

"Decides that the Provisional Joint Staff Pension Scheme now in effect shall continue unchanged, and on a provisional basis, for a further period of one year;

"Requests the Advisory Committee on Administrative and Budgetary Questions to study the report of the Secretary-General, the implications of the proposals of the United Nations Staff Benefit Committee and any new proposals made by the Joint Staff Benefit Committee, the communication from Mr. A. J. Altmeyer of the United Nations Staff Benefit Committee, and communications from delegations relating to the Pension Scheme, as well as the record of discussions in the Fifth Committee during the second part of the first session and the second session of the General Assembly, and to circulate a report to the Members of the United Nations before the next regular session of the General Assembly;

"Declares that a permanent pension scheme should be promulgated, if possible in 1948"

(2) Appointment of Alternate Members of the United Nations Staff Benefit Committee

Under Section 20 of the provisional regulations of the Staff Pension Scheme, the General Assembly during the second part of its first session elected three members and three alternate members of the Staff Benefit Committee.¹⁷⁸

As the three alternate members resigned during the second session of the General Assembly, the Assembly had to elect new alternates. Accordingly at its 90th meeting on November 7, 1947, the Fifth Committee elected by acclamation the following three alternate members of the Staff Benefit Committee:

Edmundo de Holte-Castello (Colombia)

Edward A. Ghorra (Lebanon)

Julius Katz-Suchy (Poland)

On the recommendation of the Fifth Committee the General Assembly at its 115th meeting on November 15, 1947, adopted without opposition the following resolution (156(II)):

"The General Assembly

"1. Declares that

Mr. E. de Holte-Castello (Colombia),

Mr. Edward A. Ghorra (Lebanon),

Mr. J. Katz-Suchy (Poland),

are elected as alternate members of the United Nations Staff Benefit Committee in accordance with the terms of section 20 of the provisional regulations for the Staff Pension Scheme;

"2. Declares that these members shall serve for two years, beginning 1 January 1948."

(3) Appointment of an Investments Committee

For the purpose of advising the Secretary-General with regard to the investment of the assets of

the pension fund, in accordance with Section 25 of the provisional regulations, an Investments Committee consisting of three members was to be appointed by the Secretary-General after consultation with the Advisory Committee on Administrative and Budgetary Questions and subject to the approval of the General Assembly.

Accordingly the Secretary-General proposed, and the Advisory Committee approved, the selection of:

Jacques Rueff—Honorary Governor of the Bank of France

Ivar Rooth—Managing Director of the Bank of Sweden

Marriner S. Eccles—Chairman of the Board of Governors, Federal Reserve System, United States

In a report to the General Assembly (A/C.5/189) the Secretary-General stated that the proposed members had indicated that they would be willing to serve.

At its 81st meeting on October 30 the Fifth Committee approved the Secretary-General's recommendation and on the Committee's recommendation the General Assembly, at its 115th plenary meeting on November 15, 1947, unanimously adopted the following resolution (155(II)):

"The General Assembly

"Resolves that:

"1. In accordance with the provisions of section 25 of the provisional regulations for the United Nations Joint Staff Pension Scheme, the appointment by the Secretary-General of:

M. Jacques Rueff, Honorary Governor of the Bank of France;

Mr. Ivar Rooth, Managing Director of the Bank of Sweden;

Mr. Marriner S. Eccles, Chairman of the Board of Governors, Federal Reserve System of the United States of America,

to constitute an Investments Committee, is approved;

"2. The terms of office of the members shall expire on 31 December 1950, 31 December 1949 and 31 December 1948 in the order named above,

"3. The normal term of office of a member of the Investments Committee shall be three years, and members shall be eligible for reappointment. At the regular session of the General Assembly each year, the Secretary-General shall submit the appointments which he has made after consultation with the Advisory Committee on Administrative and Budgetary Questions;

"4. The Secretary-General is authorized to seek the advice of the Investments Committee in regard to the investment of special and other funds under the control of the United Nations as well as the pensions funds."

m. TELECOMMUNICATIONS

During the first part of its first session the General Assembly, on February 13, 1946 (resolution

¹⁷⁸See *Yearbook of the United Nations, 1946-47*, p. 227.

13(I)), approved the recommendations of the Technical Advisory Committee on Information, and transmitted them to the Secretary-General for his information and consideration. This Committee had recommended, amongst other things:

"The United Nations should also have its own radio broadcasting station or stations at headquarters with the necessary wave-lengths, both for communication with Members and with branch offices, and for the organization of United Nations programmes. The station might also be used as a centre for national broadcasting systems which desire to co-operate in the international field. The scope of the radio broadcasting activities of the United Nations should be determined after consultation with national radio broadcasting organizations."

The Secretary-General, therefore, on September 1, 1946, appointed an Advisory Committee on United Nations Telecommunications composed of the following three radio experts:

Brigadier General Frank E. Stoner (United States),
Chairman
S. Kagan (France)
G. F. Van Dissel (Netherlands)

The Advisory Committee was instructed (A/335) to perform the following three functions:

"(a) To prepare a plan for efficient world-wide broadcast coverage under United Nations auspices of the General Assembly proceedings beginning on 23 October 1946, and to give its engineering advice in the working out of this plan on behalf of the Department of Public Information.

"(b) To investigate and make recommendations concerning United Nations broadcasting and telecommunications arrangements during the period between the close of the General Assembly and the establishment of permanent United Nations telecommunications facilities.

"(c) To investigate the technical problems arising in connection with the proposal to give the United Nations independent radio communication with the Governments and peoples of all Member States, and to prepare recommendations in the form of a plan supported by the necessary technical data. These recommendations shall be completed by 10 November 1946, on which date it is suggested that five communications experts designated by China, Egypt, Uruguay, the United Kingdom and the U.S.S.R. shall be asked to meet with the Advisory Committee and examine the plan in order to permit greater participation in its preparation."

The experts which were thus designated were the following:

Wen Yuan Pan (China)
Col. Hassan Ragab (Egypt)
Sergei P. Gavrilitsa (U.S.S.R.)
Brig. John Gordon Deedes (United Kingdom)
Roberto Fontaina (Uruguay)

In accordance with its instructions the Advisory Committee on Telecommunications made arrangements with the Office of International Information and Cultural Affairs, United States Department of State, and the Canadian Broadcasting Corporation

to provide limited coverage to Europe, the Middle East, Africa, Latin America, the Far East, India, Australia and New Zealand for broadcasting the proceedings of the second part of the first session of the General Assembly; advised the Secretary-General that until the Assembly decided on the permanent facilities it was not possible to make recommendations regarding measures to be taken in the interim period between the second part of the first session of the General Assembly and the establishment of permanent United Nations facilities, and prepared a detailed technical plan for the operation of United Nations radio facilities. The Secretary-General transmitted the Advisory Committee's report (A/335) to all Member Governments in April 1947.

In a report (A/C.5/206) to the second session of the General Assembly the Secretary-General stressed the importance of establishing independent United Nations telecommunications facilities. Although the Secretariat had been able in 1947 to undertake a certain amount of broadcasting, thanks to the co-operation of the United States Department of State and the Canadian Broadcasting Corporation, he could not, the Secretary-General stated, give any guarantee that the facilities enjoyed so far would continue to be available under appropriate conditions. The United Nations might thus be placed in the position of being unable to do any reporting on its activities through national radio systems. The Secretary-General stated that, wishing to avoid an increase in United Nations expenditure, he did not propose that any funds should be appropriated in 1948 for the establishment of a United Nations telecommunications system. Nor did he suggest that the plan prepared by the Advisory Committee on Telecommunications should be examined in detail by the General Assembly. It was, however, of the utmost importance, he urged, that the General Assembly give him the necessary authorization to enable him to proceed with negotiations now in progress for obtaining the wave-lengths, the call signs, rights and privileges envisaged in the Advisory Committee's plan.

Two steps, the Secretary-General reported, had already been taken to enable the United Nations to possess and operate its own broadcasting services. In response to a request from the United Nations Secretariat, the Atlantic City Conference of the International Telecommunication Union had included in the new International Telecommunication Convention a clause giving the United Nations the same rights and advantages as those provided for participating states, except the right to

vote. Secondly, the United Nations Headquarters Agreement, signed by the United States Government on June 26, 1947, and approved by the General Assembly during its second session, contained an express provision allowing the United Nations to set up its own broadcasting installations in its Administrative District.

Other steps would have to be taken in the near future, in particular in connection with the allocation of international broadcasting frequencies. A preliminary meeting, the Secretary-General's report indicated, was to be held in Geneva in March 1948 with a view to drawing up a plan for the allocation of frequencies which would be finally adopted at the Administrative Conference of the International Telecommunication Union in Mexico City in October 1948. It was important for the United Nations to obtain at that time the wave-lengths it needed, as the number available was extremely small and Member States were not likely to relinquish frequencies once they had been assigned.

In a separate report (A/C.5/207) the Secretary-General furnished details concerning an agreement he had reached with the Swiss Government early in 1948 for the transfer to the United Nations of the wave-lengths originally registered by *Radio Suisse for Radio Nations*, the station which had been utilized by the League of Nations. The Bureau of the International Telecommunication Union was notified of this agreement and was requested to reserve the frequencies concerned for the United Nations, pending the admission of a United Nations Operating Service as a member of the International Telecommunication Union. These wave-lengths could only be finally allocated to the United Nations, however, by virtue of a decision of the International Telecommunication Conference in Mexico City.

The Secretary-General submitted a draft resolution for the consideration of the General Assembly to the effect that the Assembly direct the Secretary-General "to take all steps necessary to ensure that the United Nations can proceed with negotiations now in progress for obtaining the wave-lengths (frequencies), call signs, rights and privileges envisaged in the report of the Advisory Committee on United Nations Telecommunications as necessary for the operation of a United Nations telecommunications system, and to report and submit appropriate recommendations to the third regular session of the General Assembly".

The Fifth Committee discussed the question of telecommunications at its 95th meeting on November 10, 1947. The representative of the

United States proposed the deletion of the words "as envisaged in the report of the Advisory Committee on Telecommunications" from the draft resolution submitted by the Secretary-General, on the ground that the report had not actually been examined by the General Assembly. The Fifth Committee adopted this amendment by a vote of 15 to 11, with 16 abstentions.

On the ground that it would be premature for the Secretary-General to report to the third session of the General Assembly, the representative of the United Kingdom proposed an amendment to the effect that he should report to the fourth regular session. This amendment was rejected by a vote of 24 to 8, with 9 abstentions.

The resolution as amended was then adopted by a vote of 39 to 3, with 2 abstentions.

On the recommendation of the Fifth Committee, the General Assembly at its 121st plenary meeting on November 20 adopted without objection the following resolution (158(II)):

"The General Assembly

"Directs the Secretary-General to take all steps necessary to ensure that the United Nations can proceed with negotiations now in progress for obtaining the wave-lengths (frequencies), call signs, rights and privileges necessary for the operation of a United Nations telecommunications system, and to report and submit appropriate recommendations to the General Assembly at its third regular session."

II. ORGANIZATION OF A UNITED NATIONS POSTAL SERVICE

The delegation of Argentina submitted a proposal (A/367) to the second session of the General Assembly for the establishment of a United Nations Postal Administration. The draft resolution provided that the United Nations should issue, sell and use its own postage stamps and that all mail posted at any United Nations Post Office, but no other mail, should be mailed with United Nations postage stamps. The postage rates were to be in accordance with the provisions of the Universal Postal Union, and stamps were to be sold at their face value to collectors and to the public. The Secretary-General was to take the necessary steps to organize the United Nations Postal Administration, to establish the necessary relations with the UPU, and to open a central United Nations Post Office at the headquarters of the United Nations and elsewhere as necessary. He was to be authorized

(a) to undertake the negotiations of the necessary agreements with the Governments concerned;

(b) to contract for the printing of United Nations postage stamps;

(c) to invite the specialized agencies to participate in

this project and to negotiate any necessary arrangements with them for that purpose.

The Secretary-General was to set up an Advisory Committee to assist in executing these decisions and to help select the initial designs for the postage stamps. The initial expenditure was to be advanced from the Working Capital Fund, and, after the Fund had been reimbursed, the revenues of the United Nations Postal Administration were to be devoted to payment of the rent and amortization of a loan of \$100,000,000 for the building and equipping of the United Nations headquarters, the balance to become part of the annual resources of the organization. The Secretary-General was to submit to the General Assembly an annual report on the operation of the Administration.

In a report (A/C.5/191) to the Fifth Committee on the Argentine proposal, the Secretary-General stated that suggestions for the issue, sale and use of United Nations postage stamps had been discussed by the Co-ordination Committee of the United Nations and specialized agencies and that a number of specialized agencies had expressed a desire to participate in any eventual scheme. During the discussion in the Co-ordination Committee, the Secretary-General stated, it was noted that a United Nations Postal Administration could operate under one of two broad types of arrangement:

'Under the first and more extensive type of arrangement, the United Nations Postal Administration, in addition to issuing and using its own stamps, would operate a sales agency and would handle mail. A special staff would, moreover, be needed for the control of stamp issues and for the auditing of accounts. The technical and staff problems involved in the handling of mail are considerable.

'Under the arrangements of the second and simpler type, the United Nations Postal Administration would restrict its activities to the issue (including design and contracting for printing) of stamps and their use, while the sale of stamps, the maintenance of post offices, and the provision of facilities for handling mail would be assumed by the appropriate national postal administration under a financial agreement."

The Secretary-General recommended that, since the detailed administrative and financial implications of the two alternative methods were not at present known, the General Assembly should instruct him to make such further enquiries as would enable him to make definite proposals to the General Assembly at its third regular session.

The Fifth Committee discussed the question of a United Nations Postal Administration at its 93rd meeting on November 8. The representative of Argentina, pointing out the advantages of a United Nations postage stamp as propaganda for

peace and as a revenue measure, supported the proposal of the Secretary-General to explore during the coming year the administrative arrangements necessary to realize the objective of the Argentinian resolution. He believed that the Secretary-General should be authorized to make all administrative and technical arrangements to prepare the issues of stamps, to reach an agreement with the United States Government and to receive the resulting revenue and submit such arrangements to the General Assembly for approval.

The representative of the United Kingdom warned that the venture might prove less remunerative than the Argentinian proposal anticipated. Revenue from philatelists could be maintained only by fresh issues of stamps. He was of the opinion that the value of a separate United Nations Postal Service was doubtful from both points of view: prestige and revenue. Every country in which the United Nations had an office possessed an efficient postal service which was at the disposal of the organization. The representative of the United Kingdom believed that pending further experience and study, the proposal might be supported in the direction of issuing a United Nations stamp as distinct from setting up a United Nations Postal Administration.

The Fifth Committee, without objection, approved the report of the Secretary-General.

On the Committee's recommendation the General Assembly at its 121st plenary meeting on November 20 adopted without objection the following resolution (159(II)):

"The General Assembly

"Requests the Secretary-General to make inquiries into the administrative, technical and financial implications of the organization of a United Nations postal service and to make recommendations to the next regular session of the General Assembly."

o. UTILIZATION OF THE SERVICES OF THE SECRETARIAT

On September 29 the Swedish delegation asked that a draft resolution concerning the utilization of the services of the Secretariat (A/403) be included in the agenda of the second session of the General Assembly. At its 40th meeting on October 1, the General Committee recommended that the Swedish resolution be considered by the General Assembly in plenary meeting without prior reference to a committee.

At its 95th plenary meeting on October 1 the General Assembly approved the General Committee's recommendation and at its 97th plenary meeting on October 20 the Assembly, after brief dis-

cussion, adopted by a vote of 45 to 1, with 9 abstentions, the following draft resolution proposed by the Swedish delegation (183(II)):

"Paying a tribute to the impartiality and high-mindedness shown by the Secretariat during the first two years of its activities, and taking into consideration the interests of the strictest possible budgetary economy,

"The General Assembly

"Draws the attention of the three Councils and their Commissions, as well as of the Commissions appointed by the Assembly itself, to the desirability of utilizing to the utmost the services of the Secretariat, and

"Recommends specifically to the respective organs of the United Nations to consider carefully, before the creation of special commissions and sub-committees, whether the task to be carried out could not usefully be entrusted to the Secretariat."

7. Legal Matters

a. NEED FOR GREATER USE BY THE UNITED NATIONS AND ITS ORGANS OF THE INTERNATIONAL COURT OF JUSTICE

By letter of August 19, 1947 (A/346), the Australian mission to the United Nations requested the inclusion of the following item in the agenda of the second session of the General Assembly

"The need for greater use by the United Nations and its organs of the International Court of Justice in connection not only with disputes of a legal character, but also with legal aspects of disputes and situations."

At its 91st plenary meeting on September 23 the General Assembly referred this question to the Sixth Committee for consideration (A/C.6/134).

Two draft resolutions were submitted, one by the representative of Australia (A/C.6/165) and the other by the representative of Iran (A/C.6/164). The operative part of the Australian resolution provided that the General Assembly:

"Recommends that each organ of the United Nations and each specialized agency should regularly review the difficult and important questions of law within the competence of the International Court of Justice which have arisen and are likely from time to time to arise in the course of its activities, particularly questions of law relating to the interpretation of the Charter of the United Nations or the constitution of the specialized agency, as the case may be, and should refer to the International Court of Justice for advisory opinion questions selected as a result of such review."

The Iranian proposal provided that the General Assembly should recommend:

"1. to the Member States who have not yet deposited the declarations provided for in paragraph 2 of Article 36 of the Statute of the Court, to do so as soon as possible;

"2. to the Member States to submit their differences

of a juridical character to the International Court of Justice;

"3. to the Security Council to refer to the International Court of Justice, not only disputes of a legal character but also legal aspects that certain differences and situations could present."

In the course of the discussion which took place at the 44th and 45th meetings of the Sixth Committee on October 8 and 9, the majority of representatives were agreed as to the need for greater use of the International Court of Justice and supported the Australian and Iranian proposals in principle. A number of representatives suggested modifications. As regards the Australian proposal the representative of France suggested that the use of the advisory functions of the Court should be expanded by the following methods:

1. The General Assembly should authorize all United Nations agencies and organs created under Articles 22 and 29 of the Charter to request advisory opinions.

2. The General Assembly should express its intention to examine whether any question presented a legal aspect and, if so, to request an advisory opinion from the Court. Further, when the Security Council considered referring the legal aspect of a question to the Court for an advisory opinion, the parties concerned should not be allowed to take part in the vote.

The representative of Egypt suggested that Member States might be asked to provide in international agreements that all disputes should be submitted to the International Court of Justice.

The representative of Colombia proposed that the function of the Court should not be limited to legal disputes, but that the Court should also be called upon to decide political disputes since there was nothing in Article 36 of the Statute of the Court providing for such a restriction. Article 38 of the Statute of the Court, providing for Court decisions *ex aequo et bono*, implied that the Court had jurisdiction in political as well as in strictly legal disputes, the representative of Colombia maintained.

The representative of Argentina proposed an amendment to the Iranian resolution stressing the optional character of Article 36, paragraph 2, of the Statute of the Court, providing for acceptance by States parties to the Statute of the compulsory jurisdiction of the Court.

The representative of Poland warned against the danger of too frequent approach to the Court in matters which by their nature were not suitable for judicial decision. In particular, he considered that the Court was not competent to decide ques-

tions relating to the interpretation of the Charter of the United Nations or the constitutions of the specialized agencies. He was prepared, however, to support the two resolutions subject to certain amendments.

The representative of the U.S.S.R. opposed the Australian and Iranian proposals as superfluous and contrary to the Charter. The Australian proposal, he maintained, indicated a desire to alter the Charter by interpretative methods. It attempted to confer upon the Court a prior right to interpret the Charter. The representative of the U.S.S.R. denied the Court's competence in this respect, insisting that each organ was qualified to interpret the Charter as it saw fit. As regards the Iranian proposal, the representative of the U.S.S.R. considered that it attempted to confer the functions of the Security Council in connection with the pacific settlement of disputes on the International Court of Justice. He insisted further that acceptance of the compulsory jurisdiction of the Court was optional, and he was opposed to any recommendation by the General Assembly which might lead to a general recognition of the Court's compulsory jurisdiction.

At its 45th meeting on October 9, 1947, the Sixth Committee decided to establish an *ad hoc* sub-committee composed of the Rapporteur and the authors of the proposals and amendments (i.e., the representatives of Argentina, Australia, Colombia, Egypt, France, Iran and Poland) to co-ordinate the various suggestions.

The sub-committee prepared three draft resolutions, which the Sixth Committee considered at its 52nd meeting on October 22. One draft resolution (A/C.6/167/Rev.1) was based on the Australian proposal; the second one (A/C.6/169/Rev.1) was based on the Iranian proposal. The third draft resolution (A/C.6/168/Rev.1) provided that the General Assembly authorize the Trusteeship Council to request advisory opinions from the International Court of Justice on legal questions within the scope of its activities. As regards this last resolution the representative of the U.S.S.R. stated that the Trusteeship Council should be consulted before authorization was granted to request advisory opinions. In general, he considered that such authorization should be given only if requested.

The representative of Poland submitted amendments to the revised Australian resolution¹⁷⁷ which provided for the deletion of any reference to the interpretation by the Court of the Charter and the constitutions of the specialized agencies. Voting paragraph by paragraph, the Sixth Com-

mittee adopted the text proposed by the *ad hoc* sub-committee and rejected the Polish amendments. The resolution as a whole was adopted by a vote of 39 to 7.

The Committee then rejected by a vote of 6 to 37 a U.S.S.R. proposal to postpone the decision concerning authorization of the Trusteeship Council to request advisory opinions from the Court until the consent of the Trusteeship Council had been obtained. The resolution authorizing the Trusteeship Council to request advisory opinions was then adopted by a vote of 38 to 0, with 6 abstentions.

Also voting paragraph by paragraph, the Sixth Committee adopted the resolution proposed by the *ad hoc* sub-committee on the basis of the Iranian proposal.¹⁷⁸ The resolution as a whole was adopted by a vote of 37 to 5, with 5 abstentions.

The General Assembly discussed the resolutions recommended by the Sixth Committee at its 113th plenary meeting on November 14. The representative of Poland again introduced an amendment (A/472) to delete from the revised Australian resolution (A/C.6/167/Rev.1) reference to the interpretation by the Court of the Charter of the United Nations and the constitutions of the specialized agencies.

The representative of the U.S.S.R. stated that he would vote against the resolutions recommended by the Sixth Committee except the one concerning the Trusteeship Council, while the resolutions were supported by the Rapporteur of the Sixth Committee and the representatives of Australia, Iran, Costa Rica, Colombia, Canada, Brazil, France and Egypt.

The General Assembly rejected the Polish amendment by a vote of 37 to 6, with 4 abstentions. It adopted by a vote of 46 to 6, with 2 abstentions, the revised Australian resolution concerning advisory opinions of the Court. The resolution authorizing the Trusteeship Council to request advisory opinions was adopted unanimously. The resolution which recommended states to submit legal disputes to the Court was adopted by a vote of 45 to 6, with 3 abstentions.

Following is the text of the resolutions which the General Assembly thus adopted at its 113th plenary meeting on November 14, 1947 (171(II)):

A

"The General Assembly,
"Considering that it is a responsibility of the United Nations to encourage the progressive development of international law;

¹⁷⁷See text of the resolution below, 171(II)A.

¹⁷⁸See text of the resolution below, 171(II)C.

"Considering that it is of paramount importance that the interpretation of the Charter of the United Nations and the constitutions of the specialized agencies should be based on recognized principles of international law;

"Considering that the International Court of Justice is the principal judicial organ of the United Nations;

"Considering that it is also of paramount importance that the Court should be utilized to the greatest practicable extent in the progressive development of international law, both in regard to legal issues between States and in regard to constitutional interpretation,

"*Recommends* that organs of the United Nations and the specialized agencies should, from time to time, review the difficult and important points of law within the jurisdiction of the International Court of Justice which have arisen in the course of their activities and involve questions of principle which it is desirable to have settled, including points of law relating to the interpretation of the Charter of the United Nations or the constitutions of the specialized agencies, and, if duly authorized according to Article 96, paragraph 2, of the Charter, should refer them to the International Court of Justice for an advisory opinion.

B

"Under Article 96, paragraph 2, of the Charter, the General Assembly is empowered to authorize other organs of the United Nations and specialized agencies to request advisory opinions of the International Court of Justice on legal questions arising within the scope of their activities

"The Trusteeship Council, as one of the principal organs of the United Nations, and in view of the functions and powers conferred upon it by Chapters XII and XIII of the Charter, should be authorized to request advisory opinions on legal questions arising within the scope of its activities.

"*The General Assembly, therefore,*

"*Authorizes* the Trusteeship Council to request advisory opinions of the International Court of Justice on legal questions arising within the scope of the activities of the Council.

C

"*The General Assembly,*

"*Considering* that, in virtue of Article 1 of the Charter, international disputes should be settled in conformity with the principles of justice and international law;

"*Considering* that the International Court of Justice could settle or assist in settling many disputes in conformity with these principles if, by the full application of the provisions of the Charter and of the Statute of the Court, more frequent use were made of its services,

"1. *Draws the attention* of the States which have not yet accepted the compulsory jurisdiction of the Court in accordance with Article 36, paragraphs 2 and 5, of the Statute, to the desirability of the greatest possible number of States accepting this jurisdiction with as few reservations as possible,

"2. *Draws the attention* of States Members to the advantage of inserting in conventions and treaties arbitration clauses providing, without prejudice to Article 95 of the Charter, for the submission of disputes which may arise from the interpretation or application of such conventions or treaties, preferably and as far as possible to the International Court of Justice;

"3. *Recommends* as a general rule that States should submit their legal disputes to the International Court of Justice."

b. CO-ORDINATION OF THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS AND OF THE SPECIALIZED AGENCIES

In resolution 22 (I) D of February 13, 1946, the General Assembly stated that there were many advantages in unifying as far as possible the privileges and immunities enjoyed by the United Nations and the various specialized agencies. While recognizing that some of the specialized agencies, by reason of their particular functions, required privileges of a special nature, the General Assembly considered that the privileges and immunities of the United Nations should be regarded, as a general rule, as a maximum within which the specialized agencies should enjoy such privileges and immunities as the appropriate fulfilment of their respective functions might require.

Therefore, the General Assembly instructed the Secretary-General "to open negotiations with a view to the re-consideration, in the light both of the General Convention [on privileges and immunities] adopted by the United Nations and of the considerations above, of the provisions under which the specialized agencies at present enjoy privileges and immunities."

In pursuance of the above resolution the Secretary-General consulted the various specialized agencies. At two preliminary meetings on March 6 and 7, 1947, which were attended by representatives of the United Nations Secretariat and of the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Civil Aviation Organization (ICAO), the International Bank for Reconstruction and Development, the International Monetary Fund and the Interim Commission of the World Health Organization, it was agreed that the problem of the unification of the privileges and immunities of the United Nations and the specialized agencies would be greatly facilitated by the adoption of a single convention which would apply without distinction to all the specialized agencies and would lay down the general privileges and immunities required by those organizations, while reserving the special privileges which might be needed because of the particular functions of any individual agency. A single draft convention prepared by the Secretariat of the United Nations was therefore considered and discussed at these meetings.

Comments and suggestions on this draft convention were subsequently received from ILO,

UNESCO and ICAO. At a meeting of the representatives of the specialized agencies held at Lake Success on July 23, 1947, the draft convention was amended in the light of the observations and proposals received. This amended draft convention was submitted to the General Assembly in a report of the Secretary-General (A/339).

The question of the procedure to be followed in adopting a single convention on the privileges and immunities of the specialized agencies was left for the General Assembly to decide, two alternatives having been considered.

1. The discussion and adoption by the General Assembly of the United Nations of a convention to be submitted later, for their accession, to the States Members of the United Nations, to States Members of the specialized agencies which are not Members of the United Nations, and to the specialized agencies themselves.

2 The convening of a general conference of all States Members of the various specialized agencies, which the specialized agencies themselves would be invited to attend in a consultative capacity, so as to enable them to submit any observations and suggestions that might be useful. This conference would discuss and adopt the text of a convention which it would propose for accession by the States Members of the United Nations and by States Members of the specialized agencies which are not Members of the United Nations.

The Secretary-General's report indicated that the specialized agencies considered the second method preferable.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the question of the co-ordination of the privileges and immunities of the United Nations and the specialized agencies to the Sixth Committee, which in turn, at its 36th meeting on September 24, 1947, referred it, without previous discussion, to a sub-committee composed of the representatives of Argentina, Canada, Cuba, Egypt, India, Norway, Yugoslavia, Czechoslovakia, United Kingdom, U.S.S.R. and United States.¹⁷⁹

The sub-committee first considered the question of the procedure to be followed. On September 29, 1947, it submitted an interim report (A/C.6/148) to the Sixth Committee stating that it had unanimously agreed that a single convention applicable to all the specialized agencies should be drafted, this convention to consist of:

1. a general chapter defining the standard privileges and immunities of the specialized agencies;
2. a number of annexes setting forth the divergencies

from the standard privileges and immunities in the case of each specialized agency which does not require all the standard privileges or which, on account of the special nature of its functions, requires certain special privileges.

The single convention, after coming into force, the sub-committee recommended, should be regarded as a complete statement of the privileges and immunities of the specialized agencies (apart from any special agreements concluded with the country in which their headquarters was established).

The sub-committee recommended that the General Assembly should adopt the general part of the convention containing the standard privileges and immunities in definitive form, while the texts of the various annexes adapting the standard clauses to each of the agencies should be considered as recommendations to the agencies and should be definitely settled in discussions held in the conferences of the agencies themselves. States Members of specialized agencies not Members of the United Nations would thus be given an opportunity to participate in the discussion of the privileges and immunities to be accorded to the agencies, without necessitating the calling of a general conference of all the States Members of the various specialized agencies, one of the possible procedures suggested in the Secretary-General's report. The convention, the sub-committee recommended, should become applicable to each specialized agency when the final text of the relevant annex had been adopted by the agency in question in accordance with its constitutional procedure and had been transmitted to the Secretary-General.

The Sixth Committee approved without discussion the interim report of the sub-committee at its 40th meeting on October 2.

The sub-committee accordingly drew up a draft convention based on the Convention on Privileges and Immunities of the United Nations, although in several cases the privileges granted were more limited than those of the United Nations. The draft convention included nine annexes adapting the general provisions to each of the specialized agencies brought into relationship with the United Nations—ILO, FAO, UNESCO, ICAO, the Bank, the Fund, WHO, International Telecommunication Union (ITU) and Universal Postal Union (UPU)—and provided that a draft annex could be recommended by the Economic and Social

¹⁷⁹Two related questions were referred to the same sub-committee, the question of the headquarters agreements and the item relating to the Privileges and Immunities of representatives of Member States. See p. 197.

Council for any agency later brought into relationship with the United Nations.

The sub-committee also drew up three draft resolutions (A/C.6/191) which it recommended for adoption by the Sixth Committee and the General Assembly. The first provided that the General Assembly recommend the draft Convention on the Privileges and Immunities of the Specialized Agencies for accession by all States Members of the United Nations and by any other State Member of a specialized agency.

As the draft convention was to apply not only to the nine specialized agencies so far brought into relationship with the United Nations, but also to any agency to be established and brought into relationship with the United Nations in the future, the second resolution proposed by the sub-committee provided that the General Assembly recommend that the constitutional instrument of any specialized agency which might hereafter be established should not contain detailed provisions relating to the privileges and immunities to be accorded to, or in connection with, that specialized agency, but should be governed by the general Convention on the Privileges and Immunities of the Specialized Agencies. Any international conference at which the establishment of a specialized agency was being considered should prepare a draft annex to the Convention and send it to the Secretary-General of the United Nations with a view to assisting the Economic and Social Council in preparing an annex to be recommended for adoption by the agency after it had been brought into relationship with the United Nations.¹⁸⁰

The third resolution recommended that the States Members of the United Nations, pending their formal accession to the Convention on the Privileges and Immunities of the Specialized Agencies, should immediately accord as far as possible to, or in connection with, the specialized agencies, the benefit of the privileges and immunities provided in the Convention and its Annexes.

The Sixth Committee considered the report of the sub-committee (A/C.6/191) at its 59th meeting on November 20. In the course of the brief discussion which ensued, the representative of Norway stated that in his view officials of the specialized agencies should be entirely independent of governments as far as national service obligations are concerned. The representative of the United States, on the other hand, made a general reservation with regard to his Government's attitude towards the Convention with respect to any exemption in the United States of citizens

of the United States from taxes or national service.

The representative of the U.S.S.R. stated that he would vote against the Convention, which he considered gave to a large group of officials very wide privileges which were not warranted by practical considerations.

The Sixth Committee adopted the report of the sub-committee (A/C.6/191) by a vote of 27 to 3, with 2 abstentions.

The General Assembly considered the report of the Sixth Committee (A/503) at its 123rd plenary meeting on November 21, 1947, and by a vote of 45 to 0, with 5 abstentions, adopted the following three resolutions (179(II)) recommended by the Sixth Committee

A

"The General Assembly

"Approves the following Convention on the Privileges and Immunities of the specialized agencies and proposes it for acceptance by the specialized agencies and for accession by all Members of the United Nations and by any other State member of a specialized agency.

B

"Whereas the General Assembly, on 13 February 1946,¹⁸¹ adopted a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the specialized agencies,

"Whereas the General Assembly, by a resolution adopted on 21 November 1947, approved a General Convention on the Privileges and Immunities of the specialized agencies and submitted it to the specialized agencies for acceptance and to every Member of the United Nations and to every other State Member of one or more of the specialized agencies for accession, and

"Whereas it is therefore desirable that any specialized agency which is hereafter brought into relationship with the United Nations in accordance with Article 63 of the Charter should derive its privileges and immunities exclusively from the said General Convention, with such modifications as may be necessary to meet the particular requirements of that agency to be contained in an annex,

"The General Assembly

"Recommends that the constitutional instrument of any specialized agency which may hereafter be established should not contain detailed provisions relating to the privileges and immunities to be accorded to, or in connection with, that specialized agency, but should provide that such privileges and immunities shall be governed by the said General Convention modified as may be required,

"Recommends that any international conference at which the establishment of a specialized agency is considered should prepare a draft of the annex relating to the proposed agency contemplated in section 36 of the said General Convention and that, if the agency is es-

¹⁸⁰See Sections 35 and 36 of the Convention.

¹⁸¹See resolution 22 (I) D, see *Yearbook of the United Nations*, 1946-47, p. 108.

tablished, it should send such draft annex to the Secretary-General of the United Nations with a view to assisting the Economic and Social Council in preparing the draft annex which it will recommend, pursuant to section 35 of the said General Convention, after the agency has been brought into relationship with the United Nations, in conformity with the Charter and any recommendation of the General Assembly;

"Directs the Secretary-General to transmit a copy of this resolution to the appropriate officer of any conference at which the establishment of a specialized agency is to be considered.

C

"Whereas it has been recognized as necessary that the specialized agencies enjoy, at the earliest possible date, the privileges and immunities essential for an efficient exercise of their respective functions;

"Whereas a considerable delay will necessarily ensue before the Convention becomes operative in the case of the various agencies,

"The General Assembly

"Recommends that the States Members of the United Nations, pending their formal accession to the General Convention concerning the privileges and immunities of specialized agencies, including the annexes relating to each agency, should immediately accord as far as possible to, or in connexion with, the specialized agencies, the benefit of the privileges and immunities provided in the said General Convention and its annexes, it being understood that the specialized agencies will take any necessary parallel action in regard to those of their members which are not members of the United Nations."

CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

Whereas the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialized agencies; and

Whereas consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies;

Consequently, by resolution 179(II) adopted on 21 November 1947, the General Assembly has approved the following Convention, which is submitted to the specialized agencies for acceptance and to every Member of the United Nations and to every other State member of one or more of the specialized agencies for accession.

ARTICLE I

DEFINITIONS AND SCOPE

Section 1

In this Convention:

- (i) The words "standard clauses" refer to the provisions of articles II to IX.
- (ii) The words "specialized agencies" mean:
 - (a) The International Labour Organisation;
 - (b) The Food and Agriculture Organization of the United Nations;
 - (c) The United Nations Educational, Scientific and Cultural Organization;
 - (d) The International Civil Aviation Organization;
 - (e) The International Monetary Fund;
 - (f) The International Bank for Reconstruction and Development;

- (g) The World Health Organization;
- (h) The Universal Postal Union;
- (i) The International Telecommunications Union; and
- (j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

(iii) The word "Convention" means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.

(iv) For the purposes of article III, the words "property and assets" shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.

(v) For the purposes of articles V and VII, the expression "representatives of members" shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of delegations.

(vi) In sections 13, 14, 15 and 25, the expression "meetings convened by a specialized agency" means meetings: (1) of its assembly and of its executive body (however designated), and (2) of any commission provided for in its constitution; (3) of any international conference convened by it; and (4) of any committee of any of these bodies.

(vii) The term "executive head" means the *principal executive official* of the specialized agency in question, whether designated "Director-General" or otherwise.

Section 2

Each State party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connexion with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with sections 36 or 38.

ARTICLE II

JURIDICAL PERSONALITY

Section 3

The specialized agencies shall possess juridical personality. They shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property, (c) to institute legal proceedings.

ARTICLE III

PROPERTY, FUNDS AND ASSETS

Section 4

The specialized agencies, their property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 5

The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 6

The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

Section 7

Without being restricted by financial controls, regulations or moratoria of any kind:

(a) The specialized agencies may hold funds, gold or currency of any kind and operate accounts in any currency;

(b) The specialized agencies may freely transfer their funds, gold or currency from one country to another or within any country and convert any currency held by them into any other currency.

Section 8

Each specialized agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention in so far as it is considered that effect can be given to such representations without detriment to the interests of the agency.

Section 9

The specialized agencies, their assets, income and other property shall be:

(a) Exempt from all direct taxes; it is understood, however, that the specialized agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

(b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialized agencies for their official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;

(c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

Section 10

While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE IV**FACILITIES IN RESPECT OF COMMUNICATIONS****Section 11**

Each specialized agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, and press rates for information to the press and radio.

Section 12

No censorship shall be applied to the official correspondence and other official communications of the specialized agencies.

The specialized agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialized agency.

ARTICLE V**REPRESENTATIVES OF MEMBERS****Section 13**

Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;

(b) Inviolability for all papers and documents;

(c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;

(d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;

(e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

Section 14

In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

Section 15

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

Section 16

Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would im-

pede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 17

The provisions of sections 13, 14 and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

ARTICLE VI

OFFICIALS

Section 18

Each specialized agency will specify the categories of officials to which the provisions of this article and of article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the above-mentioned Governments.

Section 19

Officials of the specialized agencies shall:

(a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;

(b) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations;

(c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;

(d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;

(e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;

(f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 20

The officials of the specialized agencies shall be exempt from national service obligations, provided that, in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the State concerned.

Should other officials of specialized agencies be called up for national service, the State concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 21

In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic envoys, in accordance with international law.

Section 22

Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for the personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

Section 23

Each specialized agency shall co-operate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connexion with the privileges, immunities and facilities mentioned in this article.

ARTICLE VII

ABUSES OF PRIVILEGE

Section 24

If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

Section 25

1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that:

2. (1) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.

(2) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned; and, if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

ARTICLE VIII

Laissez-Passer

Section 26

Officials of the specialized agencies shall be entitled to use the United Nations *laissez passer* in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to issue *laissez-passer* may be delegated. The Secretary-General of the United Nations shall notify each State party to this Convention of each administrative arrangement so concluded.

Section 27

States parties to this Convention shall recognize and accept the United Nations *laissez-passer* issued to officials of the specialized agencies as valid travel documents.

Section 28

Applications for visas, where required, from officials of specialized agencies holding United Nations *laissez-passer*, when accompanied by a certificate that they are travelling on the business of a specialized agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 29

Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are travelling on the business of a specialized agency.

Section 30

The executive heads, assistant executive heads, heads of departments and other officials of a rank not lower than head of department of the specialized agencies, travelling on United Nations *laissez passer* on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

ARTICLE IX

SETTLEMENT OF DISPUTES

Section 31

Each specialized agency shall make provision for appropriate modes of settlement of:

(a) Disputes arising out of contracts or other disputes of private character to which the specialized agency is a party;

(b) Disputes involving any official of a specialized agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

Section 32

All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

ARTICLE X

ANNEXES AND APPLICATION TO INDIVIDUAL SPECIALIZED AGENCIES

Section 33

In their application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

Section 34

The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

Section 35

Draft annexes 1 to 9 are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

Section 36

The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

Section 37

The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42 and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other States members of the specialized agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.

Section 38

If, after the transmission of a final annex under section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

Section 39

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

Section 40

It is understood that the standard clauses, as modified

by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

The Convention shall not itself operate so as to abrogate, or derogate from, any provisions of the constitutional instrument of any specialized agency or any rights or obligations which the agency may otherwise have, acquire, or assume.

ARTICLE XI

FINAL PROVISIONS

Section 41

Accession to this Convention by a Member of the United Nations and (subject to section 42) by any State member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

Section 42

Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

Section 43

Each State party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by a subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further specialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

Section 44

This Convention shall enter into force for each State party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken to apply the provisions of the Convention to that agency in accordance with section 43.

Section 45

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43. The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

Section 46

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

Section 47

1. Subject to the provisions of paragraph 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification, until such time as a revised convention or annex shall have become applicable to that agency and the said State shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.

2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention from any specialized agency which ceases to be in relationship with the United Nations.

4. The Secretary-General of the United Nations shall inform all member States parties to this Convention of any notification transmitted to him under the provisions of this section.

Section 48

At the request of one third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

Section 49

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the Government of each Member of the United Nations.

ANNEXES TO THE PROPOSED CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

ANNEX I

The International Labour Organisation

The standard clauses shall operate in respect to the International Labour Organisation subject to the following provision:

The provisions of article V (other than paragraph (c) of section 13) and of section 25, paragraphs 1 and 2 (1) of article VII shall extend to the employers' and workers' members of the Governing Body of the International Labour Office and their alternates and advisers, except that any waiver of the immunity of any such person member under section 16 shall be by the Governing Body.

ANNEX II

The Food and Agriculture Organization of the United Nations

The standard clauses shall operate in respect to the Food and Agriculture Organization of the United Nations (hereinafter called "the Organization") subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (1) of article VII shall extend to the Chairman of the Council of the Organization, except that any waiver of the immunity of the Chairman under section 16 shall be by the Council of the Organization.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written or acts done by them in the performance of their official functions, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

(c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions.

(ii) Privileges and immunities are granted to the experts in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.

ANNEX III

The International Civil Aviation Organization

The standard clauses shall operate in respect to the International Civil Aviation Organization (hereinafter called "the Organization") subject to the following provisions:

1. The privileges, immunities, exemptions and facilities referred to in section 21 of the standard clauses shall also be accorded to the President of the Council of the Organization.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) Immunity from legal process of every kind in respect of words spoken or written or acts done by them in the performance of their official functions, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

(c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions;

(d) Inviolability of their papers and documents relating to the work on which they are engaged for the Organization.

(ii) In connexion with (d) of 2 above, the principle contained in the last sentence of section 12 of the standard clauses shall be applicable.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

ANNEX IV

The United Nations Educational Scientific and Cultural Organization

The standard clauses shall operate in respect to the United Nations Educational, Scientific and Cultural Organization (hereinafter called "the Organization") subject to the following provisions:

1. Article V and section 25, paragraphs 1 and 2 (1) of article VII shall extend to the President of the Conference and members of the Executive Board of the Organization, their substitutes and advisers except that any waiver of the immunity of any such person of the Executive Board under section 16 shall be by the Executive Board.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

(c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Governments on temporary official missions.

(ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Organization.

ANNEX V

The International Monetary Fund

In their application to the International Monetary Fund (hereinafter called "the Fund"), the standard

clauses shall operate subject to the following provisions:

1. The following shall be substituted for section 9:

"(a) The Fund, its assets, property, income and its operations and transactions authorized by its articles of agreement shall be immune from all taxation and from all customs duties. The Fund shall be immune from prohibitions and restrictions on imports and exports in respect of articles imported or exported for its official use and in respect of its publications. It is understood, however, that the Fund will not claim exemption from taxes which are, in fact, no more than charges for public utility services, and that articles (other than its publications) imported under this exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country. The Fund shall also be immune from the collection or payment of any tax or duty.

"(b) No taxation of any kind shall be levied on any obligation or security issued by the Fund, including any dividend or interest thereon, by whomsoever held:

"(i) Which discriminates against such obligation or security solely because of its origin, or

"(ii) If the sole jurisdictional basis for each taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Fund."

2. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Fund from this Convention and are not included in those which it can claim under its articles or otherwise

ANNEX VI

The International Bank for Reconstruction and Development

In their application to the International Bank for Reconstruction and Development (hereinafter called "the Bank"), the standard clauses shall operate subject to the following provisions:

1. The following shall be substituted for section 4: "Actions may be brought against the Bank only in a court of competent jurisdiction in the territories of a member in which the Bank has an office, has appointed an agent for the purpose of accepting service or notice of process, or has issued or guaranteed securities. No actions shall, however, be brought by members or persons acting for or deriving claims from members. The property and assets of the Bank shall, wheresoever located and by whomsoever held, be immune from all forms of seizure, attachment or execution before the delivery of final judgment against the Bank."

2. The following shall be substituted for section 9:

"(a) The Bank, its assets, property, income and its operations and transactions authorized by its articles of agreement shall be immune from all taxation and from all customs duties. The Bank shall be immune from prohibitions and restrictions on imports and exports in respect of articles imported or exported for its official use and in respect of its publications. It is understood, however, that the Bank will not claim exemption from taxes which are, in fact, no more than charges for public utility services, and that articles (other than its publications) imported under this exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country.

"The Bank shall also be immune from the collection or payment of any tax or duty.

"(b) No taxation of any kind shall be levied on any obligation or security issued by the Bank (including any dividend or interest thereon) by whomsoever held:

"(i) Which discriminates against such obligation or security solely because it is issued by the Bank; or

"(ii) If the sole jurisdictional basis for such taxation is the place or currency in which it is issued, made payable or paid, or the location of any office or place of business maintained by the Bank.

"(c) No taxation of any kind shall be levied on any obligation or security guaranteed by the Bank (including any dividend or interest thereon) by whomsoever held.

"(i) Which discriminates against such obligation or security solely because it is guaranteed by the Bank, or

"(ii) If the sole jurisdictional basis for such taxation is the location of any office or place of business maintained by the Bank."

3. Section 32 of the standard clauses shall only apply to differences arising out of the interpretation or application of privileges and immunities which are derived by the Bank from this Convention and are not included in those which it can claim under its articles or otherwise.

ANNEX VII

The World Health Organization

In their application to the World Health Organization (hereinafter called "the Organization") the standard clauses shall operate subject to the following modifications:

1. Article V and section 25, paragraphs 1 and 2 (1) of article VII shall extend to persons designated to serve on the executive board of the Organization, their alternates and advisers, except that any waiver of the immunity of any such persons under section 16 shall be by the Board.

2. (i) Experts (other than officials coming within the scope of article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) Immunity of legal process of every kind, in respect of words spoken or written or acts done by them in the performance of their official functions, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

(c) The same facilities in respect of currency and exchange restrictions, and in respect of their personal baggage, as are accorded to officials of foreign governments on temporary official missions;

(ii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice and can be waived without prejudice to the interests of the Organization.

ANNEX VIII

The Universal Postal Union

The standard clauses shall apply without modification.

ANNEX IX

The International Telecommunications Union

The standard clauses shall apply without modification.

In implementation of resolution 179 (II) the following specialized agencies, on the dates indicated, transmitted their annexes to the Secretary-General in accordance with Section 36 of the Convention:

World Health Organization	August 2, 1948
International Civil Aviation Organization	August 11, 1948
International Labour Organisation	September 14, 1948

c. AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES REGARDING THE HEADQUARTERS OF THE UNITED NATIONS

By resolution 99 (I) of December 14, 1946, the General Assembly authorized the Secretary-General to negotiate and conclude with the appropriate authorities of the United States an agreement concerning the arrangements required as a result of the establishment of the permanent headquarters of the United Nations in New York. The resolution provided that in conducting the negotiations the Secretary-General should be guided by the provisions of a draft agreement which had been concluded with the competent United States authorities in June 1946.¹⁸²

That draft agreement¹⁸³ related to a headquarters site in a comparatively wide area within which the United Nations might acquire further parcels of land for the extension of the headquarters district or for other purposes. When the General Assembly decided on December 14, 1946, to establish the headquarters of the United Nations in New York City¹⁸⁴ it became necessary to revise the draft headquarters agreement so as to adapt it to the circumstances of the urban site chosen by the Assembly.

In pursuance of the above resolution the Secretary-General resumed his negotiations with the United States authorities and on June 26, 1947, signed with the Secretary of State of the United States an "Agreement between the United Nations and the United States regarding the headquarters of the United Nations" (A/371).

Section 28 of this Agreement provides that it "shall be brought into effect by an exchange of

notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress".

In accordance with that provision, the Agreement was submitted to the Congress of the United States, which, on July 26, 1947, approved a joint resolution authorizing the President of the United States to bring the Agreement into effect and granting him the necessary powers for that purpose. The President approved the joint resolution on August 4, 1947. It therefore remained for the General Assembly to approve the Agreement and to authorize the Secretary-General to put it into effect.

The Secretary-General submitted a report (A/371) on the conduct and results of the negotiations to the second session of the General Assembly, which at its 91st plenary meeting on September 23, 1947, referred the matter to the Sixth Committee for consideration and report.

At its 36th meeting on September 24 the Sixth Committee referred the Secretary-General's report without prior discussion to the eleven-member sub-committee, which was also entrusted with the task of considering the question of the privileges and immunities of the specialized agencies.¹⁸⁵

The sub-committee confined its study to the text of the Agreement and compared it with the draft agreement which had been concluded in 1946. The sub-committee reported to the Sixth Committee (A/C.6/172) that, though there were a considerable number of changes, they were, with certain exceptions, either simple adaptations rendered necessary by the fact that the headquarters district decided on was a small area in the middle of the City of New York, whereas the previous draft agreement had in mind a much larger area in rural surroundings, or else were changes of arrangement and drafting involving no difference in meaning.

The main substantive changes in the Agreement related to the following sections:¹⁸⁶

Section 4. The scope of the facilities granted to the United Nations in the field of telecommunications was expanded

Section 6. The United Nations was authorized to organize its own postal service.

¹⁸²See *Yearbook of the United Nations*, 1946-47, pp. 250-51.

¹⁸³For text of the draft agreement, see *ibid.*, pp. 104-7.

¹⁸⁴*Ibid.*, pp. 272-75.

¹⁸⁵See p. 188.

¹⁸⁶See text of the Agreement, pp. 199-204.

Section 11. The list of persons entitled to the right of unimpeded transit to and from the headquarters district was supplemented by the inclusion of any persons invited to the headquarters district by the United Nations or by a specialized agency.

Section 13. This section was not contained in the original draft agreement. Paragraphs b and c of this section were the subject of extensive discussion between the Secretary-General and the United States authorities. As finally agreed upon, the relevant provisions give the Government of the United States the right to require an official of the United Nations or the representative of a Member Government or a member of a representative's staff to leave the territory of the United States in the case of abuses or of serious infractions committed in the United States in matters outside his official duties. This right is surrounded by a number of safeguards, one of which is the Procedure of Consultation. It is provided that no proceedings shall be instituted except with the prior approval of the Secretary of State of the United States, such approval being given only after consultation with the appropriate Member or with the Secretary-General, or the appropriate Executive Officer of a specialized agency. Where the individual concerned possesses diplomatic immunity under Section 15 of the Headquarters Agreement or under the General Convention, it is specified that he shall not be required to leave the United States "otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States".

The sub-committee agreed that the changes in Sections 4, 6 and 11 constituted improvements from the point of view of the United Nations. As regards Section 13, the sub-committee was of the opinion that these provisions, referring to a case which would only be expected to arise very rarely, if ever, were in practice acceptable.

According to Section 26, the provisions of the Headquarters Agreement are complementary to those of the Convention on the Privileges and Immunities of the United Nations¹⁸⁷ "as acceded to by the United States". As the United States Congress, however, had not yet acceded to the Convention, the Secretary-General in his report to the General Assembly as well as the sub-committee pointed out that the Headquarters Agreement could not fully produce all its effects until such time as the United States acceded to the Convention, and it was important, the sub-committee urged, to know on what terms the United States would accede.

Correspondence brought to its attention, the sub-committee's report indicated, disclosed that the United States Government, in acceding to the Convention, might make reservations regarding the exemption of United States nationals from income tax and national service obligations (Sections 18, b and c) and that it was disposed to interpret the provisions relating to the United Nations *laissez-passer* (Article VII) in such a way as to diminish its value by impeding the movements in and out of the United States of United Nations officials, although they were being sent abroad on official duties and United Nations business. The sub-committee noted, however, that from the point of view of the United States the question regarding the *laissez-passer* was a matter of administration rather than of legislation and expressed the hope that further discussions on this point might lead to a modification of the views of the United States. On the question of the reservation to Section 18 (b) of the Convention regarding exemption from taxation, the sub-committee expressed the view that this lay within the scope of another committee. However, with regard to Section 18 (c) (Immunity of officials from national service obligations) the sub-committee was of the opinion that if the complete exemption of all officials could not be accepted by the United States it was most desirable that the work of the United Nations should not be hampered by the calling up of officials who were United States nationals. This point was therefore recommended for further discussion between the Secretary-General and the competent officials of the United States.

The sub-committee was, however, of the opinion that none of these three points affected the provisions of the Headquarters Agreement in such a manner that the General Assembly need hesitate to approve it. The sub-committee's report stated that in the improbable event that the United States made other reservations to the General Convention, a new situation would be created which should entitle the United Nations to re-open the matter.

The sub-committee submitted a draft resolution for adoption by the Sixth Committee and the General Assembly to the effect that the Assembly should approve the Headquarters Agreement signed on June 26, 1947, and, that it should authorize the Secretary-General to bring it into force and to perform on behalf of the United

¹⁸⁷For the text of the Convention, see *Yearbook of the United Nations, 1946-47*, pp. 100-3.

Nations such acts or functions as might be required by the Agreement.

At its 53rd meeting on October 23 the Sixth Committee unanimously adopted the report of the sub-committee, after having adopted without objection certain U.S.S.R. amendments (A/C.6/174).

The representative of Poland submitted a draft resolution (A/C.6/175) relating to Section 15 of the Headquarters Agreement. This Section provides that principal resident representatives of Members of the United Nations or of specialized agencies are to be entitled in the territory of the United States to the same privileges and immunities as are accorded to diplomatic envoys accredited to the United States. In addition, these privileges are to be accorded to such resident members of the staff of representatives of Members of the United Nations or specialized agencies as may be agreed upon between the Secretary-General (or principal executive officer of the specialized agency), the Government of the United States and the Member Government concerned. The Polish resolution recommended that in reaching an agreement as to the classes of persons on the staff of delegations to be accorded the privileges and immunities in question, the Secretary-General and the appropriate authorities of the United States should use as a guide Section 16 of the General Convention on the Privileges and Immunities of the United Nations. This section provides that the term "representatives" of Members, in connection with Article IV of the Convention, defining privileges and immunities, should be deemed to include all delegates, deputy delegates, advisers, technical experts and secretaries of delegations.

As the Polish proposal was in line with a proposal contained in the report of the sub-committee to the effect that the provisions of Section 15 of the Headquarters Agreement should be interpreted liberally, it was unanimously adopted by the Sixth Committee.¹⁸³ The representative of Argentina had requested the inclusion in the agenda of the second session of the Assembly of an item concerning the "privileges and immunities within the boundaries of the United States of the representatives of Member States" (A/359) and had submitted a draft resolution (A/378). The Argentine representative later withdrew his resolution as he considered that the Sixth Committee's recommendations in connection with Section 15 of the Headquarters Agreement fulfilled the same purpose, i.e., to ensure adequate privileges and immunities to all members of delegations

below the rank of ambassador or minister plenipotentiary.

At its 101st plenary meeting on October 31 the General Assembly without opposition approved the report of the Sixth Committee (A/427) and adopted the following resolutions (169(II)) recommended by the Committee:

A

"The General Assembly,

"Whereas the Secretary-General pursuant to resolution 99 (I)¹⁸⁴ of 14 December 1946 signed with the Secretary of State of the United States of America on 26 June 1947 an Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, and

"Whereas the Secretary-General in accordance with the said resolution has submitted the said Agreement to the General Assembly;

"Having studied the report prepared on this matter by the Sixth Committee,

"Endorses the opinions expressed therein;

"Approves the Agreement signed on 26 June 1947, and

"Authorizes the Secretary-General to bring that Agreement into force in the manner provided in section 28 thereof, and to perform on behalf of the United Nations such acts or functions as may be required by that Agreement.

B

"The General Assembly

"Decides to recommend to the Secretary-General and to the appropriate authorities of the United States of America to use section 16 of the General Convention on the Privileges and Immunities of the United Nations¹⁸⁵ as a guide in considering—under sub-sections 2 and the last sentence of section 15 of the above-mentioned Agreement regarding the Headquarters—what classes of persons on the staff of delegations might be included in the lists to be drawn up by agreement between the Secretary-General, the Government of the United States of America and the Government of the Member State concerned."

AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNITED STATES OF AMERICA REGARDING THE HEADQUARTERS OF THE UNITED NATIONS

The United Nations and the United States of America,

Desiring to conclude an agreement for the purpose of carrying out the resolution adopted by the General Assembly on 14 December 1946¹⁸⁶ to establish the seat of the United Nations in the City of New York and to regulate questions arising as a result thereof;

Have appointed as their representatives for this purpose:

¹⁸³The Polish resolution originally consisted of two paragraphs. The first paragraph was withdrawn by the Polish delegation. The second paragraph constituted the resolution as adopted.

¹⁸⁴See *Yearbook of the United Nations, 1946-47*, pp. 250-51.

¹⁸⁵See resolution 22 (I), *ibid.*, p. 102.

¹⁸⁶See resolution 100 (I), *ibid.*, p. 275.

The United Nations: Trygve LIE, Secretary-General, and

The United States of America: George C. MARSHALL, Secretary of State,

Who have agreed as follows:

ARTICLE I

DEFINITIONS

Section 1

In this agreement

(a) The expression "headquarters district" means:

1. The area defined as such in Annex 1;
2. Any other lands or buildings which may from time to time be included therein by supplemental agreement with the appropriate American authorities,

(b) The expression "appropriate American authorities" means such federal, state, or local authorities in the United States as may be appropriate in the context and in accordance with the laws and customs of the United States, including the laws and customs of the state and local government involved,

(c) The expression "General Convention" means the Convention on the Privileges and Immunities of the United Nations approved by the General Assembly of the United Nations on 13 February 1946, as acceded to by the United States,

(d) The expression "United Nations" means the international organization established by the Charter of the United Nations, hereinafter referred to as the "Charter",

(e) The expression "Secretary General" means the Secretary-General of the United Nations

ARTICLE II

THE HEADQUARTERS DISTRICT

Section 2

The seat of the United Nations shall be the headquarters district.

Section 3

The appropriate American authorities shall take whatever action may be necessary to assure that the United Nations shall not be dispossessed of its property in the headquarters district, except as provided in section 22 in the event that the United Nations ceases to use the same, provided that the United Nations shall reimburse the appropriate American authorities for any costs incurred, after consultation with the United Nations, in liquidating by eminent domain proceedings or otherwise any adverse claims.

Section 4

(a) The United Nations may establish and operate in the headquarters district:

1. Its own short-wave sending and receiving radio broadcasting facilities, including emergency link equipment, which may be used on the same frequencies (within the tolerances prescribed for the broadcasting service by applicable United States regulations) for radio-telegraph, radio-teletype, radio-telephone, radio-telephoto, and similar services,

2. One point-to-point circuit between the headquarters district and the office of the United Nations in Geneva (using single sideband equipment) to be used exclusively for the exchange of broadcasting programmes and inter-office communications;

3. Low power, micro-wave, low or medium frequency, facilities for communication within headquarters buildings only, or within such other buildings as may temporarily be used by the United Nations;

4. Facilities for point-to-point communications to the same extent and subject to the same conditions as permitted under applicable rules and regulations for amateur operators in the United States, except that such rules and regulations shall not be applied in a manner inconsistent with the inviolability of the headquarters district provided by section 9 (a);

5. Such other radio facilities as may be specified by supplemental agreement between the United Nations and the appropriate American authorities.

(b) The United Nations shall make arrangements for the operation of the services referred to in this section with the International Telecommunication Union, the appropriate agencies of the Government of the United States and the appropriate agencies of other affected Governments with regard to all frequencies and similar matters

(c) The facilities provided for in this section may, to the extent necessary for efficient operation, be established and operated outside the headquarters district.

The appropriate American authorities will, on request of the United Nations, make arrangements, on such terms and in such manner as may be agreed upon by supplemental agreement, for the acquisition or use by the United Nations of appropriate premises for such purposes and the inclusion of such premises in the headquarters district.

Section 5

In the event that the United Nations should find it necessary and desirable to establish and operate an aerodrome, the conditions for the location, use and operation of such an aerodrome and the conditions under which there shall be entry into and exit therefrom shall be the subject of a supplemental agreement.

Section 6

In the event that the United Nations should propose to organize its own postal service, the conditions under which such service shall be set up shall be the subject of a supplemental agreement.

ARTICLE III

LAWS APPLICABLE AND COMPETENT AUTHORITY IN THE HEADQUARTERS DISTRICT

Section 7

(a) The headquarters district shall be under the control and the authority of the United Nations as provided in this agreement.

(b) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local law of the United States shall apply within the headquarters district.

(c) Except as otherwise provided in this agreement or in the General Convention, the federal, state and local courts of the United States shall have jurisdiction over acts done and transactions taking place in the headquarters district as provided in applicable federal, state and local laws.

(d) The federal, state and local courts of the United States, when dealing with cases arising out of or relating to acts done or transactions taking place in the headquarters district, shall take into account the regulations enacted by the United Nations under section 8.

Section 8

The United Nations shall have the power to make regulations, operative within the headquarters district, for the purpose of establishing therein conditions in all respects necessary for the full execution of its functions. No federal, state or local law or regulation of the United States which is inconsistent with a regulation of the United Nations authorized by this section, shall, to the extent of such inconsistency, be applicable within the headquarters district. Any dispute, between the United Nations and the United States, as to whether a regulation of the United Nations is authorized by this section or as to whether a federal, state or local law or regulation is inconsistent with any regulation of the United Nations authorized by this section, shall be promptly settled as provided in section 21. Pending such settlement, the regulation of the United Nations shall apply, and the federal, state or local law or regulation shall be inapplicable in the headquarters district to the extent that the United Nations claims it to be inconsistent with the regulation of the United Nations. This section shall not prevent the reasonable application of fire protection regulations of the appropriate American authorities.

Section 9

(a) The headquarters district shall be inviolable. Federal, state or local officers or officials of the United States, whether administrative, judicial, military or police, shall not enter the headquarters district to perform any official duties therein except with the consent of and under conditions agreed to by the Secretary-General. The service of legal process, including the seizure of private property, may take place within the headquarters district only with the consent of and under conditions approved by the Secretary-General.

(b) Without prejudice to the provisions of the General Convention or article IV of this agreement, the United Nations shall prevent the headquarters district from becoming a refuge either for persons who are avoiding arrest under the federal, state, or local law of the United States or are required by the Government of the United States for extradition to another country, or for persons who are endeavouring to avoid service of legal process.

Section 10

The United Nations may expel or exclude persons from the headquarters district for violation of its regulations adopted under section 8 or for other cause. Persons who violate such regulations shall be subject to other penalties or to detention under arrest only in accordance with the provisions of such laws or regulations as may be adopted by the appropriate American authorities.

ARTICLE IV

COMMUNICATIONS AND TRANSIT

Section 11

The federal, state or local authorities of the United States shall not impose any impediments to transit to or from the headquarters district of:

1. Representatives of Members or officials of the United Nations, or of specialized agencies as defined in Article 57, paragraph 2, of the Charter, or the families of such representatives or officials;
2. Experts performing missions for the United Nations or for such specialized agencies;
3. Representatives of the Press, or of radio, film or other information agencies, who have been accredited

by the United Nations (or by such a specialized agency) after consultation with the United States;

4. Representatives of non-governmental organizations recognized by the United Nations for the purpose of consultation under Article 71 of the Charter; or

5. Other persons invited to the headquarters district by the United Nations or by such specialized agency on official business.

The appropriate American authorities shall afford any necessary protection to such persons while in transit to or from the headquarters district. This section does not apply to general interruptions of transportation which are to be dealt with as provided in section 17, and does not impair the effectiveness of generally applicable laws and regulations as to the operation of means of transportation.

Section 12

The provisions of section 11 shall be applicable irrespective of the relations existing between the Governments of the persons referred to in that section and the Government of the United States

Section 13

(a) Laws and regulations in force in the United States regarding the entry of aliens shall not be applied in such manner as to interfere with the privileges referred to in section 11. When visas are required for persons referred to in that section, they shall be granted without charge and as promptly as possible.

(b) Laws and regulations in force in the United States regarding the residence of aliens shall not be applied in such manner as to interfere with the privileges referred to in section 11 and, specifically, shall not be applied in such manner as to require any such person to leave the United States on account of any activities performed by him in his official capacity. In case of abuse of such privileges of residence by any such person in activities in the United States outside his official capacity, it is understood that the privileges referred to in section 11 shall not be construed to grant him exemption from the laws and regulations of the United States regarding the continued residence of aliens, provided that:

1. No proceedings shall be instituted under such laws or regulations to require any such person to leave the United States except with the prior approval of the Secretary of State of the United States. Such approval shall be given only after consultation with the appropriate Member in the case of a representative of a Member (or a member of his family) or with the Secretary-General or the principal executive officer of the appropriate specialized agency in the case of any other person referred to in section 11;

2. A representative of the Member concerned, the Secretary-General or the principal executive officer of the appropriate specialized agency, as the case may be, shall have the right to appear in any such proceedings on behalf of the person against whom they are instituted,

3. Persons who are entitled to diplomatic privileges and immunities under section 15 or under the General Convention shall not be required to leave the United States otherwise than in accordance with the customary procedure applicable to diplomatic envoys accredited to the United States.

(c) This section does not prevent the requirement of reasonable evidence to establish that persons claiming the rights granted by section 11 come within the classes described in that section, or the reasonable application of quarantine and public health regulations.

(d) Except as provided above in this section and in the General Convention, the United States retains full control and authority over the entry of persons or property into the territory of the United States and the conditions under which persons may remain or reside there.

(e) The Secretary-General shall, at the request of the appropriate American authorities, enter into discussions with such authorities, with a view to making arrangements for registering the arrival and departure of persons who have been granted visas valid only for transit to and from the headquarters district and sojourn therein and in its immediate vicinity.

(f) The United Nations shall, subject to the foregoing provisions of this section, have the exclusive right to authorize or prohibit entry of persons and property into the headquarters district and to prescribe the conditions under which persons may remain or reside there.

Section 14

The Secretary-General and the appropriate American authorities shall, at the request of either of them, consult as to methods of facilitating entrance into the United States, and the use of available means of transportation, by persons coming from abroad who wish to visit the headquarters district and do not enjoy the rights referred to in this article.

ARTICLE V

PERMANENT REPRESENTATIVES TO THE UNITED NATIONS

Section 15

1. Every person designated by a Member as the principal permanent representative to the United Nations of such Member or as a permanent representative with the rank of ambassador or minister plenipotentiary,

2. Such resident members of their staffs as may be agreed upon between the Secretary-General, the Government of the United States and the Government of the Member concerned;

3. Every person designated by a member of a specialized agency—as defined in Article 57, paragraph 2 of the Charter—as its principal permanent representative, with the rank of ambassador or minister plenipotentiary at the headquarters of such agency in the United States; and

4. Such other principal permanent representatives of members of a specialized agency and such resident members of the staffs of representatives of a specialized agency as may be agreed upon between the principal executive officer of the specialized agency, the Government of the United States and the Government of the Member concerned,

Shall, whether residing inside or outside the headquarters district, be entitled in the territory of the United States to the same privileges and immunities, subject to corresponding conditions and obligations, as it accords to diplomatic envoys accredited to it. In the case of Members whose Governments are not recognized by the United States, such privileges and immunities need be extended to such representatives, or persons on the staffs of such representatives, only within the headquarters district, at their residence and offices if outside the district, in transit between the district and such residences and offices, and in transit on official business to or from foreign countries.

ARTICLE VI

POLICE PROTECTION OF THE HEADQUARTERS DISTRICT

Section 16

(a) The appropriate American authorities shall exer-

cise due diligence to ensure that the tranquility of the headquarters district is not disturbed by the unauthorized entry of groups of persons from outside or by disturbances in its immediate vicinity and shall cause to be provided on the boundaries of the headquarters district such police protection as is required for these purposes.

(b) If so requested by the Secretary-General, the appropriate American authorities shall provide a sufficient number of police for the preservation of law and order in the headquarters district, and for the removal therefrom of persons as requested under the authority of the United Nations. The United Nations shall, if requested, enter into arrangements with the appropriate American authorities to reimburse them for the reasonable cost of such services.

ARTICLE VII

PUBLIC SERVICES AND PROTECTION OF THE HEADQUARTERS DISTRICT

Section 17

(a) The appropriate American authorities will exercise, to the extent requested by the Secretary-General, the powers which they possess to ensure that the headquarters district shall be supplied on equitable terms with the necessary public services, including electricity, water, gas, post, telephone, telegraph, transportation, drainage, collection of refuse, fire protection, snow removal, *et cetera*. In case of any interruption or threatened interruption of any such services, the appropriate American authorities will consider the needs of the United Nations as being of equal importance with the similar needs of essential agencies of the Government of the United States, and will take steps accordingly to ensure that the work of the United Nations is not prejudiced.

(b) Special provisions with reference to maintenance of utilities and underground construction are contained in annex 2.

Section 18

The appropriate American authorities shall take all reasonable steps to ensure that the amenities of the headquarters district are not prejudiced and the purposes for which the district is required are not obstructed by any use made of the land in the vicinity of the district. The United Nations shall on its part take all reasonable steps to ensure that the amenities of the land in the vicinity of the headquarters district are not prejudiced by any use made of the land in the headquarters district by the United Nations.

Section 19

It is agreed that no form of racial or religious discrimination shall be permitted within the headquarters district.

ARTICLE VIII

MATTERS RELATING TO THE OPERATION OF THIS AGREEMENT

Section 20

The Secretary-General and the appropriate American authorities shall settle by agreement the channels through which they will communicate regarding the application of the provisions of this agreement and other questions affecting the headquarters district, and may enter into such supplemental agreements as may be necessary to fulfil the purposes of this agreement. In making supplemental agreements with the Secretary-General, the United States shall consult with the appropriate state and local authorities. If the Secretary-General so requests, the Secretary of State of the United States shall appoint a special

representative for the purpose of liaison with the Secretary-General.

Section 21

(a) Any dispute between the United Nations and the United States concerning the interpretation or application of this agreement or of any supplemental agreement, which is not settled by negotiation or other agreed mode of settlement, shall be referred for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General, one to be named by the Secretary of State of the United States, and the third to be chosen by the two, or, if they should fail to agree upon a third, then by the President of the International Court of Justice.

(b) The Secretary-General or the United States may ask the General Assembly to request of the International Court of Justice an advisory opinion on any legal question arising in the course of such proceedings. Pending the receipt of the opinion of the Court, an interim decision of the arbitral tribunal shall be observed by both parties. Thereafter, the arbitral tribunal shall render a final decision, having regard to the opinion of the Court.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Section 22

(a) The United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States. If the United States is unwilling to consent it shall buy the land in question from the United Nations at a price to be determined as provided in paragraph (d) of this section.

(b) If the seat of the United Nations is removed from the headquarters district, all right, title and interest of the United Nations in and to real property in the headquarters district or any part of it shall, on request of either the United Nations or the United States, be assigned and conveyed to the United States. In the absence of such a request, the same shall be assigned and conveyed to the subdivision of a state in which it is located or, if such sub-division shall not desire it, then to the state in which it is located. If none of the foregoing desire the same, it may be disposed of as provided in paragraph (a) of this section.

(c) If the United Nations disposes of all or any part of the headquarters district, the provisions of other sections of this agreement which apply to the headquarters district shall immediately cease to apply to the land and buildings so disposed of.

(d) The price to be paid for any conveyance under this section shall, in default of agreement, be the then fair value of the land, buildings and installations, to be determined under the procedure provided in section 21.

Section 23

The seat of the United Nations shall not be removed from the headquarters district unless the United Nations should so decide.

Section 24

This agreement shall cease to be in force if the seat of the United Nations is removed from the territory of the United States, except for such provisions as may be applicable in connexion with the orderly termination of the operations of the United Nations at its seat in the United States and the disposition of its property therein.

Section 25

Wherever this agreement imposes obligations on the

appropriate American authorities, the Government of the United States shall have the ultimate responsibility for the fulfilment of such obligations by the appropriate American authorities.

Section 26

The provisions of this agreement shall be complementary to the provisions of the General Convention. In so far as any provision of this agreement and any provisions of the General Convention relate to the same subject matter, the two provisions shall, wherever possible, be treated as complementary so that both provisions shall be applicable and neither shall narrow the effect of the other; but in any case of absolute conflict, the provisions of this agreement shall prevail.

Section 27

This agreement shall be construed in the light of its primary purpose to enable the United Nations at its headquarters in the United States, fully and efficiently, to discharge its responsibilities and fulfil its purposes.

Section 28

This agreement shall be brought into effect by an exchange of notes between the Secretary-General, duly authorized pursuant to a resolution of the General Assembly of the United Nations, and the appropriate executive officer of the United States, duly authorized pursuant to appropriate action of the Congress.

IN WITNESS WHEREOF the respective representatives have signed this agreement and have affixed their seals hereto.

DONE in duplicate, in the English and French languages, both authentic, at Lake Success, this twenty-sixth day of June 1947.

ANNEX 1

The area referred to in section 1, paragraph (a) 1, consists of:

(a) The premises bounded on the east by the westerly side of Franklin D. Roosevelt Drive, on the west by the easterly side of First Avenue, on the north by the southerly side of East Forty-Eighth Street, and on the south by the northerly side of East Forty-Second Street, all as proposed to be widened, in the borough of Manhattan, City and State of New York, and

(b) An easement over Franklin D. Roosevelt Drive, above a lower limiting plane to be fixed for the construction and maintenance of an esplanade, together with the structures thereon and foundations and columns to support the same in locations below such limiting plane, the entire area to be more definitely defined by supplemental agreement between the United Nations and the United States of America.

ANNEX 2

MAINTENANCE OF UTILITIES AND UNDERGROUND CONSTRUCTION

Section 1

The Secretary-General agrees to provide passes to duly authorized employees of the City of New York, the State of New York, or any of their agencies or sub-divisions, for the purpose of enabling them to inspect, repair, maintain, reconstruct and relocate utilities, conduits, mains and sewers within the headquarters district.

Section 2

Underground constructions may be undertaken by the City of New York, or the State of New York, or any of

their agencies or sub-divisions, within the headquarters district only after consultation with the Secretary-General, and under conditions which shall not disturb the carrying out of the functions of the United Nations.

On November 21, 1947, the Headquarters Agreement entered into effect, upon an exchange of notes between the Secretary-General of the United Nations and Warren R. Austin, the duly authorized representative of the United States.

On December 18, 1947, an interim Headquarters Agreement was signed extending the appropriate provisions of the Headquarters Agreement to the interim headquarters of the United Nations at Lake Success.

Implementation of Section 15 of the Headquarters Agreement, in order to carry out the material application of the diplomatic privileges to the persons concerned, was arranged in a series of negotiations with the United States Department of State, as well as with the State and City authorities of New York. Other negotiations followed in order to implement the Agreement fully.

d. REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

On December 14, 1946, the General Assembly had adopted regulations governing the registration, filing, recording and publication of treaties and international agreements in accordance with Article 102 of the Charter (resolution 97(I)).¹⁰²

The Secretary-General submitted a report (A/380) to the second session of the General Assembly concerning the progress made in the registration and publication of treaties and international agreements. This report indicated that up to August 12, 1947, the Secretariat had received 344 treaties or international agreements of which 100 had been registered and 45 had been filed and recorded; 199 treaties and international agreements, including 151 transmitted prior to the adoption of the resolution, the Secretary-General reported, were still the subject of correspondence with the governments concerned with a view to the completion of certain necessary formalities. (According to later figures which the Secretariat presented orally to the Sixth Committee, 418 treaties and international agreements were received by October 20, 1947.)

The Secretariat, the report indicated, had encountered certain difficulties in defining the term "international agreement". It had been decided, however, on the basis of the definition contained in the report of Committee IV/2 of the United

Nations Conference on International Organization,¹⁰³ to register *ex officio* the instruments of adherence transmitted to the Secretary-General by new Members of the United Nations and also declarations by states, under Article 36, paragraph 2, of the Statute of the International Court of Justice, accepting the compulsory jurisdiction of the Court.

In conclusion, the Secretary-General's report stated that the establishment of the service for the registration and publication of treaties was now complete. Statements of treaties and international agreements registered or filed and recorded were being published monthly and the first volume of the United Nations treaty series was in the hands of the publisher.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the Secretary-General's report to the Sixth Committee, which considered it at its 54th meeting on October 29.

A member of the Legal Department of the Secretariat orally amplified the report of the Secretary-General and raised certain additional points. Among other things it was suggested that it would be desirable, in the case of a multilateral agreement, that this should be presented for registration by the government or the authority having the custody of the original document, which should also register all subsequent actions in accordance with Article 2 of the regulations adopted by the General Assembly on December 14, 1946. As regards the registration of subsequent actions, the Secretariat pointed out that the registration of a statement would be sufficient when there was a change in the parties to a registered treaty. When the scope or application of the agreement was modified, however, the document to be registered should not be an ordinary statement, but the actual instrument, for example, the exchange of notes or additional protocol, etc., which had brought about the modification in question.

In connection with the Secretary-General's report the Sixth Committee discussed at some length the nature of the obligation incumbent upon Members under Article 102 of the Charter. The majority of the Committee considered that the obligation in paragraph 1 of this Article was absolute and quite independent of the sanction contained in paragraph 2. Members therefore were under a definite obligation to register *all* treaties and in-

¹⁰²See *Yearbook of the United Nations, 1946-47*, pp. 252-54.

¹⁰³The report of Committee IV/2 stated that the term international agreement should include "unilateral engagements of an international character which have been accepted".

international agreements. Certain representatives, however, maintained that Article 102 allowed states to exercise their own judgment on the necessity of registration.

A number of representatives stressed the need for a precise definition of the meaning of "treaties and international agreements" and the representative of Colombia proposed the setting up of a sub-committee to establish such a definition. The majority of the Committee, however, considered that it was too early to attempt a precise definition and that experience and precedent would gradually solve the problem.

The representative of the United Kingdom proposed that the General Assembly should recommend Members to be prompt in sending in treaties for registration, while the Chairman suggested that it might be advisable to set a time limit for the registration of treaties. The Committee considered, however, that it was not necessary to adopt a formal recommendation in this connection.

As regards the question whether there existed an obligation to register unilateral commitments, the Committee agreed generally with the point of view adopted by the Secretariat that those commitments might be considered as unilateral engagements of an international character in accordance with the definition of Committee IV/2 of the San Francisco Conference.¹⁹¹

The representative of the U.S.S.R. proposed verbally a draft resolution to the effect that the General Assembly should note the Secretary-General's report regarding the registration and publication of treaties and international agreements.

To give expression to the majority view that Article 102 of the Charter imposed a definite obligation, the representative of Egypt proposed an amendment to the effect that the General Assembly should call the attention of Member States to the obligation contained in Article 102 of the Charter.

The Sixth Committee adopted this amendment by a vote of 33 to 0, with 8 abstentions. The resolution as amended was then adopted unanimously.

On the recommendation of the Sixth Committee (A/457) the General Assembly at its 113th plenary meeting on November 14, 1947, adopted, without objection, the following resolution (172(II)):

"The General Assembly

"Takes note of the report of the Secretary-General (document A/380) on the registration and publication of treaties and international agreements, and

"Draws the attention of the States Members to the obligations imposed by Article 102 of the Charter."

e. UNITED NATIONS FLAG

The Secretary-General submitted a memorandum (A/342) to the second session of the General Assembly in which he stated that the need for a United Nations flag had already been felt, and would undoubtedly be increasingly felt in the future, in connection with the work of the committees or commissions sent by organs of the United Nations to different parts of the world, for use at headquarters and at United Nations offices and information centres.

The Secretary-General reported that in order that the Commission of Investigation concerning Greek Frontier Incidents might enjoy the protection of and be identified by a neutral symbol while travelling through troubled areas or sitting at meetings under the jurisdiction of several countries, an unofficial flag had been designed by the Secretariat.

This flag was composed of the official emblem of the United Nations, as approved by the General Assembly on December 7, 1946 (resolution 92(I)),¹⁹² centred on a ground of light blue and encircled by the words "United Nations: *Nations Unies*".

The Secretary-General stated that he felt that the design already used bearing the United Nations emblem but without encircling words possessed the essential requirements of simplicity and dignity for an official United Nations flag and he therefore proposed a draft resolution that the General Assembly should adopt this design as the flag of the United Nations.

At its 91st plenary meeting on September 23 the General Assembly referred this question to the Sixth Committee, which at its 43rd meeting on October 7 unanimously adopted, with a minor change, the draft resolution recommended by the Secretary-General.

On the recommendation of the Sixth Committee (A/414) the General Assembly at its 96th plenary meeting on October 20, 1947, adopted without objection the following resolution (167(II)):

"The General Assembly

"Recognizes that it is desirable to adopt a distinctive flag of the United Nations and to authorize its use and, therefore,

"Resolves that the flag of the United Nations shall be the official emblem adopted by the General Assembly under the terms of its resolution 92 (I) of 7 December 1946, centred on a light blue ground;

¹⁹¹See *Documents of the United Nations Conference on International Organization*, op. cit., Vol. 13, p. 705, Doc. 933, IV/2/42 (2).

¹⁹²See *Yearbook of the United Nations*, 1946-47, pp. 251-52.

"Directs the Secretary-General to draw up regulations concerning the dimensions and proportions of the flag;

"Authorizes the Secretary-General to adopt a flag code, having in mind the desirability of a regulated use of the flag and the protection of its dignity."

f. UNITED NATIONS DAY

In a memorandum to the second session of the General Assembly (A/343) the Secretary-General stated that the commemoration, on June 26, 1947, of the second anniversary of the signing of the Charter had proved very valuable in promoting understanding of the aims and activities of the United Nations. The Secretary-General therefore proposed that June 26 should be known in the future as "United Nations Charter Day" and should be devoted by Member Governments and the United Nations to reminding the peoples of the world of the purposes of the United Nations and to giving them a report on the progress made towards carrying out these purposes.

In his memorandum the Secretary-General stated further that numerous non-governmental organizations and educational leaders had suggested that, in addition to "United Nations Charter Day", the date of the coming into force of the Charter, namely October 24, should in future be known as "United Nations Peace Day" and be devoted to commemorations of a more general character, the aim of which would be in particular, to build up a better understanding of international relations on the part of students and non-governmental organizations, and of the contribution which each nation can make thereto. The date of October 24 was considered more suitable than June 26 for this particular purpose, because on the latter date the schools in the northern hemisphere are on vacation. The Secretary-General endorsed the proposal of a "United Nations Peace Day" to be observed on October 24.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred this question to the Sixth Committee, which considered it at its 43rd and 44th meetings on October 7 and 8.

At its 44th meeting the Sixth Committee decided unanimously in favor of a single "United Nations Day" instead of a "United Nations Charter Day" and a "United Nations Peace Day" on separate dates. By a vote of 21 to 20 the Committee then decided that "United Nations Day" should be observed on October 24 rather than on June 26.

On the recommendation of the Sixth Committee (A/413) the General Assembly therefore at its 101st plenary meeting on October 31, 1947,

unanimously adopted the following resolution (168(II)):

"The General Assembly

"Declares that 24 October, the anniversary of the coming into force of the Charter of the United Nations, shall henceforth be officially called "United Nations Day" and shall be devoted to making known to the peoples of the world the aims and achievements of the United Nations and to gaining their support for the work of the United Nations;

"Invites Member Governments to co-operate with the United Nations in securing observance of this anniversary."

g. PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW AND ITS CODIFICATION

(1) Establishment of an International Law Commission

By resolution 94(1) of December 11, 1946, the General Assembly, with a view to implementing its obligations under Article 13, paragraph 1a, of the Charter, established a seventeen-member Committee to study the methods by which the General Assembly should encourage the progressive development of international law and its eventual codification.

The Committee, which met at Lake Success from May 12 to June 17, 1947, submitted a report (A/331) to the second session of the General Assembly, recommending the establishment of an International Law Commission of fifteen members to be elected according to a plan based, with some slight modifications, on the method prescribed for the election of the judges of the International Court of Justice, i.e., the members were to be elected jointly by the General Assembly and the Security Council on the basis of a list of candidates nominated by the States Members of the United Nations.

The members of the International Law Commission were to serve on a full-time basis for three-year terms and were to be eligible for re-election if the General Assembly should decide after this initial period that the Commission should be continued.

For convenience of reference the Committee on the Progressive Development of International Law and its Codification divided the tasks of the International Law Commission into:

(a) The "progressive" development of international law, which would involve the drafting of a convention on a subject which had not yet been regulated by international law or in regard to which the law has not yet been highly developed or formulated in the practice of states, and

(b) The "codification" of international law, which would involve the more precise formulation and systematization of the law in areas where there has been extensive state practice, precedent and doctrine.

The Committee recognized, however, that the terms employed were not mutually exclusive, as, for example, in cases where the formulation and systematization of the existing law may lead to the conclusion that some new rule should be suggested for adoption by states.

The majority of the Committee agreed that the Commission should be authorized to consider projects and draft conventions for the progressive development of international law referred to it by the General Assembly as well as by governments, by other organs of the United Nations, by specialized agencies and by those official bodies established by inter-governmental agreement to further the progressive development of international law and its codification. The Committee's report indicated in detail the procedure to be followed by the Commission in preparing draft conventions.

So far as the "codification" of international law was concerned, the Committee recommended that the General Assembly should instruct the International Law Commission to survey the whole field of customary international law with a view of selecting topics for codification. If the International Law Commission found that the codification of a particular topic was desirable or necessary, it should present its recommendations to the General Assembly in the form of draft articles of multipartite conventions. These recommendations might be either (a) that no further action be taken, or (b) that the General Assembly adopt all or part of the Commission's report by resolution, or (c) that the General Assembly recommend the draft to states for the conclusion of a convention, or (d) that the General Assembly convoke a special conference to consider the conclusion of a convention.

The Committee also recommended that the Commission should consider means of encouraging the progressive development of international law by improvements in the technique of multipartite instruments in relation to such matters as uniform treaty clauses. The Commission should further consider the utility and importance of encouraging the ratification of and accession to multipartite conventions already concluded. Finally, the Commission should consider ways and means of making the evidences of customary international law more readily available by the compilation of digests of state practice and by the collection and publication

of the decisions of national and international courts on international law questions.

The Committee agreed that the Commission should be authorized to consult, if need be, any of the organs of the United Nations on any draft or projects, the subject matter of which was relevant to the particular organ, and that the Commission should further be authorized to consult any national or international organization, official or non-official, on any matter entrusted to it, if and when it believed that such a procedure might aid in the attainment of its objectives.

At its 91st plenary meeting on September 23, the General Assembly referred the report of the Committee on the Progressive Development of International Law and its Codification to the Sixth Committee.

In the course of the general debate which took place at the 37th and 38th meetings of the Sixth Committee on September 25 and 26, a number of proposals were submitted.

The representative of the United States submitted a draft resolution (A/C.6/137) for the establishment of an International Law Commission the members of which were to be elected by the General Assembly, if possible at its second session (not by the Assembly and the Security Council jointly), and were to serve on a part-time instead of a full-time basis. In the event of a vacancy occurring in the Commission, the International Court of Justice should appoint a successor for the unexpired term. The Commission was to meet periodically and was to submit an annual report to the General Assembly.

The United States proposal did not define the functions of the Commission in detail but provided that it should determine its own organization and procedures, giving due regard to the recommendations contained in the report of the Committee on the Progressive Development of International Law and its Codification.

The Secretary-General, the United States proposal provided, should make available to the Commission staff and facilities to enable the Commission to perform its functions. It was the sense of the General Assembly, the proposal concluded, that there should be developed within the Secretariat under the functional supervision of the Commission a group of specialists in international law, public and private, who would devote their full time to the consideration of international law, its development and codification, the preparation of interim drafts on specific subjects, and generally to assisting the Commission in the performance of its functions.

The representatives of the United Kingdom (A/C.6/138), the Netherlands (A/C.6/140), Canada (A/C.6/142) and Egypt (A/C.6/144) submitted amendments to the United States draft resolution.

The representative of the U.S.S.R. submitted a proposal (A/C.6/141) to the effect that the General Assembly should postpone the establishment of an International Law Commission. The Committee on the Progressive Development of International Law and its Codification should continue its preliminary work and report to the third session of the General Assembly.

According to a French draft proposal (A/C.6/139), the General Assembly should establish an International Law Commission, consisting of experts nominated by the Members of the United Nations and elected by the General Assembly. The Commission was to meet in sessions. The right of initiating studies to be undertaken by the Commission was to be reserved to the General Assembly. The French draft resolution provided further that the Commission should submit to the third regular session of the General Assembly a draft multilateral convention on the principles recognized by the Charter of the Nurnberg Tribunal and a draft declaration on the Rights and Duties of States. The Commission should also submit a list of other questions which it considered desirable to study. The General Assembly should recommend to the Commission "not to dissociate the progressive development of international law and its codification", and to associate in its work, by means of consultations, national or international bodies well-known for their special competence (such as the Institut de Droit International and the International Law Association).

On the proposal of the Australian representative the Sixth Committee at its 38th meeting on September 26, 1947, decided by a large majority to establish a sub-committee to co-ordinate all the various proposals, resolutions and amendments. The Chairman named the following to be members of the sub-committee: Australia, Brazil, China, Colombia, Dominican Republic, France, Greece, Netherlands, Poland, Sweden, U.S.S.R., United Kingdom, United States and Yugoslavia.

The sub-committee first of all examined the question as to whether the General Assembly should proceed, during its present session, to elect an International Law Commission, as advocated by the Committee on the Progressive Development of International Law and its Codification. Some members of the sub-committee were of the opinion that the statute of the new Commission should be drawn

up without delay and the members elected during the current session of the Assembly. Others, while anxious that the statute of the International Law Commission should be drawn up during the present session of the Assembly, preferred that election of the members of the Commission should be postponed until the next session. A third group of members expressed the opinion that the adoption of the Commission's statute should also be postponed until the next session of the Assembly. After long discussion, the sub-committee decided, by vote of 8 to 7, in favor of election of the members of the International Law Commission during the current session of the General Assembly.

In view of the narrow majority by which this decision was made, the sub-committee instructed its Rapporteur to present an interim report to the Sixth Committee.

The Sixth Committee considered this interim report (A/C.6/150) at its 40th meeting on October 2, 1947. It was decided without a vote that the International Law Commission should be established at the second session of the General Assembly. The Committee then decided by a vote of 33 to 14 that the election of the members of the Commission should be postponed until the third regular session of the General Assembly.

In view of the Sixth Committee's decision, the sub-committee proceeded to prepare a draft resolution and a draft statute for the International Law Commission on the basis of the recommendations contained in the report of the Committee on the Progressive Development of International Law and its Codification. In fifteen meetings the sub-committee undertook a paragraph-by-paragraph examination of the report.

In the main the sub-committee adopted the recommendations of the Committee on the Progressive Development of International Law and its Codification (A/331) but introduced some important changes. The major changes are noted below.

The sub-committee decided that the members of the International Law Commission should not render full-time service, but should meet in sessions. Instead of being elected by the General Assembly and the Security Council by a comparable procedure to that laid down in the Statute of the International Court of Justice for the election of the judges, it was decided that the members of the Commission should be elected by the General Assembly only. The sub-committee also decided that only nationals of States Members of the United Nations should be eligible for election, a limitation not recommended by the Committee on the

Progressive Development of International Law and its Codification.

The Committee had proposed that each Member State may nominate as candidates two of its own nationals and up to eight nations of other States. The sub-committee reduced the latter figure to two.

Whereas it had been proposed that vacancies in the Commission should be filled by the Security Council from a list of persons nominated by the International Law Commission from the original panel of candidates, the sub-committee decided that the International Law Commission itself should fill any vacancy that might occur.

As regards the procedure to be followed by the International Law Commission, the Committee on the Progressive Development of International Law and its Codification had recommended that in the appointment of rapporteurs and members of sub-committees the Commission should in certain cases be free to go outside its own membership. The sub-committee decided, however, that all rapporteurs and sub-committee members must be appointed from amongst the members of the International Law Commission.

Two of the recommendations of the Committee on the Progressive Development of International Law and its Codification were not taken over by the sub-committee, i.e., that the Commission should consider ways and means of bringing about improvements in the technique of multipartite conventions and of encouraging the ratification of and accession to multipartite conventions already concluded.

The Committee on the Progressive Development of International Law and its Codification had taken the view that the task of the International Law Commission should embrace not only the field of public international law but also the sphere of private international law. The sub-committee, however, decided that the Commission should concern itself primarily with public international law, although it would not be precluded from entering the field of private international law.

The Sixth Committee considered the report of the sub-committee (A/C.6/193), including the draft statute of the International Law Commission, at its 58th meeting on November 20.

The representative of the U.S.S.R. submitted a number of amendments (A/C.6/199) to the draft resolution and to the draft statute of the International Law Commission. Amendments were also submitted by the representatives of the United Kingdom (A/C.6/SR.58) and the United States

(A/C.6/195), and of Norway and the Dominican Republic (A/C.6/SR.58).

The Sixth Committee adopted by a large majority a U.S.S.R. amendment to the third paragraph of the draft resolution¹⁹⁶ to the effect that the membership of the International Law Commission should be representative of the chief forms of civilization and the basic legal systems of the world.

A U.S.S.R. amendment to delete the provision that no two members of the Commission should be nationals of the same state (Article 2, paragraph 2 of the draft statute) was not adopted.

The representative of the United Kingdom proposed the deletion of the provision (Article 3, paragraph 3) that only nationals of Members of the United Nations should be eligible for election. Adopting this amendment by a vote of 19 to 15, with 1 abstention, the Sixth Committee reversed the sub-committee's earlier decision.

The representative of the U.S.S.R. proposed to amend Article 11 of the draft statute so as to provide that vacancies in the International Law Commission should be filled by the President of the General Assembly, who should appoint a new member from the list of candidates used in connection with the election of the original members of the Commission. The Sixth Committee rejected this amendment by a vote of 26 to 6.

A further U.S.S.R. amendment provided that Article 15 of the draft statute should be amended so as to indicate clearly that both the progressive development of international law and its codification should be undertaken by means of multipartite conventions only. The majority of the sub-committee had agreed that other methods, such as the scientific restatement of international law, might be used also in the codification of international law. The Sixth Committee rejected the amendment by a vote of 25 to 9.

The Sixth Committee rejected by a vote of 26 to 6 a U.S.S.R. amendment to delete Article 16, paragraph (e), of the draft statute, which provides that in connection with the progressive development of international law, the Commission may consult with scientific institutions and individual experts and that these experts need not necessarily be Members of the United Nations.

The representative of the U.S.S.R. proposed the deletion of Article 17 of the draft statute, which provides that the Commission may consider projects for the progressive development of international law referred to it by Members of the United Nations, the principal organs of the United Na-

¹⁹⁶See text of the resolution and of the draft statute, pp. 210-13.

tions other than the General Assembly, specialized agencies, or official bodies established by inter-governmental agreement to encourage the progressive development of international law and its codification. The representative of the U.S.S.R., as well as a number of other representatives, considered that the General Assembly should be the only body authorized to assign tasks to the International Law Commission. The Sixth Committee, however, rejected the amendment by a vote of 28 to 8.

The Sixth Committee also rejected by a vote of 28 to 8 a U.S.S.R. amendment to delete Article 18, paragraph 1, of the draft statute, which gives to the International Law Commission the initiative in choosing topics for the codification of international law.

Article 23, paragraph 1(b), of the draft statute provides that when the Commission submits a draft convention and explanatory report relating to the codification of international law to the General Assembly, the Commission may recommend to the General Assembly "to take note of the report by resolution". The representative of the U.S.S.R. proposed the deletion of this paragraph. The representative of the United States, on the other hand, submitted an amendment to Article 23, paragraph 1(b), to the effect that the General Assembly should "take note of, or adopt, the report by resolution". Those supporting the U.S.S.R. amendment expressed the view that the General Assembly was not a legislative body and should neither take note of nor adopt a report of the International Law Commission by resolution. The only proper method for the codification of international law was the conclusion of conventions. In support of the United States amendment it was maintained that even if the General Assembly adopted a report of the International Law Commission it would not thereby transform itself into an international legislative body, as the recommendations of the General Assembly had no binding force. It would be valuable, however, to adopt a report of the International Law Commission by resolution, thus adding the moral prestige of the Assembly to the recommendations of the International Law Commission. The Sixth Committee adopted the United States amendment by a vote of 23 to 10.

Two further U.S.S.R. amendments were rejected by the Sixth Committee. The first of these proposed the deletion of Article 25, paragraph 2, of the draft statute, which provides that all documents of the Commission which are circulated to governments by the Secretary-General should also be circulated to such organs of the United Nations as are concerned, and that such organs may furnish any

information or make any suggestions to the Commission. The second amendment proposed the deletion of Article 26, paragraph 4, of the draft statute, which provides that the advisability of consultation by the Commission with inter-governmental organizations whose task is the codification of international law, such as those of the Pan American Union, is recognized. The representative of the U.S.S.R. considered that to single out the Pan American Union for special mention created for it a privileged position, and thereby violated the principle of equality between nations and between systems of law.

The representative of Norway proposed that in the interest of efficiency the membership of the Commission should be reduced from 15 to 13. This proposal was rejected by a vote of 27 to 6. By a vote of 22 to 9 the Sixth Committee then rejected a proposal of the representative of the Dominican Republic that the membership of the Commission be increased to 17.

After voting on all the amendments which had been proposed, the Sixth Committee by a vote of 35 to 4, with 1 abstention, adopted the draft resolution for the establishment of an International Law Commission and the draft statute of the Commission recommended by the sub-committee.

The General Assembly at its 123rd plenary meeting on November 21, 1947, adopted by a vote of 44 to 0, with 6 abstentions, the following resolution 174(II):

"The General Assembly,

"Recognizing the need for giving effect to Article 13, paragraph 1, sub-paragraph a, of the Charter, stipulating that the General Assembly shall initiate studies and make recommendations for the purpose of encouraging the progressive development of international law and its codification;

"Having studied the report of the Committee directed by resolution 94 (I) of the General Assembly of 11 December 1946 to study:

"(a) The methods by which the General Assembly should encourage the progressive development of international law and its eventual codification;

"(b) Methods of securing the co-operation of the several organs of the United Nations to this end;

"(c) Methods of enlisting the assistance of such national or international bodies as might aid in the attainment of this objective;

"Recognizing the desirability of establishing a commission composed of persons of recognized competence in international law and representing as a whole the chief forms of civilization and the basic legal systems of the world,

"Resolves to establish an 'International Law Commission', the members of which shall be elected at the third regular session of the General Assembly, and which shall be constituted and shall exercise its functions in accordance with the provisions of the annexed statute."

STATUTE OF THE INTERNATIONAL LAW COMMISSION

Article 1

1. The International Law Commission shall have for its object the promotion of the progressive development of international law and its codification.

2. The Commission shall concern itself primarily with public international law, but is not precluded from entering the field of private international law.

CHAPTER I. ORGANIZATION OF THE INTERNATIONAL LAW COMMISSION

Article 2

1. The Commission shall consist of fifteen members who shall be persons of recognized competence in international law.

2. No two members of the Commission shall be nationals of the same State.

3. In case of dual nationality a candidate shall be deemed to be a national of the State in which he ordinarily exercises civil and political rights.

Article 3

The members of the Commission shall be elected by the General Assembly from a list of candidates nominated by the Governments of States Members of the United Nations.

Article 4

Each Member may nominate for election not more than four candidates, of whom two may be nationals of the nominating State and two nationals of other States.

Article 5

The names of the candidates shall be submitted in writing by the Governments to the Secretary-General by 1 June of the year in which an election is held, provided that a Government may in exceptional circumstances substitute for a candidate whom it has nominated before 1 June another candidate whom it shall name not later than thirty days before the opening of the General Assembly.

Article 6

The Secretary-General shall as soon as possible communicate to the Governments of States Members the names submitted, as well as any *curricula vitae* of candidates that may have been submitted by the nominating Governments.

Article 7

The Secretary-General shall prepare the list referred to in article 3 above, comprising in alphabetical order the names of all the candidates duly nominated, and shall submit this list to the General Assembly for the purposes of the election.

Article 8

At the election the electors shall bear in mind that the persons to be elected to the Commission should individually possess the qualifications required and that in the Commission as a whole representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 9

1. The fifteen candidates who obtain the greatest number of votes and at least a majority of the votes of the Members present and voting shall be elected.

2. In the event of more than one national of the same State obtaining a sufficient number of votes for election, the one who obtains the greatest number of votes shall be elected, and, if the votes are equally divided, the elder or eldest candidate shall be elected.

Article 10

The members of the Commission shall be elected for three years. They shall be eligible for re-election.

Article 11

In the case of a casual vacancy, the Commission itself shall fill the vacancy having due regard to the provisions contained in articles 2 and 8 above.

Article 12

The Commission shall sit at the headquarters of the United Nations. The Commission shall, however, have the right to hold meetings at other places after consultation with the Secretary-General.

Article 13

Members of the Commission shall be paid travel expenses and shall also receive a *per diem* allowance at the same rate as the allowance paid to members of commissions of experts of the Economic and Social Council.

Article 14

The Secretary-General shall, so far as he is able, make available staff and facilities required by the Commission to fulfil its task.

CHAPTER II. FUNCTIONS OF THE INTERNATIONAL LAW COMMISSION

Article 15

In the following articles the expression "progressive development of international law" is used for convenience as meaning the preparation of draft conventions on subjects which have not yet been regulated by international law or in regard to which the law has not yet been sufficiently developed in the practice of States. Similarly, the expression "codification of international law" is used for convenience as meaning the more precise formulation and systematization of rules of international law in fields where there already has been extensive state practice, precedent and doctrine.

A. PROGRESSIVE DEVELOPMENT OF INTERNATIONAL LAW

Article 16

When the General Assembly refers to the Commission a proposal for the progressive development of international law, the Commission shall follow in general a procedure on the following lines:

(a) It shall appoint one of its members to be Rapporteur;

(b) It shall formulate a plan of work;

(c) It shall circulate a questionnaire to the Governments, and shall invite them to supply, within a fixed period of time, data and information relevant to items included in the plan of work;

(d) It may appoint some of its members to work with the Rapporteur on the preparation of drafts pending receipt of replies to this questionnaire;

(e) It may consult with scientific institutions and individual experts; these experts need not necessarily be

nationals of Members of the United Nations. The Secretary-General will provide, when necessary and within the limits of the budget, for the expenses of these consultations of experts;

(f) It shall consider the drafts proposed by the Rapporteur,

(g) When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to this document which shall be accompanied by such explanations and supporting material as the Commission considers appropriate. The publication shall include any information supplied to the Commission in reply to the questionnaire referred to in sub-paragraph (c) above;

(h) The Commission shall invite the Governments to submit their comments on this document within a reasonable time,

(i) The Rapporteur and the members appointed for that purpose shall reconsider the draft, taking into consideration these comments, and shall prepare a final draft and explanatory report which they shall submit for consideration and adoption by the Commission,

(j) The Commission shall submit the draft so adopted with its recommendations through the Secretary-General to the General Assembly.

Article 17

1. The Commission shall also consider proposals and draft multilateral conventions submitted by Members of the United Nations, the principal organs of the United Nations other than the General Assembly, specialized agencies, or official bodies established by inter-governmental agreement to encourage the progressive development of international law and its codification, and transmitted to it for that purpose by the Secretary-General.

2. If in such cases the Commission deems it appropriate to proceed with the study of such proposals or drafts, it shall follow in general procedure on the following lines

(a) The Commission shall formulate a plan of work, and study such proposals or drafts and compare them with any other proposals and drafts on the same subjects;

(b) The Commission shall circulate a questionnaire to all Members of the United Nations and to the organs, specialized agencies and official bodies mentioned above which are concerned with the question, and shall invite them to transmit their comments within a reasonable time;

(c) The Commission shall submit a report and its recommendations to the General Assembly. Before doing so, it may also, if it deems it desirable, make an interim report to the organ or agency which has submitted the proposal or draft;

(d) If the General Assembly should invite the Commission to proceed with its work in accordance with a suggested plan, the procedure outlined in article 16 above shall apply. The questionnaire referred to in paragraph (c) of that article may not, however, be necessary.

B. CODIFICATION OF INTERNATIONAL LAW

Article 18

1. The Commission shall survey the whole field of international law with a view to selecting topics for codification, having in mind existing drafts, whether governmental or not.

2. When the Commission considers that the codification of a particular topic is necessary or desirable, it shall submit its recommendations to the General Assembly.

3. The Commission shall give priority to requests of the General Assembly to deal with any question.

Article 19

1. The Commission shall adopt a plan of work appropriate to each case.

2. The Commission shall, through the Secretary-General, address to Governments a detailed request to furnish the texts of laws, decrees, judicial decisions, treaties, diplomatic correspondence and other documents relevant to the topic being studied and which the Commission deems necessary.

Article 20

The Commission shall prepare its drafts in the form of articles and shall submit them to the General Assembly together with a commentary containing:

(a) Adequate presentation of precedents and other relevant data, including treaties, judicial decisions and doctrine;

(b) Conclusions relevant to

(i) The extent of agreement on each point in the practice of States and in doctrine,

(ii) Divergencies and disagreements which exist, as well as arguments invoked in favour of one or another solution.

Article 21

1. When the Commission considers a draft to be satisfactory, it shall request the Secretary-General to issue it as a Commission document. The Secretariat shall give all necessary publicity to the document, including such explanations and supporting material as the Commission may consider appropriate. The publication shall include any information supplied to the Commission by Governments in accordance with article 19. The Commission shall decide whether the opinions of any scientific institution or individual expert consulted by the Commission shall be included in the publication.

2. The Commission shall request Governments to submit comments on this document within a reasonable time.

Article 22

Taking such comments into consideration, the Commission shall prepare a final draft and explanatory report, which it shall submit with its recommendations through the Secretary-General to the General Assembly.

Article 23

1. The Commission may recommend to the General Assembly:

(a) To take no action, the report having already been published;

(b) To take note of or adopt the report by resolution;

(c) To recommend the draft to Members with a view to the conclusion of a convention;

(d) To convocate a conference to conclude a convention.

2. Whenever it deems it desirable, the General Assembly may refer drafts back to the Commission for reconsideration or redrafting.

Article 24

The Commission shall consider ways and means for making the evidence of customary international law more

readily available, such as the collection and publication of documents concerning State practice and of the decisions of national and international courts on questions of international law, and shall make a report to the General Assembly on this matter.

CHAPTER III. CO-OPERATION WITH OTHER BODIES

Article 25

1. The Commission may consult, if it considers necessary, with any of the organs of the United Nations on any subject which is within the competence of that organ.

2. All documents of the Commission which are circulated to Governments by the Secretary-General shall also be circulated to such organs of the United Nations as are concerned. Such organs may furnish any information or make any suggestions to the Commission.

Article 26

1. The Commission may consult with any international or national organizations, official or non-official, on any subject entrusted to it if it believes that such a procedure might aid it in the performance of its functions.

2. For the purpose of distribution of documents of the Commission, the Secretary-General, after consultation with the Commission, shall draw up a list of national and international organizations concerned with questions of international law. The Secretary-General shall endeavour to include on this list at least one national organization of each Member of the United Nations.

3. In the application of the provisions of this article, the Commission and the Secretary-General shall comply with the resolutions of the General Assembly and the other principal organs of the United Nations concerning relations with Franco Spain and shall exclude both from consultations and from the list, organizations which have collaborated with the nazis and fascists.

4. The advisability of consultation by the Commission with inter-governmental organizations whose task is the codification of international law, such as those of the Pan-American Union, is recognized.

(2) *Preparation by the Secretariat of the Work of the International Law Commission*

In view of the Sixth Committee's decision to defer the election of the members of the International Law Commission to the third regular session of the General Assembly, the sub-committee discussed whether it was necessary to establish an interim committee to be entrusted with the tasks which would have devolved upon the International Law Commission.

One group of representatives was of the opinion that it was not necessary to establish an interim committee, since any preparatory work necessary for the purposes of the International Law Commission could be done by the Secretariat. An interim committee, it was maintained further, would be composed of government representatives, while the International Law Commission would be composed of experts elected by the General Assembly. In view of the divergent membership of

the two bodies, it would not be possible to ask one of them to prepare the work of the other.

Representatives supporting the establishment of an interim committee stressed the delay that would result if no body were established to prepare the work of the International Law Commission. The postponement of the election of the Commission's members, it was stated, had already caused considerable disappointment in many circles. Failure to establish an interim committee would create an even more unfortunate impression.

The sub-committee by 8 votes to 4 decided in favor of the establishment of an interim committee. By a vote of 10 to 2, the sub-committee then decided that the Committee on the Progressive Development of International Law should be continued as the interim committee.

The Committee's terms of reference would be, in the first place, to prepare a report on the questions which the General Assembly might wish to refer to the International Law Commission. The possibility was discussed of asking the Committee to draw up a general plan of work for the Commission, but this idea was abandoned, as the sub-committee considered that such a plan could best be drawn up by the Commission itself. The sub-committee decided, however, that the Committee on the Progressive Development of International Law and its Codification should be asked to prepare a draft declaration on the rights and duties of states, based on the draft declaration submitted by Panama, and taking into account all other relevant documents and material.

The Sixth Committee considered the sub-committee's recommendations (A/C.6/194) at its 59th meeting on November 20, 1947. The representative of France introduced a proposal (A/C.6/196) that the Secretariat should be asked to do the preparatory work for the International Law Commission. This proposal was supported by the representatives of Belgium, United Kingdom, Netherlands, Australia, Egypt, U.S.S.R., Canada, Greece and India. The representatives of China, Brazil, Venezuela and Panama, on the other hand, expressed themselves in favor of the establishment of an interim body.

By a vote of 25 to 15, the Sixth Committee rejected the report of its sub-committee. It adopted the French proposal, modified by a U.S.S.R. amendment (A/C.6/200), by a vote of 36 to 1.

At its 123rd plenary meeting on November 21, 1947, the General Assembly adopted without objection the resolution recommended by the Sixth Committee (A/506) which follows (resolution 175(II)):

"The General Assembly,

"Considering that, in accordance with Article 98 of the Charter, the Secretary-General performs all such functions as are entrusted to him by the organs of the United Nations,

"Considering that, in the interval between the first and the second sessions of the General Assembly, the Secretariat of the United Nations contributed to the study of problems concerning the progressive development of international law and its codification,

"Instructs the Secretary-General to do the necessary preparatory work for the beginning of the activity of the International Law Commission, particularly with regard to the questions referred to it by the second session of the General Assembly, such as the draft declaration on the rights and duties of States"

(3) Teaching of International Law

The representative of Bolivia submitted a draft resolution (A/C.6/178) which provided that the General Assembly should request Member States to take appropriate measures to extend the teaching of international law in the universities and educational institutions of each country and to promote similar teaching regarding the aims, purposes, structure and operation of the United Nations

The representative of Nicaragua submitted amendments (A/C.6/203) to this resolution to the effect that international law should be taught "in all its phases including its development and codification" and to include a reference to the General Assembly's resolution 137(II) of November 17, 1947, on the teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States.¹⁹⁷

The Sixth Committee at its 59th meeting on November 20, 1947, adopted by a vote of 13 to 0, with 20 abstentions, the Nicaraguan amendment. The draft resolution as amended was adopted by a vote of 23 to 0, with 13 abstentions.

At its 123rd plenary meeting on November 21, the General Assembly adopted by a vote of 48 to 0, with 7 abstentions, the resolution recommended by the Sixth Committee which follows (resolution 176(II)):

"Considering that it is necessary to further the aims of the General Assembly's resolution 94 (I) of 11 December 1946, which initiated the fulfilment of Article 13, paragraph 1, sub-paragraph a, of the Charter, regarding the development of international law and its codification;

"Considering that one of the most effective means of furthering the development of international law consists in promoting public interest in this subject and using the media of education and publicity to familiarize the peoples with the principles and rules that govern international relations;

"Considering that greater knowledge of and fuller information on the aims, purposes and structure of the United Nations constitute another positive method of assisting the development of international law, of which the United Nations is the main instrument,

"The General Assembly

"Resolves to request the Governments of Member States:

"1. To take appropriate measures to extend the teaching of international law in all its phases, including its development and codification, in the universities and higher educational institutions of each country that are under government control or over which Governments have some influence, or to initiate such teaching where it is not yet provided;

"2. To promote similar teaching regarding the aims, purposes, structure and operation of the United Nations in conjunction with paragraph 1 above and in accordance with resolution 137 (II) adopted by the General Assembly on 17 November 1947, on the teaching of the purposes and principles, the structure and activities of the United Nations in the schools of Member States;

"3. To give to the Secretary-General the fullest possible co-operation with a view to facilitating the preparatory work on the development of international law and its codification and to support any individual or private effort to these ends undertaken in their countries."

b. PLANS FOR THE FORMULATION OF THE PRINCIPLES OF THE NURNBERG CHARTER AND JUDGMENT

By resolution 95 (I) of December 11, 1946, the General Assembly directed the Committee on the Progressive Development of International Law and its Codification "to treat as a matter of primary importance plans for the formulation, in the context of a general codification of offences against the peace and security of mankind, or of an international criminal code, of the principles recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal".¹⁹⁸

The Committee on the Progressive Development of International Law and its Codification submitted a report to the second session of the General Assembly (A/332) which indicated that it had decided by a majority not to undertake the actual formulation of the principles of the Nürnberg Charter, as it considered that this was a task demanding careful and prolonged study. The Committee therefore concluded that it was not called upon to discuss the substantive provisions of the Nürnberg principles, and that such a discussion would be better entrusted to the International Law Commission, the establishment of which the Committee had recommended.¹⁹⁹

The Committee on the Progressive Development of International Law and its Codification recommended unanimously (A/332) that the International Law Commission should be invited to prepare:

¹⁹⁷ See p. 137.

¹⁹⁸ See *Yearbook of the United Nations, 1946-47*, p. 254.

¹⁹⁹ See p. 210.

"(a) A draft convention incorporating the principles of international law recognized by the Charter of the Nurnberg Tribunal and sanctioned by the judgment of that Tribunal, and

"(b) A detailed draft plan of general codification of offences against the peace and security of mankind in such a manner that the plan should clearly indicate the place to be accorded to the principles mentioned. . ."

The Committee considered that this task would not preclude the International Law Commission from drafting in due course a code of international penal law.

The Committee also decided by a majority to draw the attention of the General Assembly to the fact that the implementation of the principles recognized in the Charter of the Nurnberg Tribunal, and in its Judgment, as well as the punishment of other international crimes which may be recognized as such by international multipartite conventions, may render desirable the existence of an international judicial authority to exercise jurisdiction over such crimes. Certain members of the Committee did not agree with this decision, considering that the question of establishing an international court fell outside the terms of reference of the Committee.

At its 91st plenary meeting on September 23, 1947, the General Assembly referred the report of the Committee on the Progressive Development of International Law and its Codification to the Sixth Committee, which, after a general discussion at its 39th meeting on September 29, referred it to the sub-committee which had been appointed to consider the question of the establishment of an International Law Commission.

In the sub-committee several representatives expressed the view that the work of formulating the principles of the Nurnberg Charter should be postponed until the trials of war criminals were further advanced. By a majority of 9 votes the sub-committee therefore decided against referring the matter to the interim committee which it had proposed should be established to do the preparatory work for the International Law Commission. The sub-committee decided that the task should be referred to the International Law Commission and drafted a resolution to this effect.

At its 59th meeting on November 20, 1947, the Sixth Committee adopted by vote of 27 to 6 the draft resolution (A/C.6/180/Rev.1) recommended by the sub-committee, subject to a minor amendment introduced by the representative of the United States.

At its 123rd plenary meeting on November 21, the General Assembly adopted by a vote of 42 to

1, with 8 abstentions, the resolution recommended by the Sixth Committee (A/505), the text of which follows (resolution 177(II)):

"The General Assembly

"Decides to entrust the formulation of the principles of international law recognized in the Charter of the Nurnberg Tribunal and in the judgment of the Tribunal to the International Law Commission, the members of which will, in accordance with resolution 174 (II), be elected at the next session of the General Assembly, and

"Directs the Commission to

"(a) Formulate the principles of international law recognized in the Charter of the Nurnberg Tribunal and in the judgment of the Tribunal, and

"(b) Prepare a draft code of offences against the peace and security of mankind, indicating clearly the place to be accorded to the principles mentioned in sub-paragraph (a) above."

i. DRAFT DECLARATION ON THE RIGHTS AND DUTIES OF STATES PROPOSED BY PANAMA

By resolution 38(I) of December 11, 1946, the General Assembly instructed the Secretary-General to transmit to all Member States of the United Nations and to national and international bodies concerned with international law the text of a draft Declaration on the Rights and Duties of States presented by Panama (A/285) with the request that they should submit their comments and observations to the Secretary-General before June 1, 1947. The General Assembly also referred the Declaration to the Committee on the Progressive Development of International Law and its Codification and requested the Secretary-General to transmit to the Committee any comments and observations on the Declaration which might be received.

The Committee on the Progressive Development of International Law and its Codification submitted to the second session of the General Assembly (A/333) a report on the matter, indicating that the Committee had noted that a very limited number of comments and observations from the Member States of the United Nations (six) and national and international non-governmental bodies (three) had been received on the Declaration on the Rights and Duties of States presented by Panama. The majority of these comments, the Committee reported, recommended postponement of the study of the substance of the questions. The Committee recommended, therefore, that the General Assembly entrust further studies concerning this subject to the International Law Commission the establishment of which the Committee had recommended to the General Assembly. The Commission should, the Committee recommended further, take the Draft Declaration on the Rights and

Duties of States presented by Panama as one of the bases of its study.

At its 91st plenary meeting on September 23 the General Assembly referred the report of the Committee on the Progressive Development of International Law and its Codification to the Sixth Committee, which after a general debate at its 39th meeting on September 29, 1947, referred it to the sub-committee appointed to consider the establishment of an International Law Commission.

After the sub-committee had decided to recommend that the Committee on the Progressive Development of International Law and its Codification should be continued as an interim body, pending the establishment of the International Law Commission, it agreed that this interim committee should begin to consider the matter and should prepare the text of a draft Declaration on the Rights and Duties of States, taking the draft Declaration submitted by Panama as a basis for discussion, and taking into account other documents and drafts on this subject.

The Sixth Committee considered the report of its sub-committee (A/C.6/180/Rev.1) at its 59th meeting on November 20, 1947. In view of the Sixth Committee's rejection of the proposal for the establishment of an interim committee pending the establishment of an International Law Commission, the sub-committee's recommendation concerning the draft Declaration on the Rights and Duties of States had to be altered. The representative of Egypt submitted a draft resolution (A/C.6/197) proposing that the General Assembly should instruct the International Law Commission to prepare a draft Declaration on the Rights and Duties of States, taking the declaration submitted by Panama as one of the bases of its studies. The Assembly should also request the Secretary-General to draw the attention of States Members to the desirability of submitting without delay their comments and observations on the draft Declaration submitted by Panama.

The representative of Panama expressed the view that the draft Declaration submitted by Panama should be given priority over other documents and should serve as the basis of discussion for the International Law Commission and not just as one of the bases of its studies.

To meet the point of view of the representative of Panama the Rapporteur of the Sixth Committee drafted a new resolution, which was adopted by a vote of 39 to 0. A U.S.S.R. amendment to delete any reference to the draft Declaration submitted by Panama was rejected by a vote of 30 to 5.

The General Assembly at its 123rd plenary meeting on November 21, 1947, adopted without objection the draft resolution recommended by the Sixth Committee (A/508), the text of which follows (resolution 178(II)):

"The General Assembly,

"Noting that very few comments and observations on the draft declaration on the rights and duties of States presented by Panama have been received from the States Members of the United Nations,

"Requests the Secretary-General to draw the attention of States to the desirability of submitting their comments and observations without delay,

"Requests the Secretary-General to undertake the necessary preparatory work on the draft declaration on the rights and duties of States according to the terms of resolution 175 (II);

"Resolves to entrust further study of this problem to the International Law Commission, the members of which in accordance with the terms of resolution 174 (II) will be elected at the next session of the General Assembly,

"And accordingly

"Instructs the International Law Commission to prepare a draft declaration on the rights and duties of States, taking as a basis of discussion the draft declaration on the rights and duties of States presented by Panama, and taking into consideration other documents and drafts on this subject."

j. DRAFT CONVENTION ON THE CRIME OF GENOCIDE

The General Assembly on December 11, 1946, passed a resolution (96(I)) affirming that genocide was a crime under international law and, *inter alia*, requesting the Economic and Social Council to undertake the necessary studies with a view to drawing up a draft convention on the crime of genocide to be submitted to the next regular session of the General Assembly.

At its fourth session, on March 28, 1947, the Economic and Social Council instructed the Secretary-General to submit a draft convention on genocide to the fifth session of the Council. This draft convention was also to be submitted to all Member Governments for their comments (resolution 47 (IV)).²⁰⁰

At its fifth session the Council decided to transmit to the General Assembly the draft convention (E/447; see also A/362) which the Secretariat had prepared pursuant to the Council's request at its fourth session. The Council took no action on this draft convention in view of the fact that the comments from Governments of Members on this draft were not received in time for consideration at the fifth session of the Council. The Council decided, however, to inform the

²⁰⁰See *Yearbook of the United Nations, 1946-47*, pp. 531-32.

General Assembly that it proposed to proceed as rapidly as possible with the consideration of the question, subject to any further instructions of the General Assembly (resolution 77(V)).²⁰¹ Comments which the Secretary-General subsequently received from India and Haiti (A/401), Philippines and Venezuela (A/401/Add.1), United States (A/401/Add.2) and France (A/401/Add.3) were transmitted to the General Assembly.

At its 91st plenary meeting on September 23 the General Assembly referred the matter to the Sixth Committee, which discussed it at its 39th, 40th, 41st and 42nd meetings on September 29 and October 2, 3 and 6.

The representative of the United Kingdom expressed the view that the drafting of a convention on the crime of genocide would be both unrealistic and unwise, as genocide was already a crime under prevailing international law. If a draft convention were drawn up, he stated, it was quite conceivable that not all states would adhere to it and that would cast doubt on an already established matter. If a definition of genocide was to be undertaken, it would be better to do so in conjunction with the formulation of the principles of the Nürnberg Charter and Judgment. The representative of the United Kingdom therefore submitted the following draft resolution (A/C.6/155):

"The General Assembly of the United Nations

"1. *Reaffirms* its resolution of 11 December 1946 condemning genocide and declares that genocide is an international crime, entailing national and international responsibility on the part of individuals and states;

"2. *Invites* the attention of all Member States to the principles of the draft convention transmitted by the Economic and Social Council and recommends adherence to these principles in the executive and legislative activities of states;

"3. *Refers* the draft convention to the International Law Commission in order that the Commission may consider whether a convention on this matter is desirable or necessary and if so to submit a draft convention to the General Assembly."

A number of representatives, including the representatives of Australia, Egypt and the U.S.S.R., supported the point of view of the representative of the United Kingdom concerning the questionable desirability of concluding a convention. The majority of representatives favored a convention but disagreed as to the method to be followed in its preparation.

The representative of the U.S.S.R. submitted a draft resolution (A/C.6/151) stating that in view of the fact that the Economic and Social Council had not examined the substance of the question and that most of the Governments of Member

States had not yet submitted comments on the draft convention prepared by the Secretariat, the conditions for a sufficiently comprehensive examination of this problem did not at present exist. The General Assembly therefore should instruct the Economic and Social Council, after receiving the comments of the Governments of Member States to examine the draft convention on genocide and to report to the third session of the General Assembly.

The representative of Egypt submitted an amendment (A/C.6/159) to the above resolution to the effect that the Assembly should also draw the attention of Members to the urgent necessity of submitting their observations on the draft prepared by the Secretary-General.

The representative of Brazil submitted a proposal (A/C.6/160) suggesting that the General Assembly should direct the Economic and Social Council to prepare a draft convention on genocide for submission to the third session of the General Assembly.

The representative of Venezuela proposed (A/C.6/149) that the General Assembly should continue in existence the Committee on the Progressive Development of International Law and its Codification "in order that this Committee collaborate with the Economic and Social Council in the consideration of the draft convention on the crime of genocide prepared by the Secretariat". The Secretary-General should refer comments on the draft convention received from Governments of Member States both to the Economic and Social Council and to the Committee on the Progressive Development of International Law and its Codification, and should provide the Committee with such assistance as it might require for the fulfilment of its task.

A number of representatives favored the immediate establishment of a sub-committee of the Sixth Committee to study the question of genocide. The representatives of Panama, Cuba and India submitted a joint proposal (A/C.6/SR.42) that the Sixth Committee, considering the urgency of immediately concluding a convention on the crime of genocide, should establish a special sub-committee for the purpose of proceeding with the immediate study of the draft convention submitted by the Secretary-General with a view to its revision. The Sixth Committee should draw the attention of the sub-committee to the necessity of deleting from the draft convention the more controversial issues and of concentrating on measures acceptable to the greatest majority of Member States.

²⁰¹ See p. 596.

At its 42nd meeting on October 6, the Sixth Committee decided to refer the question of genocide to the sub-committee established to consider matters relating to the progressive development of international law and its codification. By a vote of 25 to 9, the Committee rejected, however, a proposal by the representatives of Cuba, India and Panama that the sub-committee should consider the substance of the question. The majority of the Sixth Committee agreed that the sub-committee should only consider the procedure to be followed in the preparation of a draft convention.

The sub-committee at two meetings on November 4 and 10 discussed the question as to which body or organ the draft convention on genocide should be referred to. Certain delegations emphasized the sociological aspects of the study to be undertaken and the political nature of the problem, and declared themselves in favor of the Economic and Social Council. Others, stressing the legal nature of the work, suggested reference to the International Law Commission. Some sub-committee members proposed that in order not to delay the matter, the interim body which the sub-committee had recommended to be established, pending the election of the Members of the International Law Commission,²⁰² should begin to study the question of genocide, the work to be continued, if necessary, by the International Law Commission.

The sub-committee decided by a vote of 8 to 2 to refer the matter to the Economic and Social Council, on the understanding that the Council could, if it wished, request the assistance of the interim Committee on the Progressive Development of International Law and its Codification.

Some sub-committee members considered that the Economic and Social Council should be given complete freedom to decide in favor either of a convention or of any other appropriate method. By a vote of 10 to 2 the sub-committee decided, however, that this question had already been decided by the resolution of the General Assembly of December 11, 1946, which instructed the Economic and Social Council to undertake the necessary studies with a view to the drawing up of a draft convention on genocide. The operative part of the resolution which the sub-committee therefore recommended (A/C.6/190/Rev.1) for adoption by the Sixth Committee read as follows:

"The General Assembly . . .

"Requests the Economic and Social Council to continue the work it has begun concerning the suppression of the crime of genocide, including the study of the draft convention prepared by the Secretariat, and to proceed with

the completion of a convention, with the assistance, if it so desires, of the interim Committee on the Progressive Development of International Law and its Codification; "Informs the Economic and Social Council that it need not await the receipt of the observations of all Member States before commencing its work;

"Draws the attention of the Member States to the urgency of submitting their observations on the draft convention; and

"Requests the Economic and Social Council to submit a report on this question to the third regular session of the General Assembly."

The Sixth Committee discussed the sub-committee's report (A/C.6/190/Rev.1) at its 59th meeting on November 20. It adopted two amendments to the draft resolution recommended by the sub-committee, one proposed by the representative of the United Kingdom, the other by the representative of the U.S.S.R. The United Kingdom amendment (A/C.6/192) provided for the addition of a paragraph to the preamble of the resolution declaring that genocide is an international crime entailing national and international responsibility on the part of individuals and states.

The U.S.S.R. amendment (A/C.6/201) provided for the substitution of a different text for the operative part of the draft resolution recommended by the sub-committee and was adopted by the Committee, subject to a minor Belgian amendment (A/510), as follows:

"The General Assembly . . .

"Requests the Economic and Social Council:

"(a) to proceed with the studies on the problem of measures of combating the crime of genocide;

"(b) to study therewith the question whether a convention on genocide is desirable and necessary, and if so, whether there should be a separate convention on genocide, or whether the question of genocide should be considered in connection with the drafting of a convention to include the principles of international law recognized in the Charter of the Nürnberg Tribunal and in the judgment of the Tribunal;

"(c) to consider, if the conclusion of a separate convention on genocide is deemed necessary, the draft convention on genocide prepared by the Secretariat, after having received comments from most of the Governments of States Members of the United Nations, and to submit a report on the matter to the third regular session of the General Assembly."

The report and draft resolution of the sub-committee as amended were then adopted by a vote of 31 to 0.

The General Assembly considered the report (A/510) of the Sixth Committee at its 123rd plenary meeting on November 21, 1947. The representatives of Cuba, Egypt and Panama submitted a joint amendment (A/512) to the operative part of the resolution recommended by the

²⁰²See p. 213.

Sixth Committee, which followed closely the text of the resolution which the sub-committee had recommended to the Sixth Committee. The General Assembly, the amendment provided, should request the Economic and Social Council to continue the work it had begun concerning the suppression of the crime of genocide, including the study of the draft convention prepared by the Secretariat, and to proceed with the completion of a convention. The Assembly should inform the Council that it need not await the receipt of the observations of all Members before commencing its work and should request the Council to submit a report and the convention on genocide to the third session of the General Assembly.

In the course of the discussion which ensued, the representatives of Panama, Cuba, Egypt, France, United States, Mexico, Dominican Republic and China expressed themselves in favor of the joint amendment, while the representatives of the United Kingdom and the U.S.S.R. supported the resolution recommended by the Sixth Committee.

In favor of the joint amendment it was maintained that the resolution recommended by the Sixth Committee was contrary to the General Assembly's resolution of December 11, 1946, in which the Assembly requested the Economic and Social Council to prepare a draft convention on genocide. The resolution now before the Assembly requested the Council to consider whether such a convention was necessary or desirable, thus reversing the General Assembly's decision of the previous year and undoing all the work so far accomplished in this matter. If the Sixth Committee's resolution were adopted the public would conclude that the United Nations was vacillating in its condemnation of genocide and was not prepared to take effective measures to combat it.

Adoption of the Sixth Committee's resolution, those supporting the joint amendment considered further, would result in unnecessary and undesirable delay. In particular, the provision that the Economic and Social Council should not consider any possible draft convention until it had received the comments from most of the Member Governments, was designed to impede the preparation of a convention, it was stated.

The representative of the United Kingdom, as he had done in the Sixth Committee, again questioned the desirability of concluding a convention. Genocide, he stated, was so closely analogous to the crimes against humanity covered by the Nürnberg Charter that the best thing would be to refer the question of genocide to the International Law Commission so that the Commission might deal

with it in conjunction with the codification of the Nürnberg principles. The representative of the United Kingdom denied that there was anything in the 1946 resolution limiting the General Assembly as to the manner of dealing with this question.

The representative of the U.S.S.R., as well as the representative of the United Kingdom, considered that it was desirable to give a wide latitude to the Economic and Social Council in dealing with the question of genocide. The resolution recommended by the Sixth Committee, these two representatives maintained, did not preclude the drawing up of a convention. On the other hand, the representative of the U.S.S.R. pointed out in particular that the draft convention which the Council had transmitted to the General Assembly had not been drawn up by the Council itself, but by three experts appointed by the Secretariat. As the Council had not had time to study this draft convention carefully, it should not be bound by it.

The representative of China submitted an amendment (A/514) to the joint amendment of Cuba, Egypt and Panama which provided that the Economic and Social Council, in its consideration of a draft convention on genocide, should take into account that the International Law Commission to be established under the General Assembly's resolution of November 21, 1947, had been charged with the formulation of the principles recognized in the Charter of the Nürnberg Tribunal, as well as the preparation of a draft code of offences against peace and security.

The General Assembly adopted the above amendment by a vote of 29 to 15, with 8 abstentions, the Chairman ruling that in the absence of a demand to the contrary decisions of the General Assembly are taken by simple majority.

The joint amendment of the representatives of Cuba, Panama and Egypt as amended by the Chinese amendment was then adopted by a vote of 34 to 15, with 2 abstentions. The resolution of the Sixth Committee (i.e., the preamble) as amended was then adopted by a vote of 38 to 0, with 4 abstentions. Following is the text of the resolution (180(II)) which the General Assembly thus adopted at its 123rd plenary meeting on November 21, 1947:

"The General Assembly,

"Realizing the importance of the problem of combating the international crime of genocide,

"Reaffirming its resolution 96 (I) of 11 December 1946 on the crime of genocide;

"Declaring that genocide is an international crime entailing national and international responsibility on the part of individuals and States;

"Noting that a large majority of the Governments of Members of the United Nations have not yet submitted their observations on the draft convention on the crime of genocide prepared by the Secretariat [E/447] and circulated to those Governments by the Secretary-General on 7 July 1947;

"Considering that the Economic and Social Council has stated in its resolution of 6 August 1947²⁹⁴ that it proposes to proceed as rapidly as possible with the consideration of the question of genocide, subject to any further instructions which it may receive from the General Assembly,

"Requests the Economic and Social Council to continue the work it has begun concerning the suppression of the crime of genocide, including the study of the draft convention prepared by the Secretariat, and to proceed with the completion of a convention, taking into account that the International Law Commission, which will be set up in due course in accordance with General Assembly resolution 174 (II) of 21 November 1947, has been charged with the formulation of the principles recognized in the Charter of the Nurnberg Tribunal, as well as the preparation of a draft code of offences against peace and security;

"Informs the Economic and Social Council that it need not await the receipt of the observations of all Members before commencing its work, and

"Requests the Economic and Social Council to submit a report and the convention on this question to the third regular session of the General Assembly."²⁹⁵

k. WAR CRIMINALS

By telegram of August 20, 1947 (A/360), the Minister for Foreign Affairs of Yugoslavia requested the inclusion of the following item in the supplementary list of items for the agenda of the second regular session of the General Assembly:

"Recommendations to be made to ensure the surrender of war criminals, traitors and quislings of the States where their crimes were committed."

At its 90th plenary meeting on September 23, 1947, the General Assembly, on the recommendation of the General Committee, decided to admit the item to its agenda and to refer it to the Sixth (Legal) Committee. This decision was opposed by the representative of Yugoslavia, who had previously urged that the item should be referred to the First (Political and Security) Committee.

The Sixth Committee considered the question at its 46th, 47th, 48th, 49th, 50th and 51st meetings on October 10, 13, 14, 15, 17 and 18. At the 46th meeting the representative of Yugoslavia recalled the General Assembly's resolution 3(1) of February 13, 1946,²⁹⁶ recommending that Member States should take all necessary measures for the arrest and surrender of war criminals and calling upon non-member states to co-operate to the fullest extent to that end. He also referred to the Agreement of the Council of Foreign Ministers in Moscow of April 23, 1947, which pro-

vided that "any war criminals found in displaced persons camps are to be turned over, under guard, to the Military Command of the countries concerned and upon production of satisfactory evidence that the individuals whose transfer is requested are in fact war criminals". The representative of Yugoslavia asserted that neither the provisions of the Moscow Declaration nor of the General Assembly resolution for the extradition of war criminals to the states where their crimes had been committed had been carried out, due to lack of co-operation on the part of the Allied Control Authorities in ex-enemy territories. Citing many specific cases, the Yugoslav representative charged that the Control Authorities of the United States, the United Kingdom and France had handed over very few war criminals for trial and punishment. In particular none of the Italian war criminals, whose extradition the Yugoslav Government had requested, had been turned over. Furthermore, he charged that in many cases these war criminals were now occupying important posts under the Allied Military Authorities. The representative of Yugoslavia therefore submitted the following draft resolution (A/C.6/163):

"Having considered the practice followed up to now and the existing factual state in the light of the Resolution of the General Assembly of the United Nations of 13 February 1946, concerning the question of extradition and punishment of war criminals,

"Regretting the fact that certain governments of the Member States of the United Nations and certain governments of the States applying for admission into the United Nations Organization do not carry out the recommendations of the Resolution of 13 February 1946,

"Considering that these failures are harmful to the good relations between the nations and to the development of Democracy in the former enemy countries,

"Considering that no requisite bilateral conventions have been concluded between all the United Nations concerned with regard to the extradition of war criminals and quislings, and that the conventions concluded are not being fully implemented;

"The General Assembly Adopts the following resolution:

"1. The General Assembly reaffirms the principles laid down in the Resolution of 13 February 1946, that war criminals have to be arrested and sent back to the countries in which their crimes were committed, in order that they may be judged and punished according to the laws of those countries.

"2. Calls most earnestly upon the Member States of the United Nations and the States applying for admission in the United Nations to take immediately and without delay all necessary measures for the apprehension and immediate extradition of such criminals in their respective territories.

²⁹⁴See resolution 77 (V); see also *Economic and Social Council*, p. 596.

²⁹⁵For Council's work on draft convention, see pp. 596-99.

²⁹⁶See *Yearbook of the United Nations*, 1946-47, p. 66.

"3. *Calls upon* the governments whose military forces are in control of former enemy territories to take all necessary steps for the apprehension and extradition of war criminals in these territories.

"4. *Expresses* its firm belief that it is in the interest of good relations between nations and in the interest of international co-operation that States which for some reason are not members of the United Nations also take action on the Resolution quoted.

"5. *Calls upon* all the governments to proceed immediately against any war criminal who may be traced in one way or another on their territories according to the above paragraphs.

"6. *Calls upon* the Member States to conclude bilateral conventions for the extradition of war criminals and quislings and to implement such conventions scrupulously.

"7. *Calls upon* the Secretary-General to request all the governments, Member States of the United Nations to give him information about the implementation of this recommendation and to make a report about the answers received to the Third Regular Session of the General Assembly."

The representatives of the Byelorussian S.S.R., the Ukrainian S.S.R., Czechoslovakia, Poland, the U.S.S.R. and Ethiopia supported the Yugoslav resolution. The representative of the U.S.S.R. widened the debate by raising the question of conditions in displaced persons camps. He reminded the Committee of that part of resolution 62(1) on refugees adopted by the General Assembly of December 15, 1946,²⁰⁶ which called for the screening of war criminals among displaced persons and refugees. The presence of war criminals and quislings in the camps, he asserted, prevented the elimination of all obstacles to the early repatriation of displaced persons. The Allied Authorities administering the camps, the representative of the U.S.S.R. charged, had ignored the resolution cited, and persons in those camps were subject to deliberate efforts at misinformation and terrorization, while war criminals were permitted to carry on criminal propaganda activities. The representative of the U.S.S.R. therefore submitted an amendment (A/C.6/170) to the Yugoslav resolution calling for reorganization of the administration of displaced persons camps with a view to facilitating the repatriation of displaced persons.

The representatives of the United States, the United Kingdom and France denied the Yugoslav and U.S.S.R. charges and objected to the blame implied by the Yugoslav resolution and the U.S.S.R. amendment. They recalled the steps taken by their Governments in the prosecution of war criminals, referring particularly to the Nurnberg trials, and declared their firm intention to continue the prosecution of war criminals. At the same time, however, they insisted that mere allegations were

not sufficient to justify extradition. The identity and guilt of the persons sought should be adequately established *prima facie*. The Allied Authorities would not surrender persons sought by the governments of their countries of origin if these persons were *bona fide* political dissidents as distinguished from war criminals, quislings and traitors. The representatives of Australia, Colombia, Cuba, Norway and Sweden supported this view. The representatives of Cuba and Colombia maintained that only the International Court of Justice or a court of arbitration—but not the Sixth Committee of the General Assembly—was competent to judge whether the General Assembly's resolution 3(1) of February 13, 1946, had been violated.

Efforts by the Rapporteur of the Sixth Committee between the 49th and 50th meetings to conciliate the opposing points of view failed, the Rapporteur stated, because the representatives of Yugoslavia and the U.S.S.R. were unwilling to withdraw the draft resolution (A/C.6/163), and amendment (A/C.6/170). At the 50th meeting of the Committee the representative of the United Kingdom therefore submitted a substitute proposal (A/C.6/171). The British draft resolution provided that the General Assembly, "noting the progress made in the extradition and punishment after due trial of many of the war criminals referred to in its resolution adopted on February 13, 1946," should reaffirm that resolution as well as its resolution 8(1) on the subject of refugees of February 12, 1946, and in particular paragraph c (ii) thereof.²⁰⁷ (The paragraph in question provides that refugees and displaced persons shall not be repatriated if they express valid objections to returning to their countries of origin, but shall then become the concern of whatever international organization is set up to deal with the question.)

The General Assembly, the draft resolution provided further, should recommend Members of the United Nations to continue with unabated energy to carry out their responsibilities for the surrender and trial of war criminals, while Members desiring the surrender of alleged war criminals and quislings should request this surrender as soon as possible and support their request with the fullest and most particular evidence possible. Members requested to surrender war criminals should be reminded that, before doing so, they should be satisfied that a reasonable *prima facie* case existed of the identity and the guilt of the persons sought. Finally the General Assembly

²⁰⁶*Ibid.*, p. 170.

²⁰⁷*Ibid.*, p. 74.

should reassert that trials of war criminals and quislings, like all other trials, should be governed by the principles of justice, law and evidence.

The representatives of Colombia, Costa Rica, Iran, Egypt, Denmark, Norway, Dominican Republic, Bolivia, United States, Australia, Turkey and Argentina supported the United Kingdom resolution. A number of these representatives, however, gave their support subject to the reservation that the paragraph providing that the General Assembly note the progress which had been accomplished in the prosecution of war criminals be omitted. If the General Assembly, as had been maintained by those opposing the Yugoslav resolution, was not competent to judge whether certain Members had failed to fulfil their obligations under the resolution of February 13, 1946, then it was equally unable to judge whether there had been progress made in the matter, these representatives asserted.

At its 51st meeting on October 18, 1946, the Sixth Committee rejected the Yugoslav resolution as a whole by a vote of 35 to 7, with 8 abstentions, although on a paragraph by paragraph vote the first paragraph of the resolution reaffirming the Assembly's resolution of February 13, 1946, had been adopted by a vote of 12 to 10, with 27 abstentions. The Sixth Committee then adopted a number of amendments to the United Kingdom resolution (A/C.6/171) proposed by the representatives of Poland and Denmark (A/C.6/173). The representative of the United Kingdom himself reworded the first paragraph of the resolution to meet the objection voiced by several representatives.

The United Kingdom draft resolution as amended was then adopted by a vote of 35 to 7, with 5 abstentions.

The General Assembly considered the Sixth Committee's Report (A/425) at its 101st and 102nd plenary meetings on October 31, 1947.

The representative of Yugoslavia reintroduced the draft resolution which the Sixth Committee had rejected (A/441). In the course of the Assembly discussion that ensued the representatives of Yugoslavia, the U.S.S.R., the Byelorussian S.S.R., the Ukrainian S.S.R. and Poland expressed opposition to the resolution recommended by the Sixth Committee, on the ground that it sought to justify and to confirm the present unsatisfactory state of affairs as regards the extradition of war criminals; more than that, the resolution was designed to create new obstacles to the surrender of war criminals, since it gave the United States and United Kingdom authorities the right to refuse

to surrender war criminals under the pretext that there was insufficient *prima facie* evidence of their guilt.

The representatives of the United Kingdom, the United States, El Salvador, Colombia and Egypt on the other hand urged the adoption of the resolution recommended by the Sixth Committee. This resolution was finally adopted by the General Assembly by a vote of 42 to 7, with 6 abstentions. The General Assembly then rejected the Yugoslav resolution by a vote of 40 to 7, with 6 abstentions. Following is the text of the resolution (170(II)) adopted by the General Assembly:

"The General Assembly,

"Noting what has so far been done in the matter of the surrender and punishment, after due trial, of the war criminals referred to in its resolution adopted on 13 February 1946,

"Reaffirms the aforementioned resolution,

"Reaffirms also its resolutions on the subject of refugees adopted on 12 February 1946 and on 15 December 1946,

"Recommends Members of the United Nations to continue with unabated energy to carry out their responsibilities as regards the surrender and trial of war criminals,

"Recommends Members of the United Nations, which desire the surrender of alleged war criminals or traitors (that is to say nationals of any State accused of having violated their national law by treason or active collaboration with the enemy during the war) by other Members in whose jurisdiction they are believed to be, to request such surrender as soon as possible and to support their request with sufficient evidence to establish that a reasonable *prima facie* case exists as to identity and guilt, and

"Reasserts that trials of war criminals and traitors, like all other trials, should be governed by the principles of justice, law and evidence."

8. Headquarters of the United Nations

The General Assembly, during the second part of its first session, on December 14, 1946 (resolution 100(1)),²⁰⁸ decided to locate the permanent headquarters of the United Nations in New York City and to accept a gift of \$8,500,000 from John D. Rockefeller, Jr., for the purchase of the site bounded by First Avenue, East 48th Street, the East River and East 42nd Street. The Secretary-General was requested to report to the Members on or before July 1, 1947, on plans, requirements and costs relating to the headquarters. A Headquarters Advisory Committee was set up to advise the Secretary-General. The Secretary-General, with the advice of the Committee, and the

²⁰⁸*Ibid.*, p. 275.

New York City authorities shortly thereafter reached a general understanding regarding the developments which the City and the United Nations would carry out both inside and around the site.

On February 26, 1947, the President of the United States signed a bill providing for the exemption of the Rockefeller gift from the federal gift tax. The next day the Governor of New York signed a series of bills, drafted according to the recommendations of the United Nations, authorizing the Governor to cede jurisdiction over any land required by the organization to carry out its functions, exempting the United Nations property from taxation, authorizing the City of New York to purchase or condemn any property necessary for the headquarters and to regulate advertising devices and amusement enterprises in the areas near the site, and making it a criminal offence for any person to possess or use an identification card issued to another person by the United Nations.

On March 25, 1947, the United Nations received the Rockefeller gift and on April 13 the Secretary-General accepted formally, in a public ceremony, the contributions of the City of New York. The City's gift included, among other concessions, the transfer of several plots of land and exclusive rights to the waterfront between 42nd and 48th Streets. Later, in August, the City transferred the New York City Housing Authority Building on the site to the United Nations on lease-purchase. This seven-story building has been in use, since September 1947, as the Manhattan headquarters of the United Nations, housing certain offices of delegations and of the Secretariat.

On January 6, 1947, the Advisory Committee established a Headquarters Planning Office, with an international administrative and technical staff under a Director of Planning (Wallace K. Harrison). A Board of Design Consultants, set up under the leadership of the Director of Planning, drew up the basic design for the permanent headquarters. The Board was composed of the following prominent architects and engineers from different parts of the world, chosen by the Advisory Committee, upon the recommendation of the Director, from lists of names submitted by twenty-nine Member nations:

G. A. Soulleux (Australia)
Gaston Brunfaut (Belgium)
Oscar Niemeyer (Brazil)
Ernest Cormier (Canada)
Ssu-ch'eng Liang (China)
Charles Le Corbusier (France)

Sven Markelius (Sweden)
Nikolai D. Bassov (U.S.S.R.)
Howard Robertson (U.K.)
Julio Vilamajo (Uruguay)

A Contract Committee was established to advise the Secretary-General on contracts for the construction of buildings. The Committee included:

George E. Spargo, Chairman (United States)
General Manager, Triborough Bridge and Tunnel Authority
John Reed Kilpatrick (United States)
President, Madison Square Garden Corporation
Otto L. Nelson (United States)
Vice-President, New York Life Insurance Company

The plan developed by the Board of Design Consultants was composed of the following main elements: a General Assembly hall, a Secretariat office building, a conference area for Council chambers and committee rooms, and underground garages, with appropriate landscaping of the entire site. The cost of construction was first estimated approximately at \$84,831,450. However, in view of the prevailing world economic conditions, the cost was considered to be somewhat higher than justified. Estimates of space requirements were revised to provide for the more immediate needs of the organization rather than ultimate requirements, and the plans were readjusted to bring the estimated cost to about \$65,000,000.

The Headquarters Advisory Committee considered various plans for financing the buildings—contributions from Members, loans from one or more governments, private loans or a combination of the three. Finally, it came to the conclusion that a loan from one or more of the Member Governments offered the only feasible solution of the problem.

In accordance with the resolution of December 14, 1946, the Secretary-General reported to the second regular session of the General Assembly on plans for the permanent headquarters (A/311 and Add.1, Add.2, Add.3). The first part of the report, submitted in July, contained the original plans for a 45-story Secretariat building to house an ultimate personnel of 5,300, a General Assembly hall with a seating capacity of 3,250, three Council chambers, five conference rooms, twelve large committee rooms, a library building and various other items, such as underground garages, communications equipment and site improvements.

The location and size of the East River site dictated the choice of vertical construction. Construction was planned to proceed in three stages: first, the construction of the Secretariat building, Council chambers, conference rooms and com-

mittee rooms in place of the facilities provided at Lake Success and Manhattan; second, the construction of facilities to take care of all the functions performed at the temporary meeting hall of the General Assembly in Flushing Meadow; and finally, the provision of accommodation to permanent delegations and those specialized agencies which wished to establish their headquarters or liaison offices on the site.

In an additional report submitted in September (A/311/Add.1) the Secretary-General outlined revised plans to reduce the estimated cost to \$65,000,000. The plans for the Secretariat building were altered to provide for a 40-story building accommodating 4,400 employees. Office space for the staff was reduced to minimum acceptable standards. The seating capacity of the General Assembly hall was reduced to 2,300. The estimates of the size of the Council chambers and conference rooms were also lowered. Six large committee rooms and twelve small ones were recommended instead of twelve large and six small rooms. A separate library building was eliminated and provision was made for the library in the Secretariat building to the extent of 50,000 square feet of gross area. The estimates of the size of lobbies, lounges, access galleries and general circulation areas for the press, public and delegates were reduced. Prospective design studies (A/311/Add.2) and plans for the revised scheme (A/311/Add.3) were presented to the Assembly.

The Secretary-General also submitted for Assembly approval a draft agreement with the United States (A/371) regarding the headquarters of the United Nations, which he had negotiated under the authorization of the resolution of December 14, 1946.

The General Assembly forwarded the draft agreement to the Sixth Committee²⁰⁹ and set up a sixteen-member *ad hoc* Committee on Headquarters, with the same Member States as were in the Headquarters Advisory Committee,²¹⁰ to consider the Secretary-General's report on the headquarters. The Committee elected Warren R. Austin (United States) as Chairman, Finn Moe (Norway) as Vice-Chairman and Alexis Kyrrou (Greece) as Rapporteur.

Meanwhile, on October 29, 1947, the representative of the United States informed the Secretary-General (A/AC.15/7) that his Government would be prepared to enter into negotiations with a view to concluding a loan agreement whereby an interest-free United States Government loan for an amount not exceeding \$65,000,000 would be made available for the purpose of financing the

cost of constructing the United Nations headquarters, and that the President of the United States would be willing to request the Congress of the United States to grant its approval, which would be required for such a loan.

The *ad hoc* Committee on Headquarters accepted in principle the architectural and engineering plans submitted by the Secretary-General and recommended to the General Assembly that the Secretary-General be authorized to enter into negotiations with the United States Government to conclude, on behalf of the United Nations, a loan agreement for \$65,000,000 and to proceed with the construction of the permanent headquarters when the loan was received. A proposal of the delegation of Belgium (A/AC.15/5) providing for a separate building for the United Nations Library was rejected, the sense of the Committee being that the necessary library space was provided within the Secretariat building and space was also left in the plans for the future construction of a separate building. The representative of Argentina submitted a proposal for private contributions to assist in the construction of the headquarters, but the Committee recommended postponement of consideration of the proposal for a year in view of the fact that an appeal for contributions might conflict with the United Nations Appeal for Children scheduled to be launched in February 1948. The Committee also recommended that the Secretary-General be authorized to spend an amount not exceeding \$1,000,000 from the Working Capital Fund to continue planning work and the preparation of detailed drawings and specifications. The report of the *ad hoc* Committee (A/485) was discussed by the General Assembly on November 20, 1947. The Assembly unanimously adopted the draft resolution recommended by the Committee, as follows (182(II)):

"The General Assembly,

"Desiring to proceed as rapidly as possible with the construction of the permanent headquarters, in accordance with the decision taken under resolution 100 (I) of 14 December 1946, in order that a major part of the project may be completed and ready for use by the fourth regular session of the General Assembly;

"Noting with satisfaction the letter dated 29 October 1947 from the representative of the United States to the Secretary-General (document A/AC. 15/7), stating that the Government of the United States would be prepared to enter into negotiations with the Secretary-General with a view to concluding a loan agreement whereby an interest-free United States Government loan for an amount

²⁰⁹See pp. 197-204.

²¹⁰The membership of the Headquarters Advisory Committee referred to, i.e., that set up by resolution 100(1), was maintained in the committee established by resolution 182(II); see below.

not exceeding \$65,000,000 would be made available for the purpose of financing the cost of constructing the United Nations headquarters, and that the President of the United States would be willing to request the Congress of the United States to grant its approval, which would be required for such a loan,

"1. Approves the general plan and design set forth in the report by the Secretary-General on the permanent headquarters of the United Nations (document A/311) as revised in the further report by the Secretary-General (documents A/311/Add.1/Rev.1, A/311/Add.2 and Add.3).

"2. Authorizes the Secretary-General:

"(a) To negotiate and conclude, on behalf of the United Nations, a loan agreement with the Government of the United States of America, for an interest-free loan which would require approval by the Congress of the United States, in an amount not to exceed \$65,000,000 to provide for the payment of the costs of construction and other purposes provided for in paragraph 3 of this resolution. Such loan should be for a term of not less than thirty years and should be repayable in annual installments from the ordinary budget of the United Nations, the first installment to be payable out of the budget for the year 1951;

"(b) To receive and expend, or direct the expenditure of, the sum borrowed in accordance with the foregoing authorization for the purposes set forth in paragraph 3 of this resolution;

"(c) With the consent of the Advisory Committee on Administrative and Budgetary Questions, to obligate or expend sums from the Working Capital Fund not exceeding \$1,000,000, in order to continue detailed architectural and engineering planning and research, and to meet commitments for other necessary arrangements in preparation for the construction and other work provided for in paragraph 3 of this resolution;

"3. Further authorizes the Secretary-General, after the conclusion of the loan agreement authorized in paragraph 2 of this resolution and approval of the proposed loan by the Congress of the United States of America:

"(a) To proceed with the construction and furnishing of the General Assembly building, conference area and Secretariat building, together with the necessary landscaping, underground construction and other appropriate improvements to the land and approaches;

"(b) To enter into contracts for the construction, furnishings and other work referred to in paragraph 3 (a) hereof, and to make expenditures to an amount not exceeding \$65,000,000 for these purposes and for related purposes as set forth in document A/311/Add.1/Rev.1.

"4. Further authorizes the Secretary-General,

"(a) While adhering to the general plan and design referred to in paragraph 1 hereof, to make such modifications in the plans, design, building, furnishings, landscaping, underground construction and other improvements, as he finds necessary or desirable, provided that such modifications shall not increase the total cost beyond the sum provided for in paragraph 3 (b);

"(b) To enter into appropriate arrangements with the United States Government, the State of New York, and the City of New York, with regard to easements, public services, sub-surface facilities, the approaches to the site, the vehicular traffic, water front and pier rights, and similar matters.

"5. In carrying out his responsibilities as set forth in this resolution, the Secretary-General shall be assisted by an Advisory Committee consisting of representatives of the following Members:

"Australia, Belgium, Brazil, Canada, China, Colombia, France, Greece, India, Norway, Poland, Syria, Union of Soviet Socialist Republics, United Kingdom, United States of America and Yugoslavia.

"6. Requests the Secretary-General to report to the third regular session of the General Assembly on the execution of this resolution."

In accordance with this General Assembly resolution of November 20, 1947, the Secretary-General entered into negotiations with the United States Government for a loan to finance the cost of construction of the permanent headquarters of the United Nations and submitted a draft loan agreement to the Headquarters Advisory Committee on February 25, 1948. With the approval of the Committee, further negotiations were held and the agreement was signed on March 23 by the Secretary-General and the United States representative, Warren R. Austin. The agreement provides for the repayment of the loan without interest over a period of 31 years—from July 1, 1951, to July 1, 1982—in annual installments ranging from \$1,000,000 to \$2,500,000. The text of the agreement (A/627) follows:

"It is hereby agreed by the Government of the United States of America and the United Nations as follows:

"1. Subject to the terms and conditions of this Agreement, the Government of the United States will lend to the United Nations a sum not to exceed in the aggregate \$65,000,000. Such sum shall be expended only as authorized by the United Nations for the construction and furnishing of the permanent headquarters of the United Nations in its headquarters district in the City of New York, as defined in the Agreement between the United States of America and the United Nations regarding the Headquarters of the United Nations, signed at Lake Success, New York, on 26 June 1947, including the necessary architectural and engineering work, landscaping, underground construction and other appropriate improvements to the land and approaches, and for other related purposes and expenses incident thereto.

"2. Such sum, or parts thereof, will be advanced by the United States, through the Secretary of State, to the United Nations upon request of the Secretary-General or other duly authorized officer of the United Nations and upon the certification of the architect or engineer in charge of construction, countersigned by the Secretary-General or other duly authorized officer, that the amount requested is required to cover payments for the purposes set forth in paragraph 1 above which either

(a) Have been at any time made by the United Nations, or

(b) Are due and payable, or

(c) It is estimated will become due and payable within sixty days from the date of such request.

All sums not used by the United Nations for the purposes set forth in paragraph 1 will be returned to the Secretary of State of the United States when no longer required for said purposes. No amounts will be advanced here-

under after 1 July 1951, or such later date, not after 1 July 1955, as may be agreed to by the Secretary of State.

"3. All sums advanced hereunder will be receipted for on behalf of the United Nations by the Secretary-General or other duly authorized officer of the United Nations.

"4. The United Nations will repay, without interest, to the United States the principal amount of all sums advanced hereunder, in annual payments beginning on 1 July 1951, and on the dates and in the amounts indicated, until the entire amount advanced under this Agreement has been repaid as follows:

Date	Amount	Date	Amount
1 July 1951	\$1,000,000	1 July 1967	\$2,500,000
1 July 1952	1,000,000	1 July 1968	2,500,000
1 July 1953	1,500,000	1 July 1969	2,500,000
1 July 1954	1,500,000	1 July 1970	2,500,000
1 July 1955	2,000,000	1 July 1971	2,500,000
1 July 1956	2,000,000	1 July 1972	2,500,000
1 July 1957	2,000,000	1 July 1973	2,500,000
1 July 1958	2,000,000	1 July 1974	2,500,000
1 July 1959	2,000,000	1 July 1975	2,500,000
1 July 1960	2,500,000	1 July 1976	1,500,000
1 July 1961	2,500,000	1 July 1977	1,500,000
1 July 1962	2,500,000	1 July 1978	1,500,000
1 July 1963	2,500,000	1 July 1979	1,500,000
1 July 1964	2,500,000	1 July 1980	1,500,000
1 July 1965	2,500,000	1 July 1981	1,500,000
1 July 1966	2,500,000	1 July 1982	1,000,000

However, in the event the United Nations does not request the entire sum of \$65,000,000 available to it under this Agreement, the amount to be repaid under this paragraph will not exceed the aggregate amount advanced by the United States. All amounts payable to the United States under this paragraph will be paid out of the ordinary budget of the United Nations, to the Secretary of State of the United States in currency of the United States which is legal tender for public debts on the date such payments are made. All sums repaid to the United States will be receipted for on behalf of the United States by the Secretary of State.

"5. The United Nations may at any time make repayments to the United States of funds advanced hereunder in excess of the annual instalments as provided in paragraph 4 hereof.

"6. The United Nations agrees that, in order to give full effect to section 22 (a) of the Agreement regarding the Headquarters of the United Nations referred to in paragraph 1 above (under which the United Nations shall not dispose of all or any part of the land owned by it in the headquarters district without the consent of the United States), it will not, without the consent of the United States, while any of the indebtedness incurred hereunder is outstanding and unpaid, create any mortgage, lien or other encumbrance on or against any of its real property in the headquarters district as defined in said Agreement. The United Nations also agrees that the United States, as a condition to giving its consent to any such disposition or encumbrance, may require the simultaneous repayment of the balance of all instalments remaining unpaid hereunder.

"7. The effective date of this Agreement shall be the date on which the Government of the United States notifies the United Nations that the Congress of the United States, with the approval of the President, has made available the funds necessary to be advanced in accordance with the provisions of this Agreement.

"In Witness Whereof, the Government of the United States of America, acting by and through the Secretary of State, and the United Nations, acting by and through the Secretary-General, have respectively caused this Agreement to be duly signed in duplicate at Lake Success, New York, on this twenty-third day of March 1948.

"FOR THE GOVERNMENT OF THE UNITED STATES OF AMERICA:

(Signed) Warren R. AUSTIN
United States Representative to the
United Nations

"FOR THE UNITED NATIONS:

(Signed) Trygve LIE
Secretary-General"

The Secretary-General was notified by the United States delegation that the Loan Agreement, approved by the Congress of the United States of America, was signed by the President of the United States on August 11, 1948. A sum of \$25,000,000 was placed at the disposal of the United Nations for initial construction purposes. It was expected that a further Appropriation Act would be considered by Congress at its forthcoming regular session.

Early in 1948, the Headquarters Planning Office began the preparation of detailed construction plans and undertook research studies in the most advanced techniques of construction. Cost estimates were frequently rechecked and several minor readjustments in the plans were made, after discussion with the Headquarters Advisory Committee, to offset the rise in prices since September 1947, and to ensure that the cost of the project would not exceed \$65,000,000.

The Secretary-General reported to the third session of the General Assembly (A/627) that the site had been cleared, and that former tenants had been relocated and demolition work on the site was completed. Residential tenants had been removed to an apartment building which was rehabilitated for this purpose, with the assistance of the City of New York, while industrial and commercial tenants who were on the site had all arranged for new locations.

On August 19, the Headquarters Advisory Committee discussed construction proposals made by the Special Committee of Contract Advisors. With the advice of the Headquarters Committee the Secretary-General decided to negotiate with outstanding large construction firms in the New York area, and to conclude one principal construction contract (with a group of large construction firms) for the completion of all the major units of the project; and to let, as soon as possible by public bidding, a separate contract for excavation work and to begin excavating in September.

The Secretary-General also reported that the City of New York had taken official action to begin its public improvement work on streets and areas surrounding the site, and that a program had been agreed upon which would integrate the building operations of the United Nations within the site with those of the City of New York outside the site.

The United Nations awarded to the Slattery Contracting Company, of New York, the contract for excavation. Excavating work was begun on September 14, 1948.

9. The Question of Palestine

a. ORGANIZATION OF THE *ad hoc* COMMITTEE ON THE PALESTINIAN QUESTION

(1) *Establishment and Terms of Reference of the ad hoc Committee*

During its second session, the General Assembly, at its 90th meeting on September 23, 1947, established an *ad hoc* Committee on the Palestinian Question, composed of all Members, and referred to it the following agenda items for consideration and report:

"Question of Palestine": item proposed by the United Kingdom (A/286).

Report of the United Nations Special Committee on Palestine ("UNSCOP") (A/364).

"Termination of the Mandate over Palestine and the Recognition of its Independence as One State": item proposed by Saudi Arabia (A/317) and Iraq (A/328).

(2) *Organization of the ad hoc Committee*

At its first meeting on September 25, 1947, the Committee elected H. V. Evatt (Australia) Chairman, Prince Subha Svastivastivat (Siam) Vice-Chairman and Thor Thors (Iceland) Rapporteur. It also decided to invite the Arab Higher Committee and the Jewish Agency for Palestine to be represented at its deliberations in order to supply such information or render such assistance as the Committee might require. The invitation was accepted, and representatives of both organizations attended all meetings of the *ad hoc* Committee.

b. SUMMARY OF AGENDA OF THE *ad hoc* COMMITTEE

(1) *Question of Palestine*

The representative of the United Kingdom, in a letter to the Secretary-General dated April 2, 1947, had requested, on behalf of his Government, that the "Question of Palestine" be placed on the agenda of the General Assembly at its next regular

annual session. In the same communication, the representative of the United Kingdom had requested the convening of a special session of the Assembly "for the purpose of constituting and instructing a special committee" to prepare for the consideration of the question of Palestine at the subsequent (second) regular session.²¹¹

(2) *Report of the United Nations Special Committee on Palestine (UNSCOP)*²¹²

The report of the Special Committee (A/364) related the events leading up to the establishment of UNSCOP and gave a summary of its activities. It surveyed the elements of the conflict with relation to geographic and demographic factors, relevant economic factors, Palestine under the Mandate and the conflicting claims, and dealt with the question of the religious interests and Holy Places in Palestine. The report also reviewed the main proposals previously propounded for the solution of the Palestine question.

The Committee made twelve recommendations, eleven of which were adopted unanimously and the twelfth by a substantial majority.

The report contained a majority proposal for a Plan of Partition with Economic Union and a minority proposal for a Plan for a Federal State of Palestine.²¹³ Reservations and observations of certain members of the Committee were included in the report.

(a) SUMMARY OF UNSCOP'S ACTIVITIES

Pursuant to the request of the United Kingdom, the General Assembly had convened at Flushing Meadow, New York, on April 28, 1947, and, on May 15, 1947, had established and instructed a Special Committee on Palestine (UNSCOP).

UNSCOP was composed of representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay and Yugoslavia, and was given the "widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine"; it was under instructions to report its recommendations to the Secretary-General not later than September 1, 1947.²¹⁴ It actually completed its work on August 31.

The Special Committee held its first meeting at

²¹¹See *Yearbook of the United Nations*, 1946-47, pp. 276-78.

²¹²For this section see doc. A/364: *United Nations Special Committee on Palestine—Report to the General Assembly*.

²¹³The representative of Australia on the Special Committee abstained from voting on either the Majority or the Minority Plan.

²¹⁴See *Yearbook of the United Nations*, 1946-47, pp. 301-3.

Lake Success on May 26. From that date until August 31, 1947, when the report was signed, the Committee held 16 public and 36 private meetings.

After an exploratory discussion, UNSCOP agreed to create a Preparatory Working Group which would produce some suggestions on various organizational matters for the Committee's consideration.

Justice Emil Sandstrom (Sweden) was elected Chairman of the Special Committee and Alberto Ulloa (Peru) Vice-Chairman.

UNSCOP members arrived in Palestine on June 14 and 15, meeting in Jerusalem for the first time on June 16, 1947 (its fifth meeting in all). The Special Committee subsequently visited various parts of Palestine to gain a first-hand impression of conditions.

In response to a request from the Special Committee, the Government of Palestine and the Jewish Agency for Palestine appointed liaison officers. The Palestine Government's liaison officer was D. C. MacGillivray, while Aubrey S. Eban and David Horowitz served as liaison officers of the Jewish Agency.

At the same meeting, the Special Committee was informed by the Secretary General of the decision of the Arab Higher Committee to abstain from collaboration with UNSCOP.²¹⁵ While the Special Committee expressed its hope of securing the co-operation of all parties, it decided not to take any formal action, considering that the Chairman had made an appeal by radio for full co-operation shortly after arriving in Palestine.²¹⁶

The question of addressing a further request for co-operation to the Arab Higher Committee was discussed again at the 22nd and 23rd meetings of UNSCOP on July 8, 1947. It was decided to address a letter to the Arab Higher Committee and to state therein that UNSCOP had noted with regret the decision of the Arab Higher Committee not to co-operate, and to repeat the Special Committee's invitation for full co-operation as expressed by the Chairman in his broadcast appeal of June 16.

On July 10, 1947, a letter was received from Jamal el-Husseini, Vice-Chairman of the Arab Higher Committee. The communication stated that the Arab Higher Committee found no reason to reverse its previous decision to abstain from collaboration.²¹⁷

In addition to hearing representatives of the Palestine Government and of the Jewish Agency, the Special Committee also heard representatives of a number of other Jewish organizations and religious bodies, as well as Chaim Weizmann,

to whom the Special Committee granted a hearing in his personal capacity.

Upon the suggestion of some members of UNSCOP, the Committee resolved to invite the Arab States to express their views on the question of Palestine. It was decided that a letter to this effect should be addressed by the personal representative of the Secretary-General to the consular representatives in Jerusalem of Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Transjordan, and to the Government of Yemen through the Consul-General of Lebanon. To the Arab States in conference among themselves was left the choice of a time and place mutually convenient to them and to the Special Committee.

Letters of acceptance were received from Egypt (A/AC.13/49 and 56), Iraq (A/AC.13/50), Lebanon (A/AC.13/51), Saudi Arabia (A/AC.13/62) and Syria (A/AC.13/58) with the information that Beirut, Lebanon, had been designated as the place of meeting.

The Consul-General of Transjordan replied for his Government (A/AC.13/52) that, since Transjordan was not a Member of the United Nations, it was not prepared to send a representative outside the country to give evidence, but that it would welcome the Special Committee or any of its members who might wish to pay a visit for that purpose to Transjordan.

On July 20, UNSCOP proceeded to Lebanon, and on the following day paid an informal visit to Damascus, the capital of Syria. On July 22, the Special Committee met in Beirut to hear the views of the Arab States expressed by the Lebanese Minister of Foreign Affairs, Hamid Frangie.

On July 25, several members of the Special Committee—the Chairman and the representatives of Canada, Czechoslovakia, Iran, Netherlands, Peru and Yugoslavia—paid a visit to Amman, capital of Transjordan, where they had an exchange of views with King Abdullah and members of his staff.

In addition to oral testimony, UNSCOP received many written statements from various persons and organizations.²¹⁸

A number of petitions addressed to the Special Committee asked its intervention in securing the release of prisoners and detainees. The Committee decided that these and similar appeals to investigate the methods of the British police in Palestine, the conditions of Jews in Yemen and the plight of

²¹⁵See A/364, Vol. II, Annex 5.

²¹⁶*Ibid.*, Annex 6.

²¹⁷*Ibid.*, Annex 8.

²¹⁸*Ibid.*, Annex 9.

refugees in Aden fell outside UNSCOP's terms of reference. The Committee also rejected petitions that it visit camps for Jewish detainees on Cyprus or permit these detainees to appear before it in Jerusalem to give evidence.

UNSCOP also recorded its concern over acts of violence which had occurred in Palestine since its arrival, declaring that such acts constituted a flagrant violation of the General Assembly's resolution of May 14, 1947.²¹⁹

On July 28, 1947, the Special Committee began work on the drafting of its report in Geneva, Switzerland. Between August 8 and 14, the Committee had decided, by vote of 6 to 4, with 1 abstention, to set up a sub-committee to visit displaced persons' camps. During its tour, the Sub-Committee visited camps at or near Munich, Salzburg, Vienna, Berlin, Hamburg and Hanover, and met the Austrian Chancellor, the Military Governor of the United States zones of Germany and Austria and several United States and United Kingdom officials in charge of displaced persons' affairs, as well as officials of the Preparatory Commission of the International Refugee Organization. The Sub-Committee was under the Chairmanship of J. D. L. Hood (Australia).

The Special Committee also established a sub-committee to study the question of religious interests and Holy Places in Palestine. The status of Jerusalem was also referred to that Sub-Committee, which was under the chairmanship of A. I. Spits (Netherlands). Its suggestions, with various amendments, were incorporated into both the majority and the minority plans eventually submitted by UNSCOP. The recommendations regarding the City of Jerusalem, which were embodied in the Majority Plan of Partition with Economic Union, were inspired by proposals made in the same Sub-Committee by the representatives of Canada, Netherlands, Peru and Sweden. The representatives of India, Iran and Yugoslavia disagreed with these latter recommendations, while reservations made in the Sub-Committee by the representatives of Czechoslovakia, Guatemala and Uruguay were later withdrawn.

The drafting of the report occupied UNSCOP members during eleven meetings and a number of informal gatherings and was completed at the 52nd meeting on August 31, 1947.

(b) GENERAL RECOMMENDATIONS OF THE COMMITTEE

The eleven unanimously-adopted resolutions of the Committee were:

That the Mandate should be terminated and

Palestine granted independence at the earliest practicable date (recommendations I and II);

That there should be a short transitional period preceding the granting of independence to Palestine during which the authority responsible for administering Palestine should be responsible to the United Nations (recommendations III and IV);

That the sacred character of the Holy Places and the rights of religious communities in Palestine should be preserved and stipulations concerning them inserted in the constitution of any state or states to be created and that a system should be found for settling impartially any disputes involving religious rights (recommendation V);

That the General Assembly should take steps to see that the problem of distressed European Jews should be dealt with as a matter of urgency so as to alleviate their plight and the Palestine problem (recommendation VI);

That the constitution of the new state or states should be fundamentally democratic and should contain guarantees for the respect of human rights and fundamental freedoms and for the protection of minorities (recommendation VII);

That the undertakings contained in the Charter whereby states are to settle their disputes by peaceful means and to refrain from the threat or use of force in international relations in any way inconsistent with the purposes of the United Nations should be incorporated in the constitutional provisions applying to Palestine (recommendation VIII);

That the economic unity of Palestine should be preserved (recommendation IX);

That states whose nationals had enjoyed in Palestine privileges and immunities of foreigners, including those formerly enjoyed by capitulation or usage in the Ottoman Empire, should be invited to renounce any rights pertaining to them (recommendation X);

That the General Assembly should appeal to the peoples of Palestine to co-operate with the United Nations in its efforts to scale the situation there and exert every effort to put an end to acts of violence (recommendation XI).

In addition to these eleven unanimously approved recommendations, the Special Committee, with two members (Uruguay and Guatemala) dissenting, and one member recording no opinion, also approved the following *confidential* recommendation:

²¹⁹See *Yearbook of the United Nations*, 1945-46, 303.

"RECOMMENDATION XII. THE JEWISH PROBLEM
IN GENERAL

"It is recommended that

"In the appraisal of the Palestine question, it be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general."

(c) MAJORITY PROPOSAL: PLAN OF PARTITION
WITH ECONOMIC UNION

According to the plan of the majority²²⁰ (the representatives of Canada, Czechoslovakia, Guatemala, Netherlands, Peru, Sweden and Uruguay), Palestine was to be constituted into an Arab State, a Jewish State and the City of Jerusalem. The Arab and the Jewish States would become independent after a transitional period of two years beginning on September 1, 1947. Before their independence could be recognized, however, they must adopt a constitution in line with the pertinent recommendations of the Committee and make to the United Nations a declaration containing certain guarantees, and sign a treaty by which a system of economic collaboration would be established and the economic union of Palestine created.

The plan provided, *inter alia*, that during the transitional period, the United Kingdom would carry on the administration of Palestine under the auspices of the United Nations and on such conditions and under such supervision as the United Kingdom and the United Nations might agree upon. During this period a stated number of Jewish immigrants was to be admitted. Constituent Assemblies were to be elected by the populations of the areas which were to comprise the Arab and Jewish States, respectively, and were to draw up the constitutions of the States.

These constitutions were to provide for the establishment in each State of a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation and an executive body responsible to the legislature. They would also contain various guarantees, e.g., for the protection of the Holy Places and religious buildings and sites, and of religious and minority rights.

The Constituent Assembly in each State would appoint a provisional government empowered to make the declaration and sign the Treaty of Economic Union, after which the independence of the State would be recognized. The Declaration would contain provisions for the protection of the Holy Places and religious buildings and sites and for religious and minority rights. It would also contain provisions regarding citizenship.

A treaty would be entered into between the two States, which would contain provisions to establish the economic union of Palestine and to provide for

other matters of common interest. A Joint Economic Board would be established consisting of representatives of the two States and members appointed by the Economic and Social Council of the United Nations to organize and administer the objectives of the Economic Union.

The City of Jerusalem would be placed, after the transitional period, under the International Trusteeship System by means of a Trusteeship Agreement, which would designate the United Nations as the Administering Authority. The plan contained recommended boundaries for the city and provisions concerning the governor and the police force.

The plan also proposed boundaries for both the Arab and Jewish States.

(d) MINORITY PROPOSAL: PLAN OF A FEDERAL
STATE

Three UNSCOP members (the representatives of India, Iran and Yugoslavia) proposed an independent federal state. This plan²²¹ provided, *inter alia*, that an independent federal state of Palestine would be created following a transitional period not exceeding three years, during which responsibility for administering Palestine and preparing it for independence would be entrusted to an authority to be decided by the General Assembly.

The independent federal state would comprise an Arab State and a Jewish State. Jerusalem would be its capital.

During the transitional period a Constituent Assembly would be elected by popular vote and convened by the administering authority on the basis of electoral provisions which would ensure the fullest representation of the population.

The Constituent Assembly would draw up the constitution of the federal state, which was to contain, *inter alia*, the following provisions:

The federal state would comprise a federal government and governments of the Arab and Jewish States, respectively.

Full authority would be vested in the federal government with regard to national defence, foreign relations, immigration, currency, taxation for federal purposes, foreign and inter-state waterways, transport and communications, copyrights and patents.

The Arab and Jewish States would enjoy full powers of local self-government and would have

²²⁰ As the majority plan was, with certain modifications, ultimately adopted by the General Assembly, it is not dealt with here in any detail. For resolution adopted by the General Assembly, see pp. 247-56. For details of the plan proposed by the Committee, see doc. A/364, Chapter V.

²²¹ For details of the minority proposal, see doc. A/364, Chapter VII.

authority over education, taxation for local purposes, the right of residence, commercial licenses, land permits, grazing rights, inter-state migration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries.

The organs of government would include a head of state, an executive body, a representative federal legislative body composed of two chambers, and a federal court. The executive would be responsible to the legislative body.

Election to one chamber of the federal legislative body would be on the basis of proportional representation of the population as a whole, and to the other on the basis of equal representation of the Arab and Jewish citizens of Palestine. Legislation would be enacted when approved by majority votes in both chambers; in the event of disagreement between the two chambers, the issue would be submitted to an arbitral body of five members including not less than two Arabs and two Jews.

The federal court would be the final court of appeal regarding constitutional matters. Its members, who would include not less than four Arabs and three Jews, would be elected by both chambers of the federal legislative body.

The constitution was to guarantee equal rights for all minorities and fundamental human rights and freedoms. It would guarantee, *inter alia*, free access to the Holy Places and protect religious interests.

The constitution would provide for an undertaking to settle international disputes by peaceful means.

There would be a single Palestinian nationality and citizenship.

The constitution would provide for equitable participation of representatives of both communities in delegations to international conferences.

A permanent international body was to be set up for the supervision and protection of the Holy Places, to be composed of three representatives designated by the United Nations and one representative of each of the recognized faiths having an interest in the matter, as might be determined by the United Nations.

For a period of three years from the beginning of the transitional period Jewish immigration would be permitted into the Jewish State in such numbers as not to exceed its absorptive capacity, and having due regard for the rights of the existing population within that State and their anticipated natural rate of increase. An international commission, composed of three Arab, three Jewish and three United Nations representatives, would be

appointed to estimate the absorptive capacity of the Jewish State. The commission would cease to exist at the end of the three-year period mentioned above.

The minority plan also laid down the boundaries of the proposed Arab and Jewish areas of the federal state.

(3) *Termination of the Mandate over Palestine and the Recognition of Its Independence as One State*

The representative of Saudi Arabia, in a letter (A/317) dated July 7, 1947, and addressed to the Secretary-General, requested, on behalf of his Government, that the following item be placed on the agenda of the next (second) regular annual session of the General Assembly:

"The termination of the mandate over Palestine and the recognition of its independence as one State."

The same request was addressed to the Secretary-General by the representative of Iraq in a letter (A/328) dated July 14, 1947.

c. INITIAL STATEMENTS OF PARTIES IMMEDIATELY CONCERNED

During its second meeting on September 26, 1947, the *ad hoc* Committee agreed to hear the views of the representatives of the three parties immediately concerned in the Palestine question—i.e., the United Kingdom (as Mandatory Power), the Arab Higher Committee and the Jewish Agency for Palestine—before embarking upon a general debate. The report of the Special Committee on Palestine was introduced by its Chairman, Justice Sandstrom, during the second meeting of the *ad hoc* Committee.

(1) *United Kingdom Viewpoint*

The representative of the United Kingdom placed the views of his Government before the *ad hoc* Committee at the second meeting on September 26, 1947. Congratulating UNSCOP on the way in which it had carried out its task, he declared that the United Kingdom Government was in substantial agreement with the twelve general recommendations.²²² In particular, the United Kingdom Government endorsed and wished to emphasize three of these recommendations: Recommendations I (Termination of the Mandate) and II (Independence), both of which were an exact expression of the guiding principle of British policy, and Recommendation VI (Jewish Displaced Persons). Concerning the latter, the United Kingdom Government believed that the entire problem

²²² See Section b (2) (b), pp. 229–30.

of displaced persons in Europe, Jewish and non-Jewish alike, was an international responsibility demanding urgent attention. His Government would make proposals in this connection subsequently.

The United Kingdom Government endorsed without reservation the view that the Mandate for Palestine should now be terminated.

He recalled that the representative of the United Kingdom had informed the General Assembly during its first special session that His Majesty's Government would be in the highest degree reluctant to oppose the Assembly's wishes in regard to the future of Palestine. At the same time, he further recalled, the United Kingdom representative had drawn a distinction between accepting a recommendation, in the sense of not impeding its implementation by others, and accepting responsibility for carrying it out by means of a British administration and British forces in Palestine.

The attitude of the United Kingdom Government remained as then stated, the representative of the United Kingdom said. His Government was ready to co-operate with the Assembly to the fullest extent possible. He could not easily imagine circumstances in which the United Kingdom would wish to prevent the application of a settlement recommended by the Assembly. The crucial question for His Majesty's Government was, however, the matter of enforcement of such a settlement.

His Government was ready to assume responsibility for implementing any plan on which agreement was reached by the Arabs and the Jews. If, on the other hand, the Assembly were to recommend a policy which was not acceptable to both parties, the United Kingdom Government would not feel able to implement it, and the Assembly should therefore provide, in such a case, for some alternative authority to implement it. Specifically, the United Kingdom Government was not prepared by itself to undertake the task of imposing a policy in Palestine by force of arms; as to the possibility of his Government's participation with other Governments in the enforcement of a settlement, his Government would have to take into account both the inherent justice of the settlement and the extent to which force would be required for its implementation.

In the absence of a settlement, the United Kingdom Government must plan for an early withdrawal of British forces and of the British Administration from Palestine.

In conclusion, the representative of the United Kingdom declared that if no basis of consent for a settlement could be found, it seemed to him of the

highest importance that any recommendations made by the General Assembly should be accompanied by a clear definition of the means by which they were to be carried out.

(2) *Viewpoint of the Arab Higher Committee*

Addressing the *ad hoc* Committee at the third meeting on September 30, 1947, the representative of the Arab Higher Committee stated that it was obviously the sacred duty of the Arabs of Palestine to defend their country against all aggression, including the aggressive campaign being waged by the Zionists with the object of securing by force a country—Palestine—which was not theirs by right. The *raison d'être* of the United Nations was, he said, to assist self-defence against aggression.

The rights and patrimony of the Arabs in Palestine had been the subject of no fewer than eighteen investigations within 25 years, and all to no purpose. Commissions of inquiry had either reduced the national and legal rights of the Palestine Arabs or had glossed them over. The few recommendations favorable to the Arabs had been ignored by the Mandatory Power. For these and for other reasons already communicated to the United Nations, it was not surprising that the Arab Higher Committee should have abstained from the nineteenth investigation (i.e., UNSCOP's) and refused to appear before the Special Committee.

The representative of the Arab Higher Committee concluded from a survey of Palestine history that Zionist claims to that country had no legal or moral basis. In particular, he denied the legal or moral justification of the Balfour Declaration and the Mandate for Palestine, both of which, he declared, had been laid down by the Zionist Executive and the United Kingdom Government. As a result of Anglo-Zionist co-operation, Palestine's Jewish minority was placed in a privileged position *vis-à-vis* the Arab majority, while Arabs were being made the victims of discrimination.

The representative of the Arab Higher Committee emphasized the importance of the problem of immigration into Palestine. He accused the Mandatory Power of having overstepped the provisions of Article 6 of the Mandate by permitting Jewish immigration into Palestine to the detriment of the political, social and economic rights of the Palestine Arabs. If any room existed in Palestine for an increase in population, that room should be left for its natural increase. He emphasized the increasing determination of the Arabs to oppose all immigration.

The representative of the Arab Higher Committee stated that, yielding to Zionist pressure, the

United Kingdom Government had failed to implement its own decision, made in 1939, that Jewish immigration into Palestine must cease and that Palestine must become an independent unitary state within a fixed time.

No people would be more pleased than the Arabs to see the distressed Jews of Europe given permanent relief. But Palestine already had absorbed far more than its just share, and the Jews could not impose their will on other nations by choosing the place and manner of their relief, particularly if that choice was inconsistent with the principles of international law and justice and prejudicial to the interests of the nation directly concerned. He recalled the relevant resolutions concerning refugees and displaced persons passed by the General Assembly on February 12 (8(I))²²³ and December 15 (62(I))²²⁴ 1946, in that connection and mentioned the offer of the United Kingdom, made more than 40 years ago, to place Uganda at the disposal of the Jews as a national home, and, more recently, the efforts of the U.S.S.R. to create a Jewish national home in Biro-Bidjan.

Both places had more to offer the Jews than the tiny country of Palestine, but the Zionists had turned them down. The Zionists did not want Palestine for the permanent solution of the Jewish problem nor for the relief of the distressed Jews; they wanted power, they had political ambitions and designs on strategically important Palestine and the Near East.

Then, too, it would be illogical for the United Nations to associate itself with the introduction of an alien body into the established homogeneity of the Arab world, a process which could only produce a "new Balkans".

The solution of the Palestine problem was simple. It lay in the Charter of the United Nations in accordance with which the Arabs of Palestine, constituting the majority of the population, were entitled to a free and independent state. He welcomed the statement by the representative of the United Kingdom that the Mandate should be terminated and its termination followed by independence, and expressed the hope that the United Kingdom Government would not, as in the past, reverse its decision under Zionist pressure.

Declaring that, once Palestine was found to be entitled to independence, the United Nations was not legally competent to decide or impose Palestine's constitutional organization, the representative of the Arab Higher Committee outlined the following principles as the basis for the future constitutional organization of the Holy Land:

1. That an Arab State in the whole of Palestine be established on democratic lines.

2. That the Arab State of Palestine would respect human rights, fundamental freedoms and equality of all persons before the law.

3. That the Arab State of Palestine would protect the legitimate rights and interests of all minorities.

4. That freedom of worship and access to the Holy Places would be guaranteed to all.

He added that the following steps would have to be taken to give effect to the abovementioned four principles:

(a) A Constituent Assembly should be elected at the earliest possible time. All genuine and law-abiding nationals of Palestine would be entitled to participate in the elections of the Constituent Assembly.

(b) The Constituent Assembly should, within a fixed time, formulate and enact a Constitution for the Arab State of Palestine, which should be of a democratic nature and should embody the abovementioned four principles.

(c) A government should be formed within a fixed time, in accordance with the terms of the Constitution, to take over the administration of Palestine from the Mandatory Power.

Such a program was the only one which the Arabs of Palestine were prepared to adopt, and the only item on the Committee's agenda with which the Arab Higher Committee would associate itself was Item 3,²²⁵ i.e., the item proposed by Saudi Arabia and Iraq.

The representative of the Arab Higher Committee said he had not commented upon the UNSCOP Report because the Arab Higher Committee considered that it could not be used as a basis for discussion. Both the majority and the minority plans contained in the Report were inconsistent with the United Nations Charter and the Covenant of the League of Nations. The Arabs of Palestine were solidly determined to oppose with all the means at their disposal any scheme which provided for the dissection, segregation or partition of their country or which gave to a minority special and preferential rights and status.

(3) *Viewpoint of the Jewish Agency for Palestine*

The representative of the Jewish Agency for Palestine, addressing the *ad hoc* Committee at the fourth meeting on October 2, 1947, praised the Special Committee for its conscientious labors and good faith. The Jewish Agency had regarded it as

²²³See *Yearbook of the United Nations*, 1946-47, pp. 74-75.

²²⁴*Ibid.*, pp. 168-69.

²²⁵See Section b (3), p. 231.

an inescapable obligation to co-operate fully with the United Nations and had placed all the required information and data at the disposal of UNSCOP, while the Arab Higher Committee had refused to heed repeated UNSCOP invitations for co-operation. It was strange that, after having flouted its authority, the Arab Higher Committee asked the United Nations to support the Arab stand.

The representative of the Jewish Agency said that it would appear from the statement made by the representative of the United Kingdom that the latter did not intend to accept the General Assembly's impending recommendation on Palestine. If this be so, he wondered why the United Kingdom had asked the Assembly to place the Palestine problem on its agenda. Given the present realities of the Palestine situation, the undertaking of the United Kingdom Government to implement any settlement agreeable to both Jews and Arabs meant very little and did not advance the solution of the Palestine problem at all.

He welcomed the announcement that British troops were to be withdrawn at an early date, adding that this made a decision even more urgent than it had been at the time of the (first) special session.

On behalf of the Jewish Agency, he supported ten of the eleven recommendations unanimously adopted by UNSCOP. The exception was Recommendation VI (Jewish Displaced Persons). The Jewish Agency, he said, did not disapprove of this recommendation but did wish to call attention to the "intense urge" of the overwhelming majority of Jewish displaced persons to proceed to Palestine, a fact noted both by the Anglo-American Committee and by UNSCOP. While hoping that nations would welcome displaced persons wishing to emigrate to countries other than Palestine, the Jewish Agency considered that it would be unjust to deny the right to go to Palestine to those who wished to do so.

The representative of the Jewish Agency regarded the twelfth recommendation (The Jewish Problem in General) as unintelligible. He called it a mere postulate which, moreover, had not been accepted unanimously by the Special Committee. The "Jewish Problem in General" was, he said, none other than the age-old question of Jewish homelessness, for which there was but one solution, that given by the Balfour Declaration and the Mandate: the reconstitution of the Jewish National Home in Palestine.

The solution proposed by the minority of the Special Committee was unacceptable to the Jewish Agency; although it referred to "States", it actually

made provision only for semi-autonomous cantons or provinces. Palestine would become an Arab state with two Jewish enclaves. The Jews would be frozen in the position of a permanent minority in the proposed federal state, and would not even have control over their own fiscal policies or immigration. It entailed all the disadvantages of partition without the compensating advantages of a real partition: statehood, independence and free immigration.

The majority proposal was not really satisfactory to the Jewish people, either. According to David Lloyd George, then British Prime Minister, the Balfour Declaration implied that the whole of Palestine, including Transjordan, should ultimately become a Jewish state. Transjordan had, nevertheless, been severed from Palestine in 1922 and had subsequently been set up as an Arab kingdom. Now a second Arab state was to be carved out of the remainder of Palestine, with the result that the Jewish National Home would represent less than one eighth of the territory originally set aside for it. Such a sacrifice should not be asked of the Jewish people.

Referring to the Arab States established as independent countries since the First World War, he said that 17,000,000 Arabs now occupied an area of 1,290,000 square miles, including all the principal Arab and Moslem centres, while Palestine, after the loss of Transjordan, was only 10,000 square miles; yet the majority plan proposed to reduce it by one half. UNSCOP proposed to eliminate Western Galilee from the Jewish State; that was an injustice and a grievous handicap to the development of the Jewish State.

The representative of the Jewish Agency also criticized the UNSCOP majority proposal concerning Jerusalem, saying that the Jewish section of modern Jerusalem (outside the Walled City) should be included in the Jewish State. He reserved the right to deal at a later stage with other territorial modifications.

If this heavy sacrifice was the inexorable condition of a final solution, if it would make possible the immediate re-establishment of the Jewish State with sovereign control of its own immigration, then the Jewish Agency was prepared to recommend the acceptance of the partition solution, subject to further discussion of constitutional and territorial provisions. This sacrifice would be the Jewish contribution to the solution of a painful problem and would bear witness to the Jewish people's international spirit and its desire for peace.

In spite of the heavy sacrifices which the Jewish State would have to make in this matter also, the

Jewish Agency accepted the proposal for an economic union, terming it a promising and statesmanlike conception. The limit to the sacrifices to which the Jewish Agency could consent was clear: a Jewish State must have in its own hands those instruments of financing and economic control necessary to carry out large-scale Jewish immigration and the related economic development, and it must have independent access to those world sources of capital and raw materials indispensable for the accomplishment of these purposes.

The Jews of Palestine wanted to be good neighbors of all the Arab States. If their offer of peace and friendship were rejected, they would defend their rights. In Palestine there had been built a nation which demanded its independence, and would not allow itself to be dislodged or deprived of its national status. It could not, and would not, go beyond the enormous sacrifice which had been asked of it. It would not be cowed by idle threats.

The representative of the Jewish Agency urged that the *transitional period leading to the establishment of the Arab and Jewish States in Palestine* be made as short as possible; at any rate, shorter than the two-year limit proposed by UNSCOP. He favored an international authority to be entrusted, under United Nations auspices, with the task of administering Palestine during the transitional period.

d. GENERAL DEBATE

In the general debate, which began during the *ad hoc* Committee's fifth meeting on October 4, 1947, and ended during the sixteenth meeting on October 16, 1947, opinion was sharply divided. Proponents of the UNSCOP majority plan in general held that the claims of Jews and Arabs both had merit and that no perfect solution of the Palestine problem could be devised. Under the circumstances, a compromise solution was indicated. The partition plan would demand sacrifices from both sides; but, in its emphasis on economic union, it laid the foundation for the eventual development of friendly relations among the two contending parties. Without committing themselves to all the details of the UNSCOP majority plan for partition with economic union, they would support the plan in principle, as the best and most equitable that could be achieved at present. Participants in the general debate who expressed themselves in these or similar terms were the representatives of Canada, Czechoslovakia, Guatemala, Haiti, New Zealand, Norway, Panama, Peru, Poland, South Africa, Sweden, United States,

Uruguay and U.S.S.R. The representatives of Colombia and El Salvador dealt with particular aspects of the Palestine problem—displaced persons, appeals for an end to violence—without taking a stand on UNSCOP's majority and minority plans as such. The representative of China, declaring that he could not support the UNSCOP majority or minority plan, urged that new efforts be made to secure Arab-Jewish agreement on a solution of the Palestine problem. Other Committee members held that the Assembly had no right under the Charter to decide to partition Palestine or to enforce such a decision. Representatives of several Arab States formally proposed that the advisory opinion of the International Court of Justice be obtained on this legal aspect of the question before the Assembly proceeded to act on the UNSCOP majority recommendation. Holding that partition violated both the Charter and a people's democratic right to self-determination, the representatives of the Arab States—Egypt, Iraq, Lebanon, Saudi Arabia, Syria and Yemen—declared themselves in favor of an independent unitary state embracing all of Palestine, in which the rights of the minority would be scrupulously safeguarded. These Arab States were supported in their opposition to the partition plan by the representatives of Afghanistan, Argentina, Cuba, India, Iran, Pakistan and Yugoslavia, although not all of the latter explicitly expressed themselves in favor of the Arab States' objective of a unitary Palestine. Yugoslavia, in particular, strongly supported UNSCOP's minority recommendation for a federated state, and India indicated a preference for a large measure of autonomy for areas of the future state of Palestine having Jewish majorities.

Following the conclusion of the initial general debate, the *ad hoc* Committee, during its seventeenth and eighteenth meetings on October 17 and 18, 1947, once again heard representatives of the Jewish Agency and of the Arab Higher Committee reaffirm their positions.

e. PROPOSALS SUBMITTED DURING THE GENERAL DEBATE

In the course of the general debate, seventeen proposals were submitted to the *ad hoc* Committee.

El Salvador proposed (A/AC.14/3) that the General Assembly call on the Jewish Agency and the Arab Higher Committee to appoint three representatives each to confer, under United Nations auspices, with a view to reaching agreement on a settlement of the Palestine question.

Uruguay suggested (A/AC.14/10) that 30,000

Jewish children be admitted to Palestine at once on humanitarian grounds.

Colombia submitted two proposals, the first (A/AC.14/11) being in the nature of an appeal to all interested parties to abstain from violence, the second (A/AC.14/12) calling for the creation of a special committee to study the observations and suggestions contained in the report of UNSCOP in so far as these deal with the problem of Jewish displaced persons, i.e., General Recommendations VI and XII and Sections VI and VII of the minority proposal.²²⁶

Guatemala proposed (A/AC.14/13) acceptance, with certain modifications, of the UNSCOP majority plan, to be implemented by an international military police force composed of contingents contributed, on a proportional basis, by States Members other than permanent members of the Security Council, the cost of maintaining such a force to be borne by the five permanent members of the Security Council.

The United Kingdom proposed (A/AC.14/14) that each Member of the United Nations "adopt urgent measures for settling a fair share of displaced persons and refugees in its country" and co-operate with other nations through the International Refugee Organization, or its Preparatory Commission, in the development of overall plans to accomplish this end.

Sweden and the United States jointly proposed (A/AC.14/16) that the Committee accept the basic principles of the unanimous UNSCOP recommendations, as well as the UNSCOP majority plan, as the basis for its own recommendations to the General Assembly concerning the future government of Palestine.

The United States proposed (A/AC.14/17) the formation of a sub-committee to draw up a detailed plan for the future government of Palestine in accordance with the majority plan and the unanimous recommendations of UNSCOP, and to incorporate this plan in the form of recommendations to be transmitted to the *ad hoc* Committee not later than October 27, 1947.

Canada submitted an amendment (A/AC.14/23) to this proposal of the United States. Under the Canadian amendment, the sub-committee was to be given the following additional terms of reference:

"To consider the exercise of administrative responsibility in Palestine during the transitional period, including the possibility of the application of Chapter XII of the Charter; [and]

"To consider methods by which recommendations of the *ad hoc* Committee on the Palestinian Question . . .

[based on the UNSCOP majority plan] would be put into effect."

The Netherlands (A/AC.14/18) called on the Committee to draft "(a) proposals for a fair and practicable solution of the Palestine question, as far as possible acceptable to both parties involved; (b) recommendations for the adequate and effective implementation of this solution, and (c) recommendations for an early solution of the problem of Jewish refugees and displaced persons".

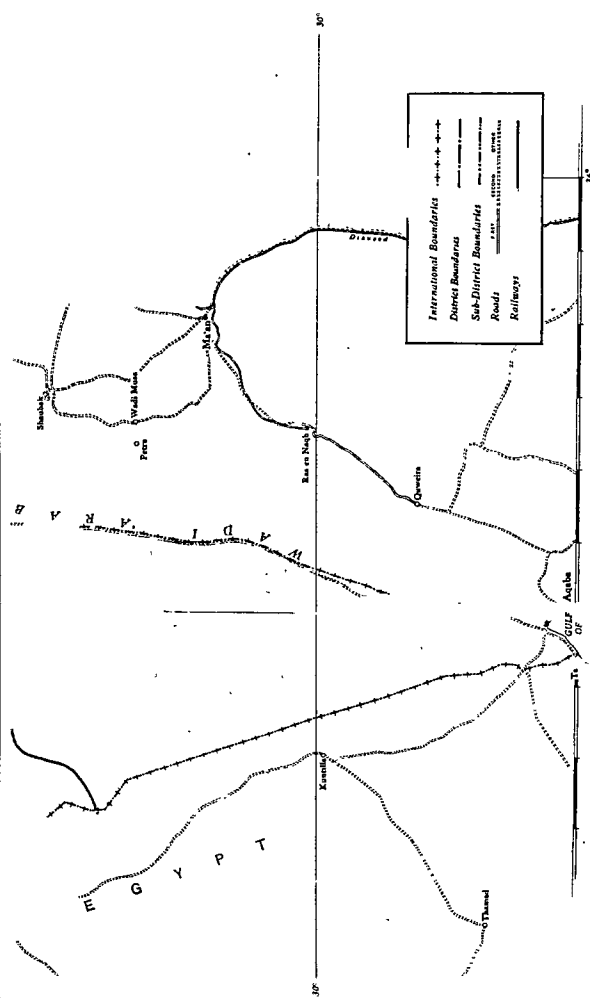
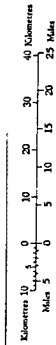
Yugoslavia recommended (A/AC.14/19) the immediate admission to Palestine of all Jewish refugees detained in Cyprus.

Uruguay proposed (A/AC.14/20 and Corr. 1) acceptance of the UNSCOP majority plan as a basis for discussion in the *ad hoc* Committee with these modifications: that the territory of Galilee remain under the jurisdiction of the Jewish State, that the Arab city of Jaffa be transferred to the Arab State, that the Arab town of Beersheba be transferred to the Arab State, that the Jewish district of the new City of Jerusalem be included in the territory of the Jewish State, and that the Arab district of the new City of Jerusalem be included in the Arab State. Uruguay further proposed the establishment of a special *ad hoc* committee to study the plan for an economic union of Palestine, if the UNSCOP majority plan were adopted. Uruguay further proposed that the United Nations should take over the government and administration of Palestine during the transitional period (i.e., until September 1, 1949, at the latest) referred to in Section B of the UNSCOP majority report, these functions to be exercised by a Provisional Council composed of five members appointed by the General Assembly, three to be chosen from citizens of Member States, and two to be appointed on the proposal, respectively, of the Jewish Agency and the Arab Higher Committee. Decisions of this Provisional Council should be by a simple majority, except that all proposals voted for by both the Arab and Jewish representative on the Council, or introduced by them jointly, should be considered as adopted. Uruguay further proposed the following substantive proposal "in view of the letter and the spirit of Recommendation No. XII adopted by a majority vote of the Special Committee on Palestine . . .":²²⁷

"The creation of a Jewish State will be the territorial solution for the European Jewish problem and will permit to reparate in part the terrible damage suffered under the Nazi persecution by the Jewish people, which is still exposed to new wrongs and racial discrimination."

²²⁶ See summary of UNSCOP report, pp. 229-31.

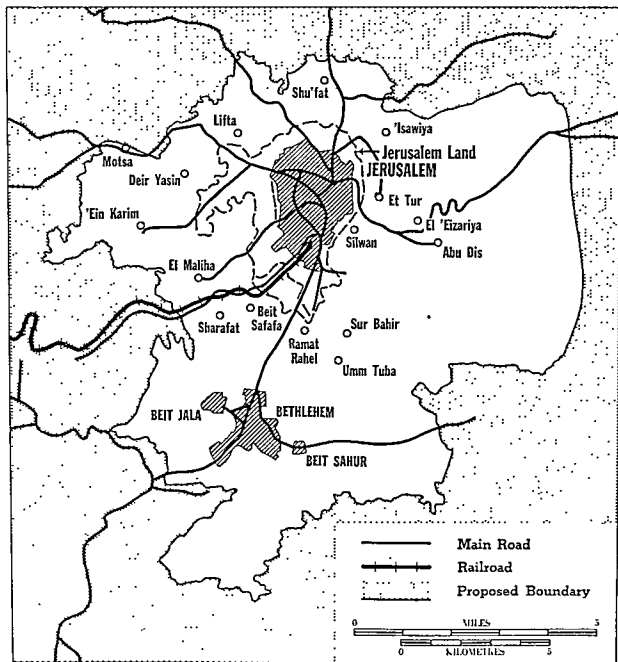
²²⁷ See *ibid.*, p. 230.



International Boundaries	- - - - -
District Boundaries	—————
Sub-District Boundaries	.....
Roads	—————
Railways	—————

CITY OF JERUSALEM BOUNDARIES PROPOSED

PROPOSED BY THE AD HOC COMMITTEE
ON THE PALESTINIAN QUESTION



Finally Uruguay reiterated its earlier proposal to admit at once into Palestine some 30,000 Jewish children from displaced persons camps in Europe and other places of detention or assembly.

Iraq proposed (A/AC.14/21) that the General Assembly submit the following "legal point" to the International Court of Justice for an advisory opinion under Article 96 of the Charter:

"Did not the pledges given by Great Britain to the Shereef Hussein of Mecca and her subsequent declarations, promises and assurances to the Arabs that in the event of Allied victory the Arab countries would obtain their independence include Palestine and its inhabitants?"

Syria submitted two proposals. The first of these (A/AC.14/22) proposed that the General Assembly recommend

"that the United Kingdom prepare as soon as possible an agreement under Article 79 of the Charter and submit it for approval to the General Assembly authorizing Great Britain, as administering authority, to complete her task in Palestine during the transitional period in accordance with the said agreement, which shall contain the following provisions:

"1. That a Sovereign State for the whole of Palestine be established on a democratic basis,

"2. That a Constituent Assembly shall be elected at the earliest possible date, all genuine and law-abiding nationals of Palestine being entitled to vote,

"3. This Constituent Assembly shall within a fixed period formulate and enact a Constitution for the State of Palestine which shall be of a democratic character and contain provisions

"(a) guaranteeing human rights, fundamental freedoms and the equality of all persons before the Law,

"(b) guaranteeing the legitimate rights and interests of all minorities,

"(c) safeguarding the Holy Places and guaranteeing freedom of worship and access to the Holy Places to all.

"4. That a government shall be formed within a fixed period in accordance with the terms of the Constitution to take over the administration of Palestine from the administering authority."

The second Syrian proposal (A/AC.14/25) called for the addressing of a request for an advisory opinion to the International Court of Justice concerning the following questions:

"1. Are the terms of the Act of Mandate [i.e., United Kingdom Mandate for Palestine] . . . consistent or not consistent with the Covenant of the League of Nations . . . and with the fundamental rights of peoples and their right to self-determination and International Law?

"2. Is a forcible plan of partition . . . consistent with the objectives of the mandate and with the principles of the Charter and with the ultimate fate of mandated territories referred to in Chapter XII of the Charter?

"3. Does the plan of partition in its adoption and forcible execution fall within the jurisdiction of the General Assembly?"

Egypt also proposed (A/AC.14/24) that a request for an advisory opinion be addressed to the

International Court of Justice. The Egyptian proposal would have submitted the following two questions to the Court: Does it lie "within the competence of the General Assembly to recommend any of the two solutions proposed by the majority or by the minority of the United Nations Special Committee on Palestine"? and, Does it lie "within the rights of any Member State or group of Member States to implement any of the proposed solutions without the consent of the people of Palestine"?

Lebanon suggested (A/AC.14/26) that the General Assembly,

"Recognizing the danger that assistance in transport, arms and money, to immigrants destined for Palestine is calculated to accentuate the existing tension in that country and to endanger peace in the Middle East,

"Recommends that the Governments of Members of the United Nations refrain, and prohibit their nationals, from giving assistance in any form whatsoever to the said immigrants."

Finally, Syria verbally suggested, at the nineteenth meeting of the *ad hoc* Committee on October 21, 1947, the establishment of a sub-committee to study the agenda items jointly proposed by Iraq and Saudi Arabia for the creation of a unitary, independent state embracing all of Palestine. At the same meeting, Syria further proposed the establishment of a sub-committee composed of jurists to consider the Assembly's competence to take and enforce a decision (as distinct from making a recommendation) and to deal with the legal aspects of the Palestine Mandate. The question of referring the whole issue to the International Court of Justice could be discussed after the *ad hoc* Committee had received the report of the committee of jurists, the representative of Syria declared.

f. ESTABLISHMENT OF SUB-COMMITTEES

Following the conclusion of the general debate and the hearing of statements by the representatives of the Arab Higher Committee and the Jewish Agency, the *ad hoc* Committee, at its nineteenth meeting on October 21, 1947, discussed its future procedure. The Chairman proposed that no vote should be taken at that stage on matters of principle, but that the Committee should establish:

1. a Conciliation Group, which would try to bring the parties together, as suggested by El Salvador and the Netherlands;

2. a sub-committee (Sub-Committee 1), entrusted with drawing up a detailed plan based on the majority proposals of the Special Committee on Palestine (UNSCOP), as provided by the draft resolution of the United States, amended by Canada;

3. a sub-committee (Sub-Committee 2), to draw up a detailed plan in accordance with the proposal of Saudi Arabia and Iraq for the recognition of Palestine as an independent unitary state, and the proposal to the same effect submitted by the delegation of Syria.

The Chairman's plan received wide support. Several delegations, however, urged that the Committee should itself make decisions on matters of principle and then entrust to a sub-committee the working out of details. A proposal to this effect was moved by the representative of the U.S.S.R., but was rejected by a vote of 26 to 14. The Committee then approved the procedure suggested by the Chairman.

The question of the composition of the three subsidiary bodies proposed by the Chairman was considered by the *ad hoc* Committee at its twentieth meeting, on October 22, 1947.

As regards the Conciliation Group, the Chairman, Vice-Chairman and Rapporteur were authorized, if they succeeded in initiating the conciliation process, to co-opt other Members to assist them in their task.

The representative of the U.S.S.R. proposed that Sub-Committee 1 be composed of fifteen members, including all the members of the Security Council. This proposal was rejected by a vote of 32 to 6. The *ad hoc* Committee then decided to authorize its Chairman to name the members of both Sub-Committees 1 and 2. Both Sub-Committees were asked to submit their reports not later than October 29, 1947, subject to an extension of that time limit if necessary.

With regard to the various draft resolutions²²⁹ which the Committee had not yet considered, it was decided at the twentieth meeting that (1) the discussion of the draft resolution by Sweden and the United States approving the principles of UNSCOP's majority plan (A/AC.14/16) should be deferred until the report of Sub-Committee 1 had been received; (2) the various resolutions proposing to amend the UNSCOP majority plan should be referred to Sub-Committee 1; (3) the Colombian draft resolution on acts of violence (A/AC.14/11) should be considered when the *ad hoc* Committee discussed its recommendations to the General Assembly; (4) either Sub-Committee was empowered to take up and consider any or all written proposals before the *ad hoc* Committee which it deemed relevant to the performance of its functions, such as the draft resolutions relating to the problem of Jewish refugees and displaced persons. (A proposal by the representative of Colombia to set up a special sub-committee to study this latter problem was rejected by a vote of 19 to 4.)

(1) Composition of Sub-Committees

By virtue of the authority vested in him by the *ad hoc* Committee, the Chairman on October 22 appointed the following Members to serve on the two Sub-Committees:

Sub-Committee 1: Canada, Czechoslovakia, Guatemala, Poland, South Africa, United States, Uruguay, U.S.S.R., Venezuela.

Sub-Committee 2: Afghanistan, Colombia, Egypt, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Yemen.

(2) Reports of Sub-Committees

(a) REPORT OF SUB-COMMITTEE 1 (A/AC.14/34)

At its first meeting on October 23, 1947, Sub-Committee 1 elected K. Pruszyński (Poland) as Chairman and E. Rodriguez Fabregat (Uruguay) as Rapporteur.

Representatives of the United Kingdom and of the Jewish Agency accepted invitations to attend all meetings of the Sub-Committee to furnish information and assistance. A similar invitation extended to the Arab Higher Committee was declined on the grounds that the Arab Higher Committee was prepared to assist and give information only regarding the question of the termination of the Mandate and the creation of a unitary state of Palestine.

Sub-Committee 1 held 32 meetings. To expedite its work it organized seven working groups, as follows:

Working Group on the Holy Places, under the charge of K. Lisicky (Czechoslovakia).

Working Group on Citizenship, under the charge of the Rapporteur.

Working Group on International Conventions and Financial Obligations, under the charge of J. García Granados (Guatemala).

Working Group on Economic Union, under the charge of Mr. Granados.

Working Group on Boundaries, under the charge of the Chairman and Rapporteur.

Working Group on Implementation, composed of representatives of Canada, Guatemala, U.S.S.R. and United States.

Working Group on the City of Jerusalem, under the charge of Mr. Lisicky.

In its report (A/AC.14/34) Sub-Committee 1 recommended the adoption of a draft resolution embodying a Plan of Partition with Economic Union, along the general lines of the UNSCOP majority plan (two independent states, an international regime for the City of Jerusalem and economic union of these three units).

As regards the Holy Places and the question of citizenship, the recommendations of Sub-Committee 1 virtually coincided with those of the UNSCOP majority plan.

²²⁹See Section E, pp. 235-37.

As regards international convention, Sub-Committee 1—unlike UNSCOP—recommended that disputes about their applicability and continued validity be referred to the International Court of Justice.

The Sub-Committee's recommendations on financial obligations—unlike UNSCOP's proposal—provided for the creation in Palestine of a Court of Claims to settle any disputes between the United Kingdom and either state respecting claims not recognized by the latter.

The Sub-Committee, while accepting the recommendations of UNSCOP regarding economic union, adopted certain technical modifications designed to strengthen the powers of the proposed Joint Economic Board while ensuring the widest measure of autonomy to the future states.

As for boundaries, the Sub-Committee, accepting the recommendations of UNSCOP in principle, proposed certain changes with a view to reducing, as far as reasonably possible, the size of the Arab minority in the Jewish State, and to taking into account considerations of security, communications, irrigation and possibilities of future development.

Among the most important suggested changes was that the Arab sections of Jaffa—placed in the Jewish State in the UNSCOP majority plan—should be excluded from the Jewish State and created as an Arab enclave, thus reducing the Arab minority in the Jewish State by between 78,000 and 81,000, depending on whether the Katon quarter of Jaffa, which is inhabited by both Jews and Arabs, was included in the proposed Arab enclave. The final decision on this question, as well as on details on boundary questions, would be left, according to the Sub-Committee's recommendations, to a demarcation commission which would fix the exact boundary lines on the spot.²²⁹

In its report to the *ad hoc* Committee, Sub-Committee 1 reported that the most difficult problem which it had faced was that of the implementation of the Plan of Partition with Economic Union.

The Working Group on Implementation, taking into account the statement made by the representative of the United Kingdom prior to the general debate in the *ad hoc* Committee (that the United Kingdom Government planned an early withdrawal of its troops and administration from Palestine) agreed on November 10, 1947, to the outlines of a plan for implementation. This plan provided for the termination of the Mandate and the withdrawal of the armed forces of the Manda-

tory Power by May 1, 1948, and the creation of independent Arab and Jewish States by July 1, 1948. The implementation of the proposed General Assembly resolution was to be entrusted to a commission of from three to five members appointed by the Assembly, but acting under the guidance of the Security Council.

This plan was reconsidered by the Working Group in the light of an additional statement, and replies to questions of Sub-Committee members, made by the representative of the United Kingdom on November 13, 1947, before the Sub-Committee. From the replies and the statement, the Sub-Committee learned that the United Kingdom Government planned to withdraw its troops from Palestine by August 1, 1948. Neither British troops nor the Mandatory Civil Administration in Palestine would be prepared to enforce a settlement against either Arabs or Jews. The United Kingdom Government reserved the right to lay down the Mandate at any time after it became evident that the Assembly's decision was not acceptable to both Arabs and Jews. On the other hand, the United Kingdom Government would not take any action contrary to any resolution adopted by a two-thirds vote of the General Assembly. Subject to the general reservation that the Mandatory Power must retain sufficient control in areas still under military occupation to ensure the safety of British troops and their orderly withdrawal, the Mandatory Power would not obstruct the task of the Commission appointed to implement partition, nor, subject to that same reservation, would it obstruct the establishment of Provisional Councils of Government for the Jewish and Arab States, the work of the Boundary Demarcation Commission, and the recommendations in regard to immigration and land regulations for the territory of the future Jewish State.

In the light of these additional observations of the representative of the United Kingdom, the Working Group unanimously proposed, and the Sub-Committee, with minor modifications, approved, a new plan of implementation, which may be summarized as follows:

The Mandate was to be terminated and British troops were to be withdrawn at a date to be agreed on by the Commission, consisting of five members (Guatemala, Iceland, Norway, Poland and Uruguay), and the Mandatory Power, with the approval of the Security Council, but in any case not later than August 1, 1948.

The proposed Jewish and Arab States, and the

²²⁹See insert following p. 236 for map showing boundaries established by the Assembly.

Special International Regime for the City of Jerusalem, would come into existence two months after the evacuation of the armed forces of the Mandatory Power, but in any case not later than October 1, 1948. During the transitional period, the Commission would administer Palestine under the guidance of the Security Council, and would take the necessary measures to implement the Plan of Partition with Economic Union. Until the termination of the Mandate, the Mandatory Power was to maintain order and direct the main public services to the extent that these had not yet been placed under the direction of the Commission, Provisional Councils of Government and the Joint Economic Board, respectively. The Commission and the Mandatory Power were to co-operate, and there was to be a progressive transfer from the Mandatory Power to the Provisional Councils of Government and the Joint Economic Board, respectively, of responsibility for all the functions of government. During the transitional period, the Provisional Councils of Government, acting under the Commission, would have full authority in the areas under their control, including authority over matters of immigration and land regulation. Following the termination of the Mandate, the whole administration would be in charge of the Provisional Councils of Government and the Joint Economic Board, acting under the Commission. The Provisional Council of Government of each State was to recruit an armed militia from the residents of that State to maintain internal order. If by April 1, 1948, a Provisional Council of Government could not be selected, or could not carry out its functions in either of the States, the Security Council would take such action with respect to that State as it deemed proper.

Concerning the City of Jerusalem, the Sub-Committee adopted, with minor extensions, the boundaries proposed by UNSCOP.²³⁰ The Sub-Committee decided to recommend that the City of Jerusalem be placed under a Special International Regime in relation with the Trusteeship Council, rather than under an International Trusteeship, as recommended by UNSCOP.

The Sub-Committee also adopted a number of other amendments to various portions of the text of the recommendations of UNSCOP with a view to giving greater clarity and precision to details.

The Plan of Partition with Economic Union, as adopted by the Sub-Committee, was incorporated into a draft resolution and submitted to the *ad hoc* Committee for approval. All the recommendations and the draft resolution were adopted unanimously by the Sub-Committee, with the ex-

ception of a single paragraph relating to the composition of the special police force for the City of Jerusalem, the text of which was adopted by a vote of 6 to 1, with 2 abstentions.

(b) REPORT OF SUB-COMMITTEE 2 (A/AC.14/32).

At its first meeting on October 23, 1947, Sub-Committee 2 elected A. Gonzalez Fernandez (Colombia) as Chairman and Sir Mohammed Zafrulla Khan (Pakistan) as Rapporteur. On a preliminary review of the task assigned to it—the drafting of a detailed plan for the termination of the Mandate over Palestine and the establishment of Palestine as an independent unitary state—the Sub-Committee felt that it was somewhat unfortunate that both Sub-Committee 1 and Sub-Committee 2 were so constituted as to include in each of them representatives of only one school of thought, respectively, and that there was insufficient representation of neutral countries. Accordingly, it was proposed that the Chairman of the *ad hoc* Committee should be requested to reconstitute Sub-Committee 2 (irrespective of what might be done with regard to Sub-Committee 1) by replacing two of the Arab States in the Sub-Committee (which were prepared to withdraw) by neutrals or countries which had not definitely committed themselves to any particular solution of the Palestine question. The Chairman of the *ad hoc* Committee, being approached in this connection, explained to the Sub-Committee that he could not see his way to accepting this recommendation. In the circumstances, the representative of Colombia resigned from the Sub-Committee on October 28, and Sir Mohammed Zafrulla Khan (Pakistan) was elected as Chairman in his stead, at the same time retaining his position as Rapporteur of the Sub-Committee.

From the outset, the Sub-Committee decided to concentrate on three broad issues:

(1) The legal questions connected with or arising from the Palestine problem, in particular the three proposals bearing on the subject submitted to the *ad hoc* Committee by the delegations of Iraq, Egypt and Syria (A/AC.14/21, A/AC.14/24, A/AC.14/25).²³¹

(2) The problem of Jewish refugees and displaced persons and its connection with the Palestinian question.

(3) The termination of the Mandate over Palestine and constitutional proposals for the establishment of a unitary and independent state on the

²³⁰See Annex II of the Sub Committee's report (A/AC.14/34).

²³¹See section e, pp. 235–37.

basis of the proposals submitted by Iraq and Saudi Arabia to the General Assembly.

Working groups were established to deal with each of these main issues and were constituted as follows:

Legal Problems: Pakistan, Syria and Saudi Arabia.

Refugee Problem: Afghanistan, Colombia and Lebanon.

Constitutional Proposals: Egypt, Iraq and Yemen.

The reports of the three working groups were considered, amended and approved by the Sub-Committee and constitute Chapters I, II and III, respectively, of its report to the *ad hoc* Committee. The conclusions of the Sub-Committee were embodied in three resolutions (Chapter IV) which were recommended to the *ad hoc* Committee for its recommendation, in turn, to the General Assembly.

A representative of the United Kingdom attended meetings of the Sub-Committee to provide assistance as required.

The three resolutions submitted by Sub-Committee 2 to the *ad hoc* Committee for recommendation to the General Assembly read as follows:

Resolution No. I

DRAFT RESOLUTION REFERRING CERTAIN LEGAL QUESTIONS TO THE INTERNATIONAL COURT OF JUSTICE

"Considering that the Palestine Question raises certain legal issues connected, *inter alia*, with the inherent right of the indigenous population of Palestine to their country and to determine its future, the pledges and assurances given to the Arabs in the first World War regarding the independence of Arab countries, including Palestine, the validity and scope of the Balfour Declaration and the Mandate, the effect on the Mandate of the dissolution of the League of Nations and of the declaration by the Mandatory Power of its intentions to withdraw from Palestine;

"Considering that the Palestine question also raises other legal issues connected with the competence of the United Nations to recommend any solution contrary to the Covenant of the League of Nations or the Charter of the United Nations, or to the wishes of the majority of the people of Palestine;

"Considering that doubts have been expressed by several Member States concerning the legality under the Charter of any action by the United Nations, or by any Member State or group of Member States, to enforce any proposal which is contrary to the wishes, or is made without the consent, of the majority of the inhabitants of Palestine,

"Considering that these questions involve legal issues which so far have not been pronounced upon by any impartial or competent tribunal, and it is essential that such questions be authoritatively determined before the United Nations can recommend a solution of the Palestine question in conformity with the principles of justice and international law,

"The General Assembly of the United Nations Resolves

to request the International Court of Justice to give an advisory opinion under Article 96 of the Charter and Chapter IV of the Statute of the Court on the following questions:

"(i) Whether the indigenous population of Palestine has not an inherent right to Palestine and to determine its future constitution and government;

"(ii) Whether the pledges and assurances given by Great Britain to the Arabs during the first World War (including the Anglo-French Declaration of 1918) concerning the independence and future of Arab countries at the end of the war did not include Palestine;

"(iii) Whether the Balfour Declaration, which was made without the knowledge or consent of the indigenous population of Palestine, was valid and binding on the people of Palestine, or consistent with the earlier and subsequent pledges and assurances given to the Arabs;

"(iv) Whether the provisions of the Mandate for Palestine regarding the establishment of a Jewish National Home in Palestine are in conformity or consistent with the objectives and provisions of the Covenant of the League of Nations (in particular Article 22), or are compatible with the provisions of the Mandate relating to the development of self-government and the preservation of the rights and position of the Arabs of Palestine;

"(v) Whether the legal basis for the Mandate for Palestine has not disappeared with the dissolution of the League of Nations, and whether it is not the duty of the Mandatory Power to hand over power and administration to a Government of Palestine representing the rightful people of Palestine,

"(vi) Whether a plan to partition Palestine without the consent of the majority of its people is consistent with the objectives of the Covenant of the League of Nations, and with the provisions of the Mandate for Palestine;

"(vii) Whether the United Nations is competent to recommend either of the two plans and recommendations of the majority or minority of the United Nations Special Committee on Palestine, or any other solution involving partition of the territory of Palestine, or a permanent trusteeship over any city or part of Palestine, without the consent of the majority of the people of Palestine;

"(viii) Whether the United Nations, or any of its Member States, is competent to enforce or recommend the enforcement of any proposal concerning the constitution and future Government of Palestine, in particular, any plan of partition which is contrary to the wishes, or adopted without the consent of, the inhabitants of Palestine.

"The General Assembly instructs the Secretary-General to transmit this resolution to the International Court of Justice, accompanied by all documents likely to throw light upon the questions under reference."

Resolution No. II

DRAFT RESOLUTION ON JEWISH REFUGEES AND DISPLACED PERSONS

"The General Assembly, having regard to the unanimous recommendations of the United Nations Special Committee on Palestine, that the General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the

distressed European Jews will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem;

"Bearing in mind that genuine refugees and displaced persons constitute a problem which is international in scope and character;

"Considering that the question of refugees and displaced persons is indivisible in character as regards its possible solution;

"Considering that it is the duty of the Governments concerned to make provision for the return of refugees and displaced persons to the countries of which they are nationals;

"Being further of the opinion that where repatriation proves impossible, solution should be sought by way of resettlement in the territories of the Members of the United Nations which are willing and in a position to absorb these refugees and displaced persons;

"Considering that Palestine, despite its very small area and limited resources, has absorbed a disproportionately large number of Jewish immigrants and cannot take any more without serious injury to the economy of the country and the rights and position of the indigenous population,

"Considering that many other countries with much greater area and larger resources have not taken their due share of Jewish refugees and displaced persons;

"Having adopted a resolution (No. 62 (1)) on 15 December 1946 calling for the creation of an international refugee organization with a view to the solution of the refugee problem through the combined efforts of the United Nations, and

"Taking note of the assumption on 1 July 1947 by the Preparatory Commission of the International Refugee Organization of operational responsibility for displaced persons and refugees;

"Recommendations:

"(i) That countries of origin should be requested to take back the Jewish refugees and displaced persons belonging to them, and to render them all possible assistance to resettle in life;

"(ii) That those Jewish refugees and displaced persons who cannot be repatriated should be absorbed in the territories of Members of the United Nations in proportion to their area, economic resources, per capita income, population and other relevant factors;

"(iii) That a Special Committee of the General Assembly should be set up to recommend for acceptance of the Members of the United Nations a scheme of quotas of Jewish refugees and displaced persons to be resettled in their respective territories, and that the Special Committee should, as far as possible, work in consultation with the International Refugee Organization or its Preparatory Commission."

Resolution No. III

DRAFT RESOLUTION ON THE CONSTITUTION AND FUTURE GOVERNMENT OF PALESTINE

"The General Assembly, taking note of the declaration by the Mandatory Power of its intention to withdraw from Palestine,

"Considering that Palestine is a mandated territory whose independence was provisionally recognized by virtue of paragraph 4 of Article 22 of the Covenant of the League of Nations;

"Recognizing that the only solution in consonance with the objectives of the Covenant of the League of Nations and the principles of the Charter of the United Nations is one that is acceptable to the majority of the people of Palestine;

"Being satisfied that the partition of Palestine is unjust, illegal and impracticable and that the only just and workable solution is the immediate establishment of a unitary, democratic, and independent state, with adequate safeguards for minorities;

"Believing that peaceful and orderly transfer of power from the Mandatory to the Government of the people of Palestine is necessary in the interest of all concerned;

"Recommendations:

"1. That a Provisional Government, representative of all important sections of the citizenry in proportion to their numerical strength, should be set up as early as possible in Palestine;

"2. That the powers and functions of the present Administration of Palestine should be vested in the Provisional Government as soon as the latter is constituted;

"3. That the Mandatory Power should begin the withdrawal of its forces and services from Palestine as soon as the Provisional Government is installed, and should complete the withdrawal within one year;

"4. That the Provisional Government should, as soon as practicable, enact an electoral law for the setting up of a Constituent Assembly, prepare an electoral register, and hold elections for the Constituent Assembly;

"5. That the Constituent Assembly should also function as a Legislature and that the Provisional Government should be responsible to it until elections for a Legislature are held under the new constitution;

"6. That while the task of framing a constitution for Palestine must be left to the Constituent Assembly, the following basic principles shall be strictly adhered to:

"(i) Palestine shall be a unitary and sovereign State;

"(ii) It shall have a democratic constitution, with an elected Legislature and an Executive responsible to the Legislature;

"(iii) The constitution shall provide guarantees for the sanctity of the Holy Places covering inviolability, maintenance, freedom of access and freedom of worship in accordance with the *status quo*;

"(iv) The constitution shall guarantee respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion, and freedom of religious belief and practice in accordance with the *status quo* (including the maintenance of separate religious courts to deal with matters of personal status);

"(v) The constitution shall guarantee the rights of religious bodies or other societies and individuals to maintain, in addition to educational establishments administered by public authority, educational institutions of their own, subject to normal government supervision and inspection,

"(vi) The constitution shall recognize the right of Jews to employ Hebrew as a second official language in areas in which they are in a majority;

"(vii) The Law of Naturalization and Citizenship shall provide, amongst other conditions, that the applicant should be a legal resident of Palestine for a continuous period to be determined by the Constituent Assembly;

"(viii) The constitution shall ensure adequate rep-

presentation in the Legislature for all important sections of the citizenry in proportion to their numerical strength;

"(ix) The constitution shall also provide for adequate reflection in the Executive and the Administration of the distribution of representation in the Legislature;

"(x) The constitution shall authorize the Legislature to invest local authorities with wide discretion in matters connected with education, health and other social services,

"(xi) The constitution shall provide for the setting up of a Supreme Court, the jurisdiction of which shall include, *inter alia*, the power to pronounce upon the constitutional validity of all legislation, and it shall be open to any aggrieved party to have recourse to that tribunal;

"(xii) The guarantees contained in the constitution concerning the rights and safeguards of the minorities shall not be subject to amendment or modification without the consent of the minority concerned expressed through a majority of its representatives in the Legislature."

(c) REPORT OF CONCILIATION GROUP

At the twenty-third meeting of the *ad hoc* Committee on November 19, 1947, the Chairman, speaking on behalf of the conciliation group, reported that the efforts of the group had not been fruitful. Both parties seemed too confident as to the success of their case before the General Assembly and there appeared to be little hope of conciliation, at least at the present time.

g. *Ad hoc* COMMITTEE CONSIDERS SUB-COMMITTEE REPORTS

The reports of the two Sub-Committees (A/AC.14/34 and A/AC.14/32) and of the Conciliation Group were placed before the *ad hoc* Committee at the 23rd meeting on November 19, 1947, and their consideration began at the next meeting on November 20. On the latter date, in the course of the 25th meeting, the representative of the United Kingdom recalled the general principles contained in the statement made to the Committee on behalf of his Government at the second meeting.²³² He applied those principles to the specific proposals of Sub-Committees 1 and 2 with respect to the role assigned to the United Kingdom in the implementation of those proposals. In both cases the United Kingdom would have to perform certain functions which were not compatible with the declared intentions of its Government. In both cases, also—since the Mandatory Power intended to withdraw from Palestine without assuming any responsibility for the establishment of a new regime which would not command general consent in Palestine—there would be no regularly constituted authority in the evacuated areas unless the United

Nations recommended a way in which the gap could be effectively filled.

The Committee adjourned to allow both Sub-Committees to meet immediately to reconsider their respective recommendations in the light of this statement of the representative of the United Kingdom. Representatives of the United Kingdom attended the new meetings of the two Sub-Committees to answer questions and furnish information.

Sub-Committee 2 decided not to alter its proposals, while Sub-Committee 1 revised certain parts of the implementation of the Plan of Partition with Economic Union (A/AC.14/34/Add.2).

The revised draft of Sub-Committee 1 was submitted to the *ad hoc* Committee at its 27th meeting on November 22, 1947.

The discussion of both reports (i.e., of Sub-Committees 1 and 2) was pursued during four meetings (27th to 31st).

During the 28th meeting, the representative of the Jewish Agency renewed the offer he had made in Sub-Committee 1, to transfer to the future Arab State a part of the Beersheba area and a portion of the Negev along the Egyptian frontier, if such an offer could satisfy certain delegations which were in favor of partition but had suggested an extension of territory for the Arab State in the South of Palestine. Following this statement, the representative of the United States proposed a revision of the boundaries of the two future States in conformity with the suggestion of the Jewish Agency (A/AC.14/38).

In the course of the discussion, no amendments were proposed to the recommendations of Sub-Committee 2, while the representatives of Australia (A/AC.14/39), Canada (A/AC.14/45), Denmark (A/AC.14/43 and Rev.1), France (A/AC.14/37), the Netherlands (A/AC.14/36), Pakistan (A/AC.14/40), Sweden (A/AC.14/35) and the United States (A/AC.14/42 and A/AC.14/38) submitted amendments to the recommendations of Sub-Committee 1; a joint amendment to the latter was also submitted by the delegations of Norway and Pakistan (A/AC.14/46).

Most of these amendments were of a technical nature, designed to elaborate or clarify provisions of the Plan of Partition with Economic Union, and most of them were adopted without opposition. A few amendments were not pressed by their sponsors. Only three amendments were rejected as a result of votes. One of these was proposed by Pakistan (A/AC.14/40) and would have laid

²³²See Section c (1), pp. 231-32.

down the principle that not more than ten per cent of the land, exclusive of state or waste lands, in the Arab and Jewish States could be owned by Jews or Arabs respectively. It was rejected by a vote of 22 to 8. The second amendment to be rejected was among those submitted by Sweden (A/AC.14/35). It would have deleted in the relevant paragraph of the draft resolution embodying the Plan of Partition with Economic Union, in connection with the administrative staff of the Governor of the City of Jerusalem, the phrase "and chosen whenever possible from the residents of the City on a non-discriminatory basis". The vote leading to the rejection of this amendment was 15 to 10. The third and final amendment to the recommendations of Sub-Committee 1 to be rejected by the *ad hoc* Committee (by a vote of 15 to 13) was among those submitted by France (A/AC.14/37). It would have inserted in the paragraph dealing with the official languages of the City of Jerusalem a passage explicitly naming English and French as being among languages which, in addition to Arabic and Hebrew, might be adopted as the official languages of the City.

Among the more important amendments adopted by the *ad hoc* Committee (in addition to the United States proposal to transfer to the proposed Arab State a part of the Beersheba area and a portion of the Negeb (see above)) was one, proposed by Denmark, calling upon the Security Council to consider whether the situation in Palestine constituted a threat to the peace (if circumstances warranted this) and, if the answer was in the affirmative, to supplement the authorization of the Assembly by taking measures to empower the Commission to exercise its functions under the Partition Plan; and to determine as a threat to the peace, breach of the peace or act of aggression, any attempt to alter by force the settlement envisaged in the Partition Plan. Then, too, the Committee endorsed the joint proposal by Norway and Pakistan to leave the composition of the five-member Commission to the General Assembly rather than recommend specifically that it be composed of Guatemala, Iceland, Norway, Poland and Uruguay, as suggested by Sub-Committee 1.

During the general debate on the recommendations of Sub-Committees 1 and 2, opinion in the *ad hoc* Committee once again was sharply divided.

The representatives of Pakistan, Lebanon, Iraq, Egypt, Yemen, Syria and Saudi Arabia were of the opinion that the recommendations of Sub-Committee 1 went beyond the Charter and were thus illegal. They favored adoption of the proposals of Sub-Committee 2. Several of them

addressed a series of questions both to the Chairman of Sub-Committee 1 and to the representative of the Mandatory Power, concerning the legality of the proposed Plan of Partition with Economic Union. The Plan was also opposed categorically by the representative of the Arab Higher Committee.

The representatives of the United Kingdom, El Salvador, Yugoslavia, Colombia, Belgium and Mexico announced that they would not vote for either the Partition Plan or the proposal to establish Palestine as an independent unitary state. The representative of Yugoslavia once again advocated the adoption of the UNSCOP minority plan for a federal state. The representative of Colombia stated that he would vote for the first of the three draft resolutions proposed by Sub-Committee 2, i.e., the one which would invite the International Court of Justice to provide an advisory opinion on several legal aspects of the Palestine question. The representative of France announced that he would vote for the referral of one of the eight questions listed in draft Resolution I to the International Court of Justice (i.e., whether the United Nations, or any of its Member States, is competent to enforce or recommend the enforcement of any proposal concerning the constitution and future government of Palestine, in particular, any plan of partition which is contrary to the wishes, or adopted without the consent, of the inhabitants of Palestine).

The representatives of Canada, Poland, Uruguay, Sweden, New Zealand, United States, Denmark, China, Chile, Bolivia, Dominican Republic, U.S.S.R. and Guatemala announced their support for the Plan of Partition with Economic Union, without necessarily subscribing to every detail thereof. Several representatives, notably those of New Zealand, Canada and Denmark, expressed doubts concerning the provisions for implementing the Partition Plan, emphasizing the crucial importance of implementation provisions. In general, however, these representatives held that the Partition Plan, although not a perfect solution of the Palestine question, represented the most equitable solution attainable under the circumstances. Support of the Partition Plan was also expressed by the representative of the Jewish Agency, who declared, however, that the Plan entailed heavy sacrifices for the Jewish people.

*b. RECOMMENDATIONS OF THE *ad hoc* COMMITTEE*

Voting on the recommendations occupied the *ad hoc* Committee during its 32nd meeting on

November 24, its 33rd on November 25 and its 34th and final meeting on November 25, 1947.

First to be put to the vote were the three draft resolutions submitted by Sub-Committee 2.

Draft Resolution I, providing for the reference to the International Court of Justice for an advisory opinion concerning eight legal questions connected with or arising out of the Palestine problem, was voted on in two parts. The first, comprising questions 1 to 7 inclusive, was rejected by a vote of 25 to 18, with 11 abstentions. The second, comprising the last question,²³³ was rejected by a vote of 21 to 20, with 13 abstentions.

Draft Resolution II dealing with Jewish refugees and displaced persons was put to the vote paragraph by paragraph. Paragraphs 1, 2, 5 and 9 of the preamble, as well as the first two paragraphs of the operative part were adopted, the others rejected. The modified draft resolution as a whole received 16 votes in favor, 16 against, with 26 abstentions, and the Committee decided, in view of this result, to include the text of the modified draft resolution verbatim in its report to the General Assembly.

Draft Resolution III of Sub-Committee 2 (dealing with the establishment of an independent, unitary State of Palestine) was rejected by a vote of 29 to 12, with 14 abstentions.

The Committee then turned to the recommendations of Sub-Committee 1. After voting on the amendments, the Committee, during its 34th meeting, on November 25, 1947, voted on the amended draft resolution embodying the Plan of Partition with Economic Union. The draft resolution was adopted by a vote of 25 to 13, with 17 abstentions.²³⁴

Before this vote, the representative of New Zealand announced that he would abstain, without prejudice to the vote he might cast in the General Assembly, because he regarded the implementation provisions as inadequate. He urged, as a duty which the United Nations owed to itself as well as to Arabs and Jews, that all Members, particularly the big Powers, pledge at the current Assembly that, if bloodshed and upheaval broke out in Palestine, a united effort to suppress it would be made by means of an international force to which all would contribute in proportionate strength.

The delegations of Syria, Iraq and Egypt protested against the partition resolution as being unjust, impractical, against the Charter and a threat to peace. The representative of Egypt reserved the right of his Government to consider the resolution null and void.

The report of the *ad hoc* Committee on the

Palestinian Question (A/516) was then forwarded to the General Assembly for its consideration.

i. GENERAL ASSEMBLY ADOPTS RECOMMENDATIONS OF *ad hoc* COMMITTEE

The recommendations of the *ad hoc* Committee on the Palestinian Question (A/516) were considered by the General Assembly at the 124th to 128th plenary meetings, from November 26 to 29, 1947.

The Plan of Partition with Economic Union, in the form recommended by the *ad hoc* Committee, was supported, often with certain misgivings concerning particular aspects (e.g., the provisions for the Plan's implementation), by the representatives of Sweden, Canada, Brazil, United States, Poland, Uruguay, Netherlands, New Zealand, U.S.S.R., Belgium and Guatemala. The Plan was opposed, on the grounds that it violated the Charter and the principle of the right of self-determination of the Palestine population, by the representatives of the Philippines, Yemen, Greece, Iran, Egypt, Saudi Arabia, Syria, Lebanon, Haiti, Pakistan, Cuba and Iraq.

Representatives of several other Members declared themselves equally dissatisfied with the Partition Plan and with the rival plan for a unitary Palestine. Those who under these circumstances announced that they would abstain from voting were the representatives of China and Ethiopia.

During the 127th meeting on November 28, the representative of Colombia submitted a draft resolution (A/518) which provided that a decision on the Palestine question be deferred and that the matter be referred back to the *ad hoc* Committee for further efforts at producing a solution acceptable to both Arabs and Jews. At the same meeting, the representative of France proposed a 24-hour adjournment to permit a last-minute effort at conciliating Arabs and Jews and at arriving at an agreed solution of the Palestine problem. The French motion was supported by the representatives of Denmark and Luxembourg, and opposed by those of Colombia and Poland. It was approved by the Assembly by a vote of 25 to 15, with 10 abstentions, and, consequently, the Assembly thereupon adjourned for 24 hours.

Following this 24-hour adjournment, the representative of Lebanon, at the 128th plenary meeting on November 29, 1947, deploring that since the beginning of the discussions "no *démarche* was attempted with the Arab delegations and no at-

²³³See p. 241.

²³⁴For text, see pp. 247-56.

tempt was made to find any conciliation formula . . ." until the representatives of France and Colombia had intervened during the preceding plenary meeting, assured the Assembly that the Arab States had been and were always ready to listen to and study "any conciliatory formula susceptible of providing a reasonable and just solution of the Palestine question". They would have been happy to present a detailed plan embodying such a formula, but time had been lacking to do so between the present and the preceding plenary meeting. Nevertheless, the Arab States were in position to submit the "general principles which ought to serve as a basis for a compromise formula", namely:

"*Principle number one:* A federal independent state shall be set up in Palestine not later than 1 August 1948.

"*Principle number two:* The government of the independent state of Palestine shall be constituted on a federal basis and shall comprise a federal government and cantonal governments of Jewish and Arab cantons.

"*Principle number three:* The delimitation of the cantons shall be effected with a view to leaving as few Arab or Jewish minorities as possible in each canton.

"*Principle number four:* The population of Palestine shall elect by direct universal suffrage a Constituent Assembly which shall draft the future constitution of the federal state of Palestine. The Constituent Assembly shall comprise all the elements of the population in proportion to the number of their respective citizens.

"*Principle number five:* The Constituent Assembly, in defining the powers of the federal state of Palestine, as well as the powers of the judicial and legislative organs, in defining the functions of the cantonal governments, and in defining the relationships between the cantonal governments and the federal state, will be guided by the provisions of the Constitution of the United States of America, as well as the constitutions of the individual states of the United States of America.

"*Principle number six:* Among other necessary and essential provisions, the constitution shall provide for the protection of the Holy Places, freedom of access, visit and worship, in accordance with the *status quo*, as well as the safeguarding of the rights of religious establishments of all nationalities which are now found in Palestine."

In formulating these suggestions, the Arab States, the representative of Lebanon said, did not wish to exclude any suggestion or proposal which might be submitted by other delegations and which might be calculated to conciliate the points of view of Jews and Arabs.

The statement that no attempt at conciliation had been made was challenged by the representative of Iceland, who had been the Rapporteur of the *ad hoc* Committee. He recalled the efforts by the *ad hoc* Committee's Conciliation Group, adding that, as previously reported, these efforts had been doomed to failure in view of the vast gap between the contending parties.

The representative of the United States declared

that the suggestions outlined by the representative of Lebanon coincided very largely with the plan recommended in the UNSCOP minority report, a plan which the *ad hoc* Committee had rejected. He moved that the recommendations of the *ad hoc* Committee be put to the vote immediately.

The representative of Iran submitted a draft resolution calling for a delay until January 15, 1948, in the deliberations of the Assembly on the Palestine question to enable the *ad hoc* Committee to reconvene and to study the matter further. The representative of Syria declared that the Chairman of the *ad hoc* Committee, in his capacity as Chairman of the Conciliation Group, had requested the chief of the Saudi Arabian delegation to make arrangements for consultations with the chief of the United States delegation to see if conciliation were possible. The representative of Syria further declared that the chief of the Saudi Arabian delegation had immediately notified the Chairman of the Conciliation Group of its readiness to accept this suggestion, but had never received an answer. Nor had another approach been made for such consultations to any of the delegations most directly concerned. Therefore, he maintained, the *ad hoc* Committee had not fulfilled its duties.

The representative of the U.S.S.R. opposed the proposal of the representative of Lebanon, and suggested that a vote be taken promptly on the recommendations of the *ad hoc* Committee.

The President ruled that the recommendations of the *ad hoc* Committee must be voted on before the Iranian proposal could be put to the vote.

The representative of Lebanon said he wished to call the Assembly's attention to the fact that the twelve general recommendations of UNSCOP²²⁵ had not been voted on in the *ad hoc* Committee. He therefore suggested that this be done now, before a vote was taken on the Plan of Partition with Economic Union. The President ruled that these twelve recommendations had been a matter for the *ad hoc* Committee, and not for the General Assembly. He then submitted the report of the *ad hoc* Committee (A/516) to a roll-call vote.

The result of the vote was as follows:

In favor: Australia, Belgium, Bolivia, Brazil, Byelorussian S.S.R., Canada, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, France, Guatemala, Haiti, Iceland, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Poland, Sweden, Ukrainian S.S.R., Union of South Africa, U.S.S.R., United States of America, Uruguay, Venezuela.

²²⁵See Section b (2) (b), pp. 229-30.

Against: Afghanistan, Cuba, Egypt, Greece, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Turkey, Yemen.

Abstained: Argentina, Chile, China, Colombia, El Salvador, Ethiopia, Honduras, Mexico, United Kingdom, Yugoslavia.

The report, including the Plan of Partition with Economic Union, was therefore adopted by a vote of 33 to 13, with 10 abstentions (see below).

Following the vote, the representative of the United Kingdom pointed out that a number of details connected with the application of the resolution just adopted would closely affect his Government. He expressed the hope that the United Nations Commission (envisaged in the resolution) would communicate with his Government in order that arrangements might be agreed upon for the arrival of the Commission in Palestine and for the co-ordination of its plans with those of the Mandatory Power for the withdrawal of British administration and British military forces. Earlier, the representative of the United Kingdom had reaffirmed the policy of his Government as outlined before the beginning of the general debate in the *ad hoc* Committee, and had reaffirmed that, subject to the limitations of that policy, the Government of the United Kingdom would not obstruct the implementation of the Partition Plan.

Also, following the adoption of the resolution on Partition, the representatives of Saudi Arabia, Pakistan, Iraq, Syria and Yemen denounced the Partition Plan as being anti-Charter, illegal and immoral, and declared that their respective Governments, regarding the resolution embodying the plan as a recommendation (rather than a binding decision), would not feel bound by it.

The President then proposed, and the Assembly endorsed, the following Members for membership on the United Nations Palestine Commission: Bolivia, Czechoslovakia, Denmark, Panama and the Philippines.

On the proposal of the representative of Sweden, acting for the Rapporteur of the Fifth (Administrative and Budgetary) Committee, the Assembly completed work on the Palestine aspect of the agenda of the second session by adopting the following resolution (181(II)B):

"The General Assembly

"Authorizes the Secretary-General to draw from the Working Capital Fund a sum not to exceed \$2,000,000 for the purposes set forth in the last paragraph of the resolution on the future government of Palestine."

j. TEXT OF RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY ON THE FUTURE GOVERNMENT OF PALESTINE

The text of the resolution (181(II)A) on the Future Government of Palestine, as adopted by the General Assembly at the 128th plenary meeting on November 29, 1947, reads as follows:

"The General Assembly,

"Having met in special session at the request of the mandatory Power to constitute and instruct a special committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

"Having constituted a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

"Having received and examined the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee,

"Considers that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

"Takes note of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

"Recommends to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the Plan of Partition with Economic Union set out below;

"Requests that

"(a) The Security Council take the necessary measures as provided for in the plan for its implementation;

"(b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

"(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;

"(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

"Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;

"Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations, and

"Authorizes the Secretary-General to reimburse travel and subsistence expenses of the members of the Commis-

sion referred to in Part I, Section B, paragraph 1 below, on such basis and in such form as he may determine most appropriate in the circumstances, and to provide the Commission with the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly."

PLAN OF PARTITION WITH ECONOMIC UNION

PART I.—FUTURE CONSTITUTION AND GOVERNMENT OF PALESTINE

A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.

2. The armed forces of the mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948.

The mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the Mandate and to evacuate each area.

The mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in part III of this plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be described in parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.

2. The administration of Palestine shall, as the mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City

of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine. Nevertheless, the boundaries as described in part II of this plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the State's independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.

9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively.

* Women may vote and be elected to the Constituent Assemblies.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission. The constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in section C below and include *inter alia* provisions for:

(a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature;

(b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered;

(c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(d) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association;

(e) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.

11. The Commission shall appoint a preparatory economic commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The Commission shall assist the mandatory Power in the carrying out of these functions. Similarly the mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the mandatory Power, the whole administration shall be in charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the mandatory Power to the Commission, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and

by such instructions as the Security Council may consider necessary to issue.

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly, and to the Security Council simultaneously.

C. DECLARATION

A declaration shall be made to the United Nations by the provisional government of each proposed State before independence. It shall contain *inter alia* the following clauses:

General Provision

The stipulations contained in the declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

CHAPTER 1.—HOLY PLACES, RELIGIOUS BUILDINGS AND SITES

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum.

Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious com-

munities or the rites of a religious community with respect to such places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

CHAPTER 2.—RELIGIOUS AND MINORITY RIGHTS

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.

2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.

3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.

4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.²⁹⁸

8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State)²⁹⁹ shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

CHAPTER 3.—CITIZENSHIP, INTERNATIONAL CONVENTIONS AND MINORITY OBLIGATIONS

1. *Citizenship.* Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt, within one year from the date of recognition of independence of the State in which they reside, for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jews residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for

citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. *International conventions.* (a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. *Financial obligations.* (a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.

(c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.

(d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession holder and the State.

CHAPTER 4.—MISCELLANEOUS PROVISIONS

1. The provisions of chapters 1 and 2 of the declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.

2. Any dispute relating to the application or the interpretation of this declaration shall be referred, at the request of either party, to the International Court of Justice, unless the parties agree to another mode of settlement.

²⁹⁸The following stipulation shall be added to the declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration." [Footnote in original document]

²⁹⁹In the declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State". [Footnote in original document]

D. ECONOMIC UNION AND TRANSIT

1. The Provisional Council of Government of each State shall enter into an undertaking with respect to Economic Union and Transit. This undertaking shall be drafted by the Commission provided for in section B, paragraph 1, utilizing to the greatest possible extent the advice and co-operation of representative organizations and bodies from each of the proposed States. It shall contain provisions to establish the Economic Union of Palestine and provide for other matters of common interest. If by 1 April 1948 the Provisional Councils of Government have not entered into the undertaking, the undertaking shall be put into force by the Commission.

The Economic Union of Palestine

2. The objectives of the Economic Union of Palestine shall be:

- (a) A customs union;
- (b) A joint currency system providing for a single foreign exchange rate;
- (c) Operation in the common interest on a non-discriminatory basis of railways; inter-State highways; postal, telephone and telegraphic services, and ports and airports involved in international trade and commerce;
- (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation;
- (e) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.

3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.

4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.

5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.

6. In the event of failure of a State to take the necessary action the Board may, by a vote of six members, decide to withhold an appropriate portion of that part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to co-operate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.

7. In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.

8. In regard to the joint currency system the currencies circulating in the two States and the City of Jerusalem shall be issued under the authority of the Joint Economic Board, which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.

9. So far as is consistent with paragraph 2 (b) above,

each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licenses, and may conduct international financial operations on its own faith and credit. During the first two years after the termination of the Mandate, the Joint Economic Board shall have the authority to take such measures as may be necessary to ensure that—to the extent that the total foreign exchange revenues of the two States from the export of goods and services permit, and provided that each State takes appropriate measures to conserve its own foreign exchange resources—each State shall have available, in any twelve months' period, foreign exchange sufficient to assure the supply of quantities of imported goods and services for consumption in its territory equivalent to the quantities of such goods and services consumed in that territory in the twelve months' period ending 31 December 1947.

10. All economic authority not specifically vested in the Joint Economic Board is reserved to each State.

11. There shall be a common customs tariff with complete freedom of trade between the States, and between the States and the City of Jerusalem.

12. The tariff schedules shall be drawn up by a Tariff Commission, consisting of representatives of each of the States in equal numbers, and shall be submitted to the Joint Economic Board for approval by a majority vote. In case of disagreement in the Tariff Commission, the Joint Economic Board shall arbitrate the points of difference. In the event that the Tariff Commission fails to draw up any schedule by a date to be fixed, the Joint Economic Board shall determine the tariff schedule.

13. The following items shall be a first charge on the customs and other common revenue of the Joint Economic Board:

- (a) The expenses of the customs service and of the operation of the joint services;
- (b) The administrative expenses of the Joint Economic Board;
- (c) The financial obligations of the Administration of Palestine consisting of:

- (i) The service of the outstanding public debt;
- (ii) The cost of superannuation benefits, now being paid or falling due in the future, in accordance with the rules and to the extent established by paragraph 3 of chapter 3 above.

14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than 5 per cent and not more than 10 per cent to the City of Jerusalem; the residue shall be allocated to each State by the Joint Economic Board equitably, with the objective of maintaining a sufficient and suitable level of government and social services in each State, except that the share of either State shall not exceed the amount of that State's contribution to the revenues of the Economic Union by more than approximately four million pounds in any year. The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenues may be revised by the Joint Economic Board on a basis of equity.

15. All international conventions and treaties affecting customs tariff rates, and those communications services under the jurisdiction of the Joint Economic Board, shall be entered into by both States. In these matters, the two

States shall be bound to act in accordance with the majority vote of the Joint Economic Board.

16. The Joint Economic Board shall endeavour to secure for Palestine's exports fair and equal access to world markets.

17. All enterprises operated by the Joint Economic Board shall pay fair wages on a uniform basis.

Freedom of transit and visit

18. The undertaking shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations, provided that each State and the City shall control residence within its borders.

Termination, modification and interpretation of the undertaking

19. The undertaking and any treaty issuing therefrom shall remain in force for a period of ten years. It shall continue in force until notice of termination, to take effect two years thereafter, is given by either of the parties.

20. During the initial ten-year period, the undertaking and any treaty issuing therefrom may not be modified except by consent of both parties and with the approval of the General Assembly.

21. Any dispute relating to the application or the interpretation of the undertaking and any treaty issuing therefrom shall be referred, at the request of either party, to the International Court of Justice, unless the parties agree to another mode of settlement.

E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Allocations should be made by the United Nations Commission referred to in section B, paragraph 1, above. Immovable assets shall become the property of the government of the territory in which they are situated.

2. During the period between the appointment of the United Nations Commission and the termination of the Mandate, the mandatory Power shall, except in respect of ordinary operations, consult with the Commission on any measure which it may contemplate involving the liquidation, disposal or encumbering of the assets of the Palestine Government, such as the accumulated treasury surplus, the proceeds of Government bond issues, State lands or any other asset.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

When the independence of either the Arab or the Jewish State as envisaged in this plan has become effective and the declaration and undertaking, as envisaged in this plan, have been signed by either of them, sympathetic consideration should be given to its application for admission to membership in the United Nations in accordance with Article 4 of the Charter of the United Nations.

PART II.—BOUNDARIES²²⁸

A. THE ARAB STATE

The area of the Arab State in Western Galilee is bounded on the west by the Mediterranean and on the north by the frontier of the Lebanon from Ras en Naqura

to a point north of Saliha. From there the boundary proceeds southwards, leaving the built-up area of Saliha in the Arab State, to join the southernmost point of this village. Thence it follows the western boundary line of the villages of 'Alma, Rihaniya and Teitaba, thence following the northern boundary line of Meirun village to join the Acre-Safad sub-district boundary line. It follows this line to a point west of Es Sammu'i village and joins it again at the northernmost point of Farradiya. Thence it follows the sub-district boundary line to the Acre-Safad main road. From here it follows the western boundary of Kafr 'Inan village until it reaches the Tiberias-Acre sub-district boundary line, passing to the west of the junction of the Acre-Safad and Lubiya-Kafr 'Inan roads. From the south-west corner of Kafr 'Inan village the boundary line follows the western boundary of the Tiberias sub-district to a point close to the boundary line between the villages of Maghar and Eilabun, thence bulging out to the west to include as much of the eastern part of the plain of Batnaf as is necessary for the reservoir proposed by the Jewish Agency for the irrigation of lands to the south and east.

The boundary rejoins the Tiberias sub-district boundary at a point on the Nazareth-Tiberias road south-east of the built-up area of Tur'an; thence it runs southwards, at first following the sub-district boundary and then passing between the Kadoorie Agricultural School and Mount Tabor, to a point due south at the base of Mount Tabor. From here it runs due west, parallel to the horizontal grid line 230, to the north-east corner of the village lands of Tel Adashim. It then runs to the north-west corner of these lands, when it turns south and west so as to include in the Arab State the sources of the Nazareth water supply in Yafa village. On reaching Ginneiger it follows the eastern, northern and western boundaries of the lands of this village to their south-west corner, whence it proceeds in a straight line to a point on the Haifa-Afula railway on the boundary between the villages of Sarid and El Muejilil. This is the point of intersection.

The south-western boundary of the area of the Arab State in Galilee takes a line from this point, passing northwards along the eastern boundaries of Sarid and Gevat to the north-eastern corner of Nahalal, proceeding thence across the land of Kefar ha Horesh to a central point on the southern boundary of the village of 'Ilut, thence westwards along that village boundary to the eastern boundary of Beit Lahm, thence northwards and north eastwards along its western boundary to the north-eastern corner of Waldheim and thence north-westwards across the village lands of Shafa 'Amr to the south-eastern corner of Ramat Yohanan. From here it runs due north-north east to a point on the Shafa 'Amr-Haifa road, west of its junction with the road to Y'Billin. From there it proceeds north-east to a point on the southern boundary of Y'Billin situated to the west of the Y'Billin-Birva road. Thence along that boundary to its westernmost point, whence it turns to the north, follows across the village land of Tamra to the north-westernmost corner and along the western boundary of Julis until it reaches the Acre-Safad road. It then runs westwards along the southern side of the Safad-Acre road to the Galilee-Haifa

²²⁸The boundary lines described in part II are indicated in Annex A [following p. 236 in the present Yearbook]. The base map used in marking and describing this boundary is "Palestine 1:250,000" published by the Survey of Palestine, 1946. [Footnote in original document]

District boundary, from which point it follows that boundary to the sea.

The boundary of the hill country of Samaria and Judea starts on the Jordan River at the Wadi Malih south-east of Beisan and runs due west to meet the Beisan-Jericho road and then follows the western side of that road in a north-westerly direction to the junction of the boundaries of the sub-districts of Beisan, Nablus, and Jenin. From that point it follows the Nablus-Jenin sub-district boundary westwards for a distance of about three kilometres and then turns north-westwards, passing to the east of the built-up areas of the villages of Jalbun and Faqq'a, to the boundary of the sub-districts of Jenin and Beisan at a point north-east of Nuris. Thence it proceeds first north-westwards to a point due north of the built-up area of Zir'in and then westwards to the Afula-Jenin railway, thence north-westwards along the district boundary line to the point of intersection on the Hejaz railway. From here the boundary runs south-westwards, including the built-up area and some of the land of the village of Kh.Lid in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Haifa and Samaria west of El Mansi. It follows this boundary to the southernmost point of the village of El Buteimat. From here it follows the northern and eastern boundaries of the village of Ar'ara, rejoining the Haifa-Samaria district boundary at Wadi'Ar, and thence proceeding south-south-westwards in an approximately straight line joining up with the western boundary of Qaqun to a point east of the railway line on the eastern boundary of Qaqun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line half-way between the railway and the Tulkarm-Qalqilya-Jaljuliya and Ras el Ein road to a point just east of Ras el Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Lydda and Beit Nabala lines, whence it proceeds along the southern border of Lydda airport to its south-west corner, thence in a south-westerly direction to a point just west of the built-up area of Sarafand el 'Amar, whence it turns south, passing just to the west of the built-up area of Abu el Fadil to the north-east corner of the lands of Beer Ya'Aqov. (The boundary line should be so demarcated as to allow direct access from the Arab State to the airport.) Thence the boundary line follows the western and southern boundaries of Ramle village, to the north-east corner of El Na'ana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of 'Innaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El Qubab, whence it follows the road to the boundary of Abu Shusha. It runs along the eastern boundaries of Abu Shusha, Seidun, Hulda to the southernmost point of Hulda, thence westwards in a straight line to the north-east corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qazaza and the northern and western boundaries of Mukhezzi to the Gaza District boundary and thence runs across the village lands of El Mismiya, El Kabira, and Yasur to the southern point of intersection, which is midway between the built-up areas of Yasur and Batani Sharqi.

From the southern point of intersection the boundary line runs north-westwards between the villages of Gan Yavne and Barqa to the sea at a point half way between

Nabi Yunis and Minat el Qila, and south-eastwards to a point west of Qastina, whence it turns in a south-westerly direction, passing to the east of the built-up areas of Es Sawafir, Esh Sharqiya and Ibdjis. From the south-east corner of Ibdjis village it runs to a point south-west of the built-up area of Beit 'Afia, crossing the Hebron-El Majdal road just to the west of the built-up area of Iraq Suweidan. Thence it proceeds southwards along the western village boundary of El Faluja to the Beersheba sub-district boundary. It then runs across the tribal lands of 'Arab el Jubarat to a point on the boundary between the sub-districts of Beersheba and Hebron north of Kh. Khuweilifa, whence it proceeds in a south-westerly direction to a point on the Beersheba-Gaza main road two kilometres to the north-west of the town. It then turns south-eastwards to reach Wadi Sab' at a point situated one kilometre to the west of it. From here it turns north-eastwards and proceeds along Wadi Sab' and along the Beersheba-Hebron road for a distance of one kilometre, whence it turns eastwards and runs in a straight line to Kh. Kuseifa to join the Beersheba-Hebron sub-district boundary. It then follows the Beersheba-Hebron boundary eastwards to a point north of Ras ez Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160.

About five kilometres north-east of Ras ez Zuweira it turns north, excluding from the Arab State a strip along the coast of the Dead Sea not more than seven kilometres in depth, as far as Ein Geddi, whence it turns due east to join the Transjordan frontier in the Dead Sea.

The northern boundary of the Arab section of the coastal plain runs from a point between Minat el Qila and Nabi Yunis, passing between the built-up areas of Gan Yavne and Barqa to the point of intersection. From here it turns south-westwards, running across the lands of Batani Sharqi, along the eastern boundary of the lands of Beit Daras and across the lands of Julis, leaving the built-up areas of Batani Sharqi and Julis to the westwards, as far as the north-west corner of the lands of Beit Tima. Thence it runs east of El Jiya across the village lands of El Barbara along the eastern boundaries of the villages of Beit Jirja, Deir Suneid and Dimra. From the south-east corner of Dimra the boundary passes across the lands of Beit Hanun, leaving the Jewish lands of Nir-Am to the eastwards. From the south-east corner of Beit Hanun the line runs south-west to a point south of the parallel grid line 100, then turns north-west for two kilometres, turning again in a south-westerly direction and continuing in an almost straight line to the north-west corner of the village lands of Kirbet Ikha'za. From there it follows the boundary line of this village to its southernmost point. It then runs in a southerly direction along the vertical grid line 90 to its junction with the horizontal grid line 70. It then turns south-eastwards to Kh. el Ruheiba and then proceeds in a southerly direction to a point known as El Baha, beyond which it crosses the Beersheba-El 'Auja main road to the west of Kh. el Mushrif. From there it joins Wadi El Zaiyatun just to the west of El Subeita. From there it turns to the north-east and then to the south east following this wadi and passes to the east of 'Abda to join Wadi Nafkh. It then bulges to the south-west along Wadi Nafkh, Wadi Ajrim and Wadi Lissan to the point where Wadi Lissan crosses the Egyptian frontier.

The area of the Arab enclave of Jaffa consists of that part of the town-planning area of Jaffa which lies to the west of the Jewish quarters lying south of Tel-Aviv, to

the west of the continuation of Herzl street up to its junction with the Jaffa-Jerusalem road, to the south-west of the section of the Jaffa-Jerusalem road lying south-east of that junction, to the west of Miqve Yisrael lands, to the north-west of Holon local council area, to the north of the line linking up the north-west corner of Holon with the north-east corner of Bat Yam local council area and to the north of Bat Yam local council area. The question of Karton quarter will be decided by the Boundary Commission, bearing in mind among other considerations the desirability of including the smallest possible number of its Arab inhabitants and the largest possible number of its Jewish inhabitants in the Jewish State.

B. THE JEWISH STATE

The north eastern sector of the Jewish State (Eastern Galilee) is bounded on the north and west by the Lebanese frontier and on the east by the frontiers of Syria and Transjordan. It includes the whole of the Hula Basin, Lake Tiberias, the whole of the Baysan sub-district, the boundary line being extended to the crest of the Gilboa mountains and the Wadi Malh. From there the Jewish State extends north-west, following the boundary described in respect of the Arab State.

The Jewish section of the coastal plain extends from a point between Minat et Qila and Nabi Yunis in the Gaza sub-district and includes the towns of Haifa and Tel-Aviv, leaving Jaffa as an enclave of the Arab State. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area comprises the whole of the Beersheba sub-district, including the Negeb and the eastern part of the Gaza sub-district, but excluding the town of Beersheba and those areas described in respect of the Arab State. It includes also a strip of land along the Dead Sea stretching from the Beersheba-Hebron sub-district boundary line to Ein Geddi, as described in respect of the Arab State.

C. THE CITY OF JERUSALEM

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem. (See Part III, Section B, below.)

PART III.—CITY OF JERUSALEM

A. SPECIAL REGIME

The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority on behalf of the United Nations.

B. BOUNDARIES OF THE CITY

The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethelchem; the most western, Ein Karim (including also the built-up area of Motsa); and the most northern Shu-fat, as indicated on the attached sketch-map (annex B [following p. 236 in the present Yearbook]).

C. STATUTE OF THE CITY

The Trusteeship Council shall, within five months of the approval of the present plan, elaborate and approve a

detailed Statute of the City which shall contain *inter alia* the substance of the following provisions:

1. *Government machinery; special objectives.* The Administering Authority in discharging its administrative obligations shall pursue the following special objectives:

(a) To protect and to preserve the unique spiritual and religious interests located in the city of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reigns in Jerusalem;

(b) To foster co-operation among all the inhabitants of the city in their own interests as well as in order to encourage and support the peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of the various peoples and communities.

2. *Governor and administrative staff.* A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine.

The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration, including the conduct of external affairs. He shall be assisted by an administrative staff classed as international officers in the meaning of Article 100 of the Charter and chosen whenever practicable from the residents of the city and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the city shall be submitted by the Governor to the Trusteeship Council and duly approved by it.

3. *Local autonomy.* (a) The existing local autonomous units in the territory of the city (villages, townships and municipalities) shall enjoy wide powers of local government and administration.

(b) The Governor shall study and submit for the consideration and decision of the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.

4. *Security measures.* (a) The City of Jerusalem shall be demilitarized; its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.

(b) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(c) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the city, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this force.

5. *Legislative organization.* A Legislative Council, elected by adult residents of the city irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall have powers of

legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.

6. *Administration of justice.* The Statute shall provide for the establishment of an independent judiciary system, including a court of appeal. All the inhabitants of the City shall be subject to it.

7. *Economic union and economic regime.* The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8. *Freedom of transit and visit; control of residents.* Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be guaranteed for the residents or citizens of the Arab and Jewish States. Immigration into, and residence within, the borders of the city for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.

9. *Relations with the Arab and Jewish States.* Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connexion with the international administration of the City.

10. *Official languages.* Arabic and Hebrew shall be the official languages of the city. This will not preclude the adoption of one or more additional working languages, as may be required.

11. *Citizenship.* All the residents shall become *ipso facto* citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews, have filed notice of intention to become citizens of the Arab or Jewish State respectively, according to part I, section B, paragraph 9 of this plan.

The Trusteeship Council shall make arrangements for consular protection of the citizens of the City outside its territory.

12. *Freedoms of citizens.* (a) Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and Press, assembly and association, and petition.

(b) No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.

(c) All persons within the City shall be entitled to equal protection of the laws.

(d) The family law and personal status of the various

persons and communities and their religious interests, including endowments, shall be respected.

(e) Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

(f) The City shall ensure adequate primary and secondary education for the Arab and Jewish communities respectively, in their own languages and in accordance with their cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

(g) No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.

13. *Holy Places.* (a) Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

(b) Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

(c) Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may call upon the community or communities concerned to carry out such repair. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

(d) No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the City. No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

14. *Special powers of the Governor in respect of the Holy Places, religious buildings and sites in the City and in any part of Palestine.* (a) The protection of the Holy Places, religious buildings and sites located in the City of Jerusalem shall be a special concern of the Governor.

(b) With relation to such places, buildings and sites in Palestine outside the city, the Governor shall determine, on the ground of powers granted to him by the Constitutions of both States, whether the provisions of the Constitutions of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected.

(c) The Governor shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the sites of a religious community in re-

spect of the Holy Places, religious buildings and sites in any part of Palestine.

In this task he may be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.

D. DURATION OF THE SPECIAL REGIME

The Statute elaborated by the Trusteeship Council on the aforementioned principles shall come into force not later than 1 October 1948. It shall remain in force in the first instance for a period of ten years, unless the Trusteeship Council finds it necessary to undertake a re-examination of these provisions at an earlier date. After the expiration of this period the whole scheme shall be subject to re-examination by the Trusteeship Council in the light of the experience acquired with its functioning. The residents of the City shall be then free to express by means of a referendum their wishes as to possible modifications of the regime of the City.

PART IV—CAPITULATIONS

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection, as formerly enjoyed by capitulation or usage in the Ottoman Empire, are invited to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the proposed Arab and Jewish States and the City of Jerusalem.

k. UNITED NATIONS PALESTINE COMMISSION

One of the consequences of the General Assembly's resolution 181 (II) of November 29, 1947, concerning the Plan of Partition with Economic Union of Palestine, was the establishment of a five-member United Nations Palestine Commission, composed of the representatives of Bolivia, Czechoslovakia, Denmark, Panama and the Philippines, whose terms of reference were laid down in the resolution.

The Palestine Commission held its first meeting on January 9, 1948, and elected Karel Lisicky (Czechoslovakia) and Raul Diez de Medina (Bolivia) as its Chairman and Vice-Chairman, respectively.

Under the partition resolution, the Commission had been assigned a major part in the implementation of the Plan of Partition with Economic Union, a task in which it was to avail itself of the guidance and assistance of the Security Council whenever necessary.

At the outset of its work, the Commission invited the United Kingdom as the Mandatory Power, the Arab Higher Committee and the Jewish Agency for Palestine to designate representatives who might furnish the Commission such authoritative information and other assistance as it might require in the discharge of its duties. The United Kingdom and the Jewish Agency complied with

this request, while the Arab Higher Committee declared itself unable to accept the invitation, stating that it was "determined to persist in rejection partition and in refusal recognize UNO resolution this respect and anything deriving therefrom".²²⁹ Early in March, the Commission dispatched to Palestine an advance party of six Secretariat members for purposes of observation and exploratory discussions.

The Commission rendered to the Security Council two monthly progress reports (S/663 and S/695, dated respectively January 29 and March 12, 1948) as required by the Assembly's resolution, and, in addition, a Special Report on the Problem of Security in Palestine (S/676) on February 16, 1948. In the last-mentioned report, the Commission reported to the Security Council *inter alia*:

"It is the considered view of the Commission that the security forces of the Mandatory Power, which at the present time prevent the situation from deteriorating completely into open warfare on an organized basis, must be replaced by an adequate non-Palestinian force which will assist law-abiding elements in both the Arab and Jewish communities, organized under the general direction of the Commission, in maintaining order and security in Palestine, and thereby enabling the Commission to carry out the recommendations of the General Assembly. Otherwise, the period immediately following the termination of the Mandate will be a period of uncontrolled, widespread strife and bloodshed in Palestine, including the City of Jerusalem. This would be a catastrophic conclusion to an era of international concern for that territory.

"The Commission submits this report with a profound appreciation of its duty to the United Nations. The sole motivation of the Commission is to obtain from the Security Council that effective assistance without which, it is firmly convinced, it cannot discharge the great responsibilities entrusted to it by the General Assembly."

The Security Council's consideration of the reports of the Commission has been noted elsewhere in the present Yearbook.²³⁰

The Palestine Commission, in a resolution adopted on April 2, 1948, recalled the mandate entrusted to it by the General Assembly on November 29, 1947; stated that it had "received no guidance or instructions from the Security Council concerning the implementation of the General Assembly's resolution", and noted the Council's decisions of April 1 calling for steps to be taken to arrange a truce in Palestine, and requesting the convocation of a special session of the General Assembly to consider further the question of the future government of Palestine. In the same resolution, the Commission decided (A/532, p. 2):

²²⁹Telegram sent to Secretary-General by Arab Higher Committee on January 19, 1948, quoted on page 6 of the Commission's Report (A/532) to the General Assembly.
²³⁰See pp. 403-7.

"I. To continue its work, bearing in mind the resolutions adopted by the Security Council, in the understanding that all of its decisions will be subject to such final action on the future government of Palestine as may be taken by the special session of the General Assembly convening on 16 April;

"II. To undertake the preparation of a report to be presented to the special session of the General Assembly which will include an exposition of the reasons which have prevented the Commission from discharging all of the responsibilities assigned to it by the resolution of 29 November 1947."

The reasons which, in the Commission's opinion, prevented it from discharging all of the responsibilities assigned to it by the Assembly's resolution, were summed up by the Commission in its report to the General Assembly (A/532) in the following terms:

"The Commission . . . has the duty to report to the General Assembly that the armed hostility of both Palestinian and non-Palestinian Arab elements, the lack of co-operation from the Mandatory Power, the disintegrating security situation in Palestine, and the fact that the Security Council did not furnish the Commission with the necessary armed assistance, are the factors which have made it impossible for the Commission to implement the Assembly's resolution."

In the same report, the Commission also outlined a number of "problems which require an urgent solution", regardless of the ultimate decision of the

Assembly on the future government of Palestine, including questions concerned with security, administration, economics and finance. The report also registered the concern of the Commission concerning the food situation in the Holy Land, adding that "in view of the urgency of this matter, the Commission is presenting a special report²⁴¹ on the subject to the Security Council with a request for its guidance . . .".

In the concluding paragraph of its report to the General Assembly, the Commission warned once again ". . . in the absence of forces adequate to restore and maintain law and order in Palestine following the termination of the Mandate, there will be administrative chaos, starvation, widespread strife, violence and bloodshed in Palestine, including Jerusalem. These calamitous results for the people of Palestine will be intensified unless specific arrangements are made regarding the urgent matters outlined above well in advance of 15 May 1948."

The report to the General Assembly was adopted by the Palestine Commission on April 10, 1948.

Following the decision of the General Assembly to relieve the Commission of its duties,²⁴² the Commission held its 75th and last meeting on May 17, 1948, took cognizance of the Assembly's action and adjourned *sine die*.

E. SECOND SPECIAL SESSION²⁴³

1. Calling of the Session

On April 1, 1948, the Secretary-General of the United Nations, acting in pursuance of a request of the Security Council, summoned by telegram the second special session of the General Assembly to meet at Flushing Meadow, New York, on April 16 to "consider further the question of the future government of Palestine" (A/530).

This marked the first time that the Security Council, invoking Article 20 of the Charter, had taken the initiative in convening an Assembly session. (The first special session of the General Assembly had been convened at the request of an individual Member nation, the United Kingdom.²⁴⁴) The Security Council made its request in a resolution adopted on the motion of the United States representative on April 1, 1948.²⁴⁵

2. Organization of the Session

The General Assembly convened at Flushing Meadow on April 16. The session was opened by the Chairman of the Brazilian delegation, João Carlos Muniz. It was the 129th meeting of the Assembly.

On the proposal of the temporary President, the Assembly, without discussion, agreed to the establishment of a Credentials Committee composed of the representatives of Belgium, Dominican Republic

²⁴¹The special report was issued on April 13 (S/720 and Add. 1, dated April 14 and May 5, 1948, respectively).

²⁴²See p. 281.

²⁴³A more detailed account of the debates at the second special session of the General Assembly is given in the *United Nations Bulletin*, Vol. IV, Nos. 9-11.

²⁴⁴See *Yearbook of the United Nations*, 1946-47, pp. 276-77.

²⁴⁵See pp. 410-11.

lic, Egypt, India, Mexico, Netherlands, Pakistan, Ukrainian S.S.R. and Uruguay.

José Arce, Chairman of the Argentine delegation, was elected President of the Assembly by 31 out of 53 votes cast, the Chairman of the Chinese delegation receiving 18 votes.

The Assembly agreed with the suggestion of the President to follow the usual procedure of constituting a General Committee and referring to it the consideration of the agenda.

Accordingly, the Assembly, at its 130th meeting, proceeded to the election of the Chairmen of the six Main Committees and of its own seven Vice-Presidents. To elect the six Chairmen, the Assembly resolved itself successively into each of the six Main Committees. The following were elected:

First (Political and Security) Committee	T. F. Tsiang (China)
Second (Economic and Financial) Committee	Eduardo Anze Matienzo (Bolivia)
Third (Social, Humanitarian and Cultural) Committee	Carlos García Bauer (Guatemala)
Fourth (Trusteeship) Committee	Sir Carl August Berendsen (New Zealand)
Fifth (Administrative and Budgetary) Committee	Joža Vulfan (Yugoslavia)
Sixth (Legal) Committee	Nasrollah Entezam (Iran)

To complete the composition of the General Committee, the Assembly elected its seven Vice-Presidents. Chief representatives of the following countries were chosen: France, Peru, Sweden, Turkey, U.S.S.R., United Kingdom, United States.

The Assembly approved the report of the Credentials Committee which showed that the credentials of thirteen delegations fully satisfied the requirements and that provisional credentials had been received by 43 delegations, while one Member Government, Paraguay, had submitted no credentials.

3. Agenda of the Session

a. ITEMS PROPOSED

Apart from organizational and procedural matters, the only item on the provisional agenda (A/531) was one providing for the "further consideration of the question of the future government of Palestine". In addition, the delegations of China (A/535) and India (A/536) proposed that the application of the Union of Burma for membership in the United Nations be included in the agenda of the session. The item was placed on the supplementary list of additional agenda items which, together with the provisional agenda, was referred to the General Committee.

b. CONSIDERATION OF AGENDA

The General Committee met on April 16, 1948, and required only one meeting—its 42nd—to formulate its recommendations to the Assembly in connection with the agenda and the organization of the work thereon. The representatives of the U.S.S.R., Yugoslavia and Guatemala declared that they failed to see the need for a special session of the General Assembly for the further consideration of the Palestine question. Substantially the same view had been expressed during the 130th meeting of the General Assembly by the representative of Uruguay.

There was no opposition in the General Committee to the proposal to place the Burmese application for membership in the United Nations on the agenda of the session.

The recommendation to approve the provisional agenda, i.e., the further consideration of the future government of Palestine, received 11 affirmative votes. No negative votes were cast but three members of the General Committee—the representatives of Guatemala, the U.S.S.R. and Yugoslavia—abstained.

By an identical vote, the General Committee decided to recommend to the General Assembly that the further consideration of the Palestine question be referred to the First Committee for consideration and report.

The General Committee was unanimous in recommending (A/537) that the General Assembly consider in plenary meeting, and without prior reference to committee, the application of Burma for membership in the United Nations.

The recommendations of the General Committee (A/537) were approved by the General Assembly at its 131st meeting on April 19, 1948, as follows:

- (1) That the provisional agenda ("Question of the future government of Palestine") be approved; this was adopted without objection.
- (2) That the supplementary list (Application of Burma) be approved; this was adopted unanimously.
- (3) That the item on the future government of Palestine be referred to the First Committee; this was adopted by 44 votes in favor, with 10 abstentions.
- (4) That the Assembly consider the application of Burma in plenary meeting; this was adopted without a vote.

4. Admission of the Union of Burma to the United Nations

The application of the Union of Burma for membership in the United Nations was considered

at the 131st meeting of the General Assembly on April 19, 1948. Statements in support of the application were made by the representatives of India, Pakistan and Siam, who emphasized the close ties of friendship existing between Burma and their own countries, as well as their conviction that the membership of the Union of Burma would be an asset to the United Nations.

On the proposal of the President, the Assembly unanimously adopted the following resolution (188(S-2)):

"The General Assembly,

"Taking note of the application for membership submitted to the United Nations by the Union of Burma, and of the recommendation of the Security Council that the Assembly admit the Union of Burma to membership,

"Decides to admit the Union of Burma as a Member of the United Nations."

As a result of this vote, the Union of Burma, on April 19, 1948, became the 58th Member of the United Nations.

5. Further Consideration of the Question of the Future Government of Palestine

a. ORGANIZATION OF THE FIRST COMMITTEE

At its 118th meeting on April 20, the First Committee elected Juliusz Katz-Suchy (Poland) as its Vice-Chairman, T. F. Tsiang (China) having previously been chosen as Chairman. Finn Moe (Norway) was elected as Rapporteur.

In the course of its work, the Committee established two sub-committees to deal with particular aspects of the problem.

All in all, the First Committee met 25 times during the second special session.

Representatives of the Arab Higher Committee and of the Jewish Agency for Palestine, as well as the Chairman of the Palestine Commission, participated in the Committee meetings without vote.

(No meetings were held by the other five Main Committees, aside from one meeting of each, held for the purpose of electing Committee Chairmen, as mentioned above.)

b. GENERAL DEBATE

Following the completion of its organization, the First Committee, during its 118th meeting, embarked upon an initial general debate on the question of the future government of Palestine.

(1) *Viewpoint of the United States*

The representative of the United States recalled that his Government had introduced the resolu-

tion requesting the calling of the special session of the General Assembly which the Security Council had adopted on April 1, 1948.

It seemed to the Government of the United States that the problem facing the Assembly was, in essence, that of establishing peace in Palestine and of creating conditions for a constructive political settlement in the Holy Land.

The representative of the United States held that it had been conclusively proved that resolution 181 (II) of the General Assembly, which called for the partition of Palestine with economic union and which had been adopted on November 29, 1947, could not be implemented by peaceful means, contrary to the hopes of the United States. Moreover, the Security Council had failed to adopt a United States proposal to place the Council formally behind the Partition Plan.

The situation in the Holy Land was fast deteriorating; already there was bloodshed, and even greater disorders must be expected after the termination of the Mandate on May 15. Appeals for a truce, such as had been issued by the Security Council, were a step in the right direction, but could not ensure the continuance of governmental authority in Palestine.

Under the circumstances, the United States believed that the Assembly should consider the establishment of a Temporary Trusteeship for Palestine. Without submitting a draft Trusteeship Agreement worked out in every detail, the United States was putting forward a working paper (A/C.1/277) containing suggestions for such an Agreement. These suggestions were based upon the draft statute for Jerusalem prepared by the Trusteeship Council pursuant to the Assembly's resolution of November 29²⁴⁰ as well as upon ideas advanced informally by members of the Security Council; they thus represented, to a very considerable degree, a collective view.

In the view of the United States, such an agreement for a temporary period of Trusteeship should provide that major governmental functions be exercised by a Government of Palestine, headed by a Governor-General appointed by, and responsible to, the Trusteeship Council, whose own role would be supervisory. Pending the establishment of an elected, possibly bicameral, legislature, the Governor-General should be authorized to legislate by decree. He should also be empowered to call upon certain states, to be listed in the Trusteeship Agreement, for assistance in the maintenance of law and order, if need be.

²⁴⁰See pp. 254-56.

The Trusteeship Agreement should also contain provisions for immigration into Palestine on some agreed basis, for a policy concerning land purchase, and for the protection of, and access to, the Holy Places.

The United States would be willing to provide police forces for the implementation of such a plan, provided other governments were willing to do the same.

The Temporary Trusteeship should not be regarded as a substitute for the Partition Plan, or for any solution agreeable to Arabs and Jews. It was an emergency measure to safeguard human lives and to create an atmosphere in which negotiations for a permanent solution could proceed more smoothly, and the Trusteeship should be terminated promptly as soon as a general solution of the Palestine problem had been found.

The representative of the United States suggested that the First Committee call upon the Fourth (Trusteeship) Committee to study without delay all aspects of the Trusteeship suggestions.²⁴⁷

(2) *Viewpoint of the United Kingdom*

The representative of the United Kingdom declared that it had now been proved that the partition resolution could only be enforced by the use of arms. It might be advisable for the Assembly to give second thoughts to the Palestine problem.

It was clear that there was danger of anarchy in the Holy Land following termination of the Mandate on May 15.

Those who proposed to adhere to the resolution of November 29 should consider squarely whether their governments were prepared to assist in its enforcement, whether any enforcement action could secure the essential co-operation of the local population, and whether the necessary forces could be provided by May 15.

The representative of the United Kingdom took issue with those who criticized the role of his Government in connection with the implementation of the November resolution. He stated that his Government's warnings that its authority as Mandatory Power in Palestine could not be divided until the end of the Mandate, had gone unheeded.

Parts of the Partition Plan had not been conceived impartially and little attention had been paid to the difficulties of implementation, to assured opposition, to the certainty of deteriorating conditions, or to the problems facing the Mandatory Power. Under these circumstances there could not have been full co-operation on the part of the Mandatory Power with the Palestine Commission. Yet, short of complete implementation, there had

been co-operation over a wide field; a great volume of information had been placed at the disposal of the Palestine Commission by the Mandatory Power, many arrangements had been agreed to, and on several points the United Kingdom had taken the initiative.

The Mandatory Power could not agree to the transfer to the Palestine Commission of a port for the admission of Jewish arms and immigrants without inflaming the entire situation and delaying the scheduled withdrawal of British forces from Palestine.

The United Kingdom has been accused of being pro-Arab. Yet its actions had been just as severely criticized by Arabs as by Jews. In reality it had never been anything but impartial in fulfilling its thankless task, and all its actions had been aimed at securing a settlement agreed to by Jews and Arabs.

Less than a month now remained to devise a new plan to avoid large-scale conflict in Palestine. The United Nations had the right to ask both Arabs and Jews to contribute to stability by making the necessary mutual concessions.

It was clear that partition could only be put through by force of arms and that the forces could not be supplied by May 15.

A truce was therefore of the first importance, and the Security Council's actions in this respect were to be welcomed and supported.

Regarding Trusteeship, the United Kingdom had previously made, without success, a proposal similar to the plan put forward by the United States. The plan offered an interim authority. A Trusteeship plan involved many difficulties, but it, as well as any other alternative, including partition, should be studied against the background of the present situation.

Since both sides were convinced of the justice of their cause, and since any final settlement without their agreement could not be effected without force, the Assembly was, perhaps, obliged to aim at a more modest objective than Trusteeship, in order to prevent danger to world peace. In any attempt to find a solution, the United Kingdom would co-operate, subject only to the limitations involved in its decision to withdraw from Palestine.

The Palestine problem could be eased if other states, following the example set by the United Kingdom, took positive action regarding displaced persons in Europe and opened their gates more

²⁴⁷For subsequent consideration of Trusteeship proposal, see pp. 273-75.

widely so that the pressure of refugees upon Palestine would be reduced.

(3) *Viewpoint of the Arab Higher Committee*

The representative of the Arab Higher Committee, reviewing developments leading up to the present situation in Palestine, said the Mandate had been ratified in 1922 in disregard to peoples' right to self-determination. The Arabs, having no alternative, had resorted to their sacred right of self-defence; and since then Palestine, the Land of Peace, had known instability, hatred and disorder.

During the second regular session of the General Assembly, Members had heard the people of Palestine proclaim their intention of defending their national patrimony to the last man. Nevertheless, two thirds of the Members, ill-advised, misled or acting under compulsion, had accepted an illegal scheme which could not be carried out and which was contrary to the rights and interests of the Arabs.

Confronted with what was a scheme to carve up the living body of Palestine, the Arabs had done what any self-respecting people would have done under the circumstances—they had fought in self-defence.

Arabs had been living in Palestine for at least thirteen centuries. When the British occupied Palestine, the Arabs had formed 93 per cent of the population, the Jews seven per cent. This basic fact had been totally ignored in the Mandate, which had rested on the principle of a Jewish National Home, to be created at the expense of the existing Arab National Home.

British bayonets had opened the country to Jews whose number in Palestine had risen from 50,000 to 700,000 in a quarter of a century. Arabs, traditionally farmers in Palestine, had been deprived of their land. This process had led to the formation of a proletariat of landless Arab peasants who had settled around the towns. The resources of the country had become a Jewish monopoly to the detriment of the Arabs—a development which had elicited expressions of concern even in the British Parliament.

Acting in self-defence, the Arabs had resorted to uprisings.

Some of the worst abuses, including large-scale Jewish immigration, were to have been ended by the Mandatory Power, according to the White Paper issued in 1939. But, yielding to Zionist pressure, the United Kingdom had not enforced the policy stated in its own White Paper.

Once it had decided to relinquish the Mandate, the only course the United Kingdom could have

taken, morally speaking, was to turn over Palestine as a unit to one Palestinian Government representing all the lawful citizens of the Holy Land. Instead of doing this, the Mandatory Power had requested the assistance of the United Nations.

The United Nations Special Committee on Palestine (UNSCOP) had been given objectionable terms of reference and its composition had likewise been not above suspicion since it numbered among its members three persons known for their connections with the Zionists. For these reasons the Arabs of Palestine had not assisted UNSCOP's investigation. UNSCOP had thus heard only the views of the Jewish Agency and of the British, the views of Arab States having been given a hurried hearing in the course of a two-day visit to Lebanon.

UNSCOP had ignored Arab opposition to the partition scheme, which could never be carried out peaceably without the consent of the majority of the population of Palestine. And yet the Assembly had endorsed this plan under circumstances unworthy of the United Nations.

As for the United States suggestions, if they aimed at the establishment of an interim government, destined to remain in being for a short, explicitly stated, period of time, pending final settlement of the question, they were worthy of consideration, provided it was clearly understood that they were intended to lead to the independence of Palestine as a single democratic state in which the legitimate rights of the different sections of the citizens would be safeguarded.

Failing agreement on some such plan, the overwhelming majority of the people of Palestine would establish an independent Palestinian Government in conformity with Article 22 of the Covenant of the League of Nations and Article 28 of the Mandate, these being the Articles which provided for the establishment of such a government on the termination of the Mandate.

(4) *Viewpoint of the Jewish Agency for Palestine*

The representative of the Jewish Agency said that explanations for the convocation of the present session of the Assembly had an air of unreality. The argument, advanced by some representatives, that a new solution should be sought for the Palestine problem because the Partition Plan could not be implemented without recourse to force, was fallacious.

Assembly expectations that the Security Council would carry out its basic task and that the Mandatory Power would maintain law and order in Palestine while the Mandate remained in force

had proved incorrect. The report of the Palestine Commission revealed the extent to which the Mandatory Power had created obstructions and difficulties.

In the face of these developments it could not be said that the Partition Plan could not be implemented peacefully or that it was unworkable.

It was not correct to assert that the Security Council had decided not to assume the task entrusted to it by the Assembly. The Council had merely decided to postpone a decision on this matter until the five permanent Members had had an opportunity to confer among themselves concerning the best means of implementing the Assembly resolution of November 29 and of drawing up the recommendations to be given by the Council to the Palestine Commission. This demonstrated clearly that, far from refusing to support the Assembly, the Security Council had every intention of devising a concrete program for implementing the resolution of November 29.

During one of their meetings, the five permanent members of the Security Council had been presented with a nine-point implementation program by the Jewish Agency. Not only had there been no action on that program, but it seemed that it had not even been discussed. The Jewish Agency had been forced to conclude that the decision to thrust aside the Assembly resolution had been arrived at by certain members of the Security Council even before the Council met to consider the matter.

The facts of the situation were simple: confronted with Arab threats and acts of violence, the Security Council had faltered, retreated and, confronted with defiance, capitulated. The proposal to abandon the Partition Plan was, in effect, an invitation to the United Nations as a whole to emulate the example of the Security Council, i.e., to capitulate likewise. Violence was to be appeased, aggression to be rewarded, and law was to yield to terrorism. There was a very real danger that the United Nations might repeat the mistakes of the League of Nations when the latter failed to act in the face of Japanese aggression in China, Fascist Italy's attack upon Ethiopia, and Nazi Germany's subjugation of Czechoslovakia.

Arab reaction to the Assembly's resolution of November 29 was no mere non-compliance, but a violation of the Charter with its ban on recourse to the threat or use of force in international relations, save in the common interest.

The report of the Palestine Commission had clearly established the facts in the situation. Partition had become a reality in Palestine.

The United States suggestion was untenable. It was too late to impose Trusteeship on the peoples of Palestine, and the receptiveness of the Arabs to a Trusteeship regime should be discounted as a manoeuvre designed to defeat partition. There were two distinct peoples in Palestine. A common Palestinian citizenship had no moral meaning, for neither Jew nor Arab had any sense of service to a single state.

The force needed—and force would be needed—to impose even a Temporary Trusteeship regime would better be used to enforce partition as a final solution.

May 15 would mark the end of the Mandate. On the following day, a provisional Jewish Government would begin to function in accordance with the spirit of the United Nations resolution. The Jewish State would thus become a reality. The only threat to its existence would come from the Arab States. The problem before the Assembly was not how to implement the resolution of November 29, 1947, but rather how to prevent the Arab States from violating their Charter obligations and from thwarting the will of the United Nations.

(5) *Other View points*

These, in brief, were the views of the representatives of the two parties directly involved, of the Mandatory Power and of the nation at whose suggestion the Security Council had issued its request for a special session.

As regards the other members of the First Committee, the views expressed during the general debate may be summed up as follows:

The resolution which the General Assembly adopted by a two-thirds majority on November 29, 1947, was not perfect but it was the fairest and most equitable solution of the Palestine problem.

Among those who expressed this view were the representatives of Australia, Byelorussian S.S.R., Czechoslovakia, Guatemala, New Zealand, Poland, Ukrainian S.S.R., Union of South Africa, Uruguay and U.S.S.R.

It was regrettable that the resolution of November 29, 1947, did not provide for its own effective implementation, all the more so, since this lack of implementation machinery had been noted at the time and had now become primarily responsible for the fact that the Partition Plan was behind schedule.

Among the representatives making this point were those of Australia, New Zealand, Norway, Sweden and the Union of South Africa. The representatives of Australia and New Zealand further warned that yielding to terrorism, of what-

ever origin, would seriously jeopardize the prestige and authority of the United Nations.

The United States and the Mandatory Power were seeking to wreck the decision taken by the General Assembly last November, placing selfish national interests in both countries ahead of the interests of the population of Palestine and of the United Nations.

This view was expressed by the representatives of Byelorussian S.S.R., Czechoslovakia, Guatemala, Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia.

In spite of the obstacles to its realization, the Partition Plan of November 29 should remain in full force, and the United Nations should concentrate on devising ways and means of implementing it vigorously.

Representatives who shared this point of view included those of Australia, Byelorussian S.S.R., Czechoslovakia, Guatemala, New Zealand, Poland, Ukrainian S.S.R., Union of South Africa, Uruguay, U.S.S.R. and Yugoslavia. The representatives of Australia, New Zealand and the Union of South Africa further stated that, while adhering to the November resolution, they were prepared to examine any proposal which could achieve a just and reasonable peace.

No greater force would be needed to implement the Partition Plan than would be required for the implementation of the Trusteeship proposal, and if the latter was to be implemented by force why, then, not the former?

This point of view was shared by the representatives of Australia, Czechoslovakia, New Zealand and Poland.

Thus ran the arguments in favor of retaining the resolution adopted on November 29, 1947. Arguments advanced by those who favored reconsideration of that resolution may be summarized as follows:

The resolution of November 29, 1947, was not based on the Charter and did not accord with the wishes of the overwhelming majority of the population of Palestine. It was, therefore, unjust and illegal.

Among those who shared this view were the representatives of Egypt, Iran, Iraq, Pakistan, Syria and Yemen.

Active Arab intervention in opposition to the Partition Plan was nothing more than completely justified self-defence such as any self-respecting people would be compelled to adopt.

This view was expressed by the representatives of Egypt, Syria and Yemen.

The Charter does not justify the use of force to implement a resolution such as that of Novem-

ber 29, 1947, which was a recommendation, not an enforceable decision.

Among those who agreed on this point of view were the representatives of China, Egypt, Pakistan and Syria.

Far from undermining the prestige of the United Nations, reconsideration and rectification of the error committed on November 29, 1947, could not but enhance the authority of the organization, and the attempt should be made to substitute a new and fair solution for the Palestine problem.

That was the view of the representatives of Egypt, Iran, Iraq, Lebanon, Syria and Yemen.

The United States proposal for a Temporary Trusteeship for Palestine was worthy of consideration, provided it was not meant as an attempt at implementing the Partition Plan under the guise of Trusteeship, but was intended as a means of gaining time to allow peaceful negotiations during which a just solution could be worked out.

That was the view of the representatives of the Arab States participating in the general debate. In addition, a willingness to study the Trusteeship proposal was also voiced by the representatives of Belgium, Bolivia, Brazil, Canada, China, France, Greece, India, Liberia, Norway, Pakistan, Panama, Siam and Sweden, many of whom emphasized the importance, to any plan, of the question of implementation.

The representatives of Egypt, Pakistan and Syria declared that immigration was one of the most vital aspects of the Palestine problem, and that Jewish pressure on Palestine would relax if more countries opened their doors to Jewish displaced persons.

The representatives of Bolivia, Norway and Panama suggested that it might be advisable to suspend, without prejudice, the resolution of November 29, 1947, in order to deal with the emergency situation in the Holy Land.

The representatives of several Arab States, notably the representative of Lebanon, appealed to the Jews to abandon their efforts to set up a Jewish State which would have to live, assuming that it proved viable at all, in an atmosphere of constant hostility emanating from its own immediate neighbors, the Arab nations. Instead, the representative of Lebanon declared, the Jews should join in living in a unitary, democratic Palestine which would surely flourish as a result of Arab-Jewish co-operation, and which would thus act as a catalyst for the economic and cultural development of the entire Middle East.

Finally, several representatives, particularly those of Sweden and France, urged that action be taken promptly to protect the City of Jerusalem, without, of course, delaying consideration of the larger issue, i.e., the future government of Palestine.

Those, in brief, were the differing views expressed by members of the First Committee during the initial general debate.²⁴⁸

c. PROTECTION OF THE CITY OF JERUSALEM

(1) *Assembly Asked to Refer Jerusalem Problem to Trusteeship Council*

During the 118th meeting of the First Committee, on April 20, the Swedish representative said that the emergency problem of maintaining order in Jerusalem and the protection of the Holy Places should be regarded as urgent, without prejudice to the larger issue. He proposed that the Committee undertake a special and speedy investigation of the problem of maintaining order in Jerusalem, perhaps through the medium of a small special committee which would report back in about a week. Such a procedure would avoid hampering or delaying consideration of the main question.

The representative of France, expressing similar concern for the possible fate of the Holy City, introduced a draft resolution (A/C.1/280) at the 121st meeting of the First Committee on April 22. The resolution was a recommendation by the First Committee to the General Assembly, suggesting that the Assembly ask the Trusteeship Council to "study and, in consultation with the Mandatory Power and the interested parties, take suitable measures for the protection of the City [i.e., of Jerusalem] and its inhabitants", considering that the maintenance of order and security in the Holy City "is an urgent question which concerns the United Nations as a whole".

The French representative said the Trusteeship Council had already prepared a draft statute for Jerusalem and was therefore familiar with the problem. The draft statute contained a clause authorizing the Governor to organize and direct a special police corps, as large as he might deem necessary, to help in the maintenance of public order and in the protection of the Holy Places.

In the draft statute, the Trusteeship Council had provided for the appointment of a Chief of Police and Security for Jerusalem. The French representative believed that it should immediately select that person. Once appointed, the Chief of Police and Security would work under the authority of the Security Council and would enjoy the status of an international civil servant. He

should proceed at once to recruit a police force, calling for volunteers, as provided in Article XIV of the draft statute.

The French representative pointed out that his resolution contained no specific statement concerning measures to be taken by the Trusteeship Council, leaving that body free to give consideration to all proposals submitted by the Arabs and Jews.

He did not think that the Committee would wish to wait until the termination of the Mandate before taking steps to assure the safety of Jerusalem. Moreover, he stressed that the French proposal did not in any way prejudge the final decision concerning the future of Palestine as a whole.

The authority of the United Nations was at stake. The hesitations and reversals of the preceding weeks had only weakened that authority. If the Committee were to begin its discussion by taking a practical decision, that, the French representative declared, would make it clear that it intended to strengthen the authority of the United Nations.

The French representative accepted a Swedish amendment (A/C.1/281) which, aside from introducing certain drafting changes, explicitly stressed the need for haste on the part of the Trusteeship Council in submitting recommendations to the General Assembly. There was general agreement with the aim of the French proposal, i.e., to devise ways and means of protecting Jerusalem.

Opinion was divided, however, concerning the procedure to be adopted to achieve this aim. The representatives of Poland said the Trusteeship Council was not the appropriate body to deal with security measures, such as were clearly implicit in any method of protecting Jerusalem. The Polish delegation preferred the proposal informally advanced at a previous meeting by the Swedish representative, who had suggested the creation of a special sub-committee of the First Committee to deal with the Jerusalem question. The Polish delegation was not primarily interested in the exact composition of such a special sub-committee but did think it should be given a time limit of approximately ten days within which to submit its proposals.

The Polish view was shared by the representatives of the U.S.S.R., Uruguay, Czechoslovakia and Australia, the last-mentioned formally intro-

²⁴⁸A fuller account of the statements made by individual representatives is given in the summary records of the First Committee meetings (A/C.1/118-131).

ducing an amendment (A/C.1/282) which would have referred the problem of devising suitable measures for the protection of Jerusalem to a sub-committee of the First Committee "comprising representatives of the members of the Trusteeship Council together with three other representatives to be nominated by the Chairman [of the First Committee]".

On the other hand, the representatives of France, the United States, Brazil, South Africa and New Zealand favored referring the problem to the Trusteeship Council.

One further verbal amendment was introduced in the course of the consideration of the French proposal when the representative of Czechoslovakia proposed to preface the resolution, as amended by Sweden and Australia, with these words: "Pursuant to the General Assembly resolution of 29 November 1947 . . .".

The amendment was opposed by the representative of Pakistan who felt that a mischievous effect was being created by seeking to inject into an otherwise non-controversial matter an implementation, at least in part, of the Assembly's Partition Plan. In the light of the remarks of the representative of Pakistan, the representative of France announced that he could not support the Czechoslovak amendment. The representative of Uruguay regarded the amendment as unnecessary, since the Trusteeship Council or a sub-committee would be well aware anyway of the existence of the Assembly's resolution of November 29.

Upon being submitted to the vote, the Czechoslovak amendment was rejected by a margin of 38 to 5, with 9 abstentions.

The Australian amendment was rejected by a vote of 26 to 20, with 7 abstentions.

The French proposal, as amended by Sweden, was then adopted by a vote of 44 to 3, with 6 abstentions.

Following the vote, the representative of Poland explained that he had abstained because in his opinion a study of the Jerusalem problem by the Trusteeship Council would not lead to a solution. Moreover, he added, it was contrary to Article 85 of the Charter to present security and political questions to the Trusteeship Council, whose competence extended merely to Trusteeship matters.

At the suggestion of several representatives, the Chairman contacted the President of the General Assembly, who agreed to convene a plenary meeting of the Assembly immediately.

(2) Assembly Endorses Committee Recommendation

The plenary meeting—the 132nd—was held at Lake Success on April 26. The representative of

Guatemala said he had originally voted for the Australian amendment, which he regarded as the most adequate. But since there was now no other proposal before the General Assembly, he would vote for the resolution submitted by France, as amended by Sweden.

The resolution (185(S-2)) was then put to the vote and was adopted by 46 affirmative votes, with 7 abstentions. It read as follows:

"The General Assembly,

"Considering that the maintenance of order and security in Jerusalem is an urgent question which concerns the United Nations as a whole,

"Resolves to ask the Trusteeship Council to study, with the Mandatory Power and the interested parties, suitable measures for the protection of the city and its inhabitants, and to submit within the shortest possible time proposals to the General Assembly to that effect."

(3) Assembly Supports Trusteeship Council's Conclusions

Acting on the Assembly's request, the Trusteeship Council studied the problem of the protection of the City of Jerusalem and its inhabitants and submitted its conclusions to the Assembly on May 5 (A/544).

The Trusteeship Council's report showed that it had considered a French suggestion to send immediately to Jerusalem a United Nations official with powers to recruit, organize and maintain an international force of 1,000 police. The Council had also considered a United States proposal for placing Jerusalem under temporary Trusteeship with provisions for the maintenance of law and order. The Council reported that it had found it impossible to secure the mutual agreement of the interested parties—Mandatory Power, Jewish Agency, Arab Higher Committee—to either the French or the United States proposal.

The representatives of Australia and of the Jewish Agency had informed the Council that they considered the proper course to be the adoption of the draft statute for Jerusalem and the immediate bringing into force of such portions thereof as were applicable in the circumstances. This was not acceptable to the representative of the Arab Higher Committee since, in his view, it would be tantamount to a total or partial implementation of the partition scheme. The Council therefore did not pursue this matter.

The report of the Trusteeship Council (A/544) lists these conclusions and recommendations:

"1. Following consultations with the Trusteeship Council, the Arab Higher Committee and the Jewish Agency for Palestine ordered on 2 May 1948 within the Walled City of Jerusalem a cease-fire which is now in effect. The two parties have further agreed that the specific terms of a truce in respect of the Walled City will

be elaborated in Jerusalem in consultation with the High Commissioner for Palestine.

"2. The Trusteeship Council also brings to the notice of the General Assembly the undertakings given by the representatives of the Arab Higher Committee and the Jewish Agency for Palestine that their communities will respect and safeguard all Holy Places.

"3. The Trusteeship Council has been informed that the Mandatory Power would be willing, if the General Assembly agrees, to appoint under Palestine legislation before 15 May 1948, a neutral acceptable to both Arabs and Jews, as Special Municipal Commissioner, who shall, with the co-operation of the community committees already existing in Jerusalem, carry out the functions hitherto performed by the Municipal Commission. The Trusteeship Council, therefore, recommends to the General Assembly that it inform the Mandatory Power of its full agreement with such measure.

"4. The Council recognizes that the measure hereabove recommended does not provide adequately for the protection of the City and of its inhabitants. It considers also that urgent attention should be given by the General Assembly to the necessity of providing for the custody of the assets of the Government of Palestine in Jerusalem and for an effective maintenance of law and order in the municipal area pending a final settlement."

The report of the Trusteeship Council was discussed by the General Assembly on May 6, at its 133rd and 134th plenary meetings. The representatives of Poland, the USSR, and France said the recommendations of the Trusteeship Council were totally inadequate and that they could not support them in their present form.

Other representatives likewise expressed the view that the recommendations were inadequate but, suggesting that further action be taken by the Assembly, announced their willingness to support the recommendations of the Trusteeship Council as the only ones immediately available.

A draft resolution (A/545) embodying the recommendations of the Trusteeship Council was presented by the President of the General Assembly. It consisted of four paragraphs. The first of these would recall the Assembly's request to the Trusteeship Council to study the Jerusalem problem and to submit recommendations. The second paragraph would have the General Assembly take note of and approve the conclusions and recommendations of the Trusteeship Council. The third paragraph would recommend to the Mandatory Power the appointment of a Special Municipal Commissioner for Jerusalem, as recommended in the third of the four conclusions and recommendations contained in the Trusteeship Council's report (see above). The fourth paragraph would have the Assembly decide that urgent attention be given to the necessity of providing for the custody of the assets of the Government of Palestine in Jerusalem and for

effective maintenance of law and order in the municipal area, pending a final settlement, as recommended in the last of the four conclusions and recommendations of the Trusteeship Council.

The representative of France held that it would be factitious reasoning to assert that ineffective measures were better than no measures at all. The authority of the General Assembly must inevitably be jeopardized if it were to adopt a measure so meagre in the face of a danger so great and urgent. He offered an amendment (A/546) to the draft resolution proposed by the President. The amendment would substitute a new text for paragraph four of the draft resolution.

In substance, the French proposal declared that the Special Municipal Commissioner to be appointed pursuant to paragraph three would "no longer be empowered by any regular authority" once the Mandate expired and that consequently it was "urgently necessary that the United Nations appoint a special delegate to proceed immediately to Jerusalem with the following instructions and powers:

"(a) To secure compliance with the cease-fire order already issued for the old city;

"(b) To co-operate with the Truce Commission established by the Security Council to secure a truce that shall cover the whole city of Jerusalem within the present municipal boundaries;

"(c) To exercise in the name of the United Nations, temporarily and until the future of the Holy City shall be determined, power of control over the whole of the municipal government and particularly to ensure that all expedient steps are taken to safeguard and conserve the assets of the municipality;

"(d) To observe the preservation and maintenance in good condition of the Holy Places;

"(e) Generally to ensure respect for the fundamental rights of man;

"(f) To ensure the maintenance of order and security in the Holy City, and for that purpose to organize the necessary municipal police forces;

"(g) Guided by humane considerations, and with the co-operation of the Jewish and Arab communities of the Holy City, to explore all suitable means of ensuring the supply to the City of food, water, and the like."

The representative of Australia proposed to amend the fourth paragraph to the draft resolution suggested by the President by substituting the following text (A/547):

"Decides that continuing urgent attention should be given by the First Committee to the question of further measures for the protection of the City of Jerusalem and its inhabitants."

He proposed that if the Australian amendment were adopted, the French amendment should be referred to the First Committee for consideration.

The representative of Belgium said he would

support the French amendment if explicit provisions were incorporated therein for its implementation. Without such implementation provisions nothing could be accomplished and the prestige of the United Nations must inevitably suffer. The representative of the United States shared the views of the Belgian representative and favored the Australian amendment.

The first paragraph of the President's draft resolution was carried by a vote of 45 to 0, with 5 abstentions. The second paragraph was adopted by a vote of 36 to 0, with 16 abstentions.

The representative of France suggested that both the third paragraph of the draft resolution and the French amendment be referred to the First Committee and that voting on the third paragraph be postponed until the First Committee reported back to the Assembly. This proposal was opposed by the representatives of Belgium, the United States, Iraq and Syria, the last-mentioned expressing the view that the Trusteeship Council's recommendations were adequate, the others warning that to delay a vote on the third paragraph might make its implementation by the Mandatory Power impossible in view of the imminent expiration of the Mandate.

The motion to postpone consideration of the third paragraph of the President's draft resolution as suggested by France was defeated by a vote of 28 to 11, with 10 abstentions. The unamended paragraph itself was then adopted by a vote of 35 to 2, with 14 abstentions.

The Australian amendment, with a drafting change proposed by the representative of Greece, was adopted by a vote of 28 to 0, with 21 abstentions.

In the absence of objections, the President declared that the French amendment to the President's draft resolution would be referred to the First Committee.

The representative of Poland stated that no vote could be taken on the draft resolution as a whole since the French amendment had not been voted on. The President ruled that with the adoption of the Australian amendment, the resolution constituted a whole and could therefore be voted on.

The amended resolution, in its entirety, was then put to the vote and was adopted by 35 affirmative votes, with 17 abstentions. It read as follows (resolution 187(S-2)):

"The General Assembly,

"Having asked the Trusteeship Council to study, with the Mandatory Power and the interested parties, suitable measures for the protection of the city of Jerusalem and its inhabitants and to submit within the shortest possible

time proposals to the General Assembly to that effect,

"Takes note of the conclusions and recommendations of the Trusteeship Council, as set forth in its report to the General Assembly on the protection of the city of Jerusalem and its inhabitants;

"Approves these conclusions and recommendations;

"Recommends that the Mandatory Power appoint under Palestine legislation, before 15 May 1948, a neutral acceptable to both Arabs and Jews, as Special Municipal Commissioner, who shall, with the co-operation of the community committees already existing in Jerusalem, carry out the functions hitherto performed by the Municipal Commission;

"Decides that continuing urgent attention should be given by the First Committee or its subsidiary bodies to the question of further measures for the protection of the city of Jerusalem and its inhabitants."

(4) First Committee Establishes Sub-Committee on Jerusalem

At the 138th meeting of the First Committee, the representative of the United States introduced a draft resolution (A/C.1/294) the operative part of which read:

"The First Committee

• • • • •

"Decides to establish a sub-committee composed of representatives of States members of the Trusteeship Council, and

"Instructs the sub-committee to examine further measures for the protection of the city of Jerusalem and its inhabitants and to bring before the First Committee as promptly as possible appropriate recommendations."

The representative of Poland held that there should first be a full discussion in the First Committee in which specific lines should be decided on for the guidance of any possible future sub-committee. He was opposed to the immediate establishment of a sub-committee.

The United States proposal was supported by the representatives of the United Kingdom and Syria, while the representatives of Uruguay and the U.S.S.R. shared the view of the Polish representative.

The representative of France said he shared many of the doubts expressed by the representative of Poland. Nevertheless, in the interest of swift action, he could support the United States proposal, provided it were amended. In view of the fact that the Trusteeship Council had already dealt with the matter, he did not expect great advances from a sub-committee having the same composition as the Trusteeship Council. He therefore proposed adding the representatives of Sweden, Brazil and Iran to the sub-committee suggested by the United States representative. The representative of the United States accepted the French amendment.

The representatives of the Jewish Agency for Palestine and the Arab Higher Committee im-

plied that their organizations should be consulted during any sub-committee consideration of the Jerusalem question.

The representative of Guatemala presented an amendment (A/C.1/296) to the United States draft resolution providing for consultation with the two parties. He also presented an amendment (A/C.1/295) providing that the sub-committee be composed of representatives of Australia, France, Haiti, Mexico, Sweden, U.S.S.R. and United States. Such a composition, he said, would guarantee neutrality while utilizing the experience of the Trusteeship Council; it would also provide for speedier action since the sub-committee would not be as large a body as that proposed in the original United States draft resolution.

The representatives of Uruguay and Haiti suggested that a vote be taken first upon the principle of whether the Committee favored the establishment of any sub-committee on Jerusalem at this time.

The Chairman pointed out that this could be accomplished by voting separately on the first five words of the second paragraph of the United States proposal, i.e., upon the words "Decides to establish a subcommittee . . .".

The first paragraph of the United States draft resolution was adopted by a vote of 38 to 0, with 5 abstentions.

The first five words of the second paragraph were adopted by a vote of 31 to 9, with 3 abstentions.

The Guatemalan amendment concerning composition was rejected by a vote of 24 to 9, with 13 abstentions.

The remainder of the second paragraph, as amended by France, was adopted by a vote of 25 to 1, with 11 abstentions.

The second Guatemalan amendment (providing for consultations with the Jewish Agency and Arab Higher Committee) was adopted by a vote of 22 to 0, with 22 abstentions. The final paragraph of the United States draft resolution, as amended by Guatemala, was adopted by a vote of 39 to 0, with 9 abstentions.

In accordance with this resolution (A/C.1/297) the Sub-Committee (Sub-Committee 10), set up on May 11 for the purpose of considering further the question of protecting the City of Jerusalem, was composed of representatives of the following countries:

Australia	France	Philippines
Belgium	Iran	Sweden
Brazil	Iraq	U.S.S.R.
China	Mexico	United Kingdom
Costa Rica	New Zealand	United States

(5) Sub-Committee Recommendations Referred to Assembly

The Sub-Committee, which held six meetings reported back to the First Committee on May 13. The report (A/C.1/298) stated that the group had elected the representative of Sweden as Chairman, the representative of Iran as Vice-Chairman, and the representative of France as Rapporteur.

Two important documents were placed before Sub-Committee 10. In the first of these (A/C.1/SC.10/2), the United Kingdom representative informed the Sub-Committee of an order of the municipal government of Jerusalem, dated May 11, by which the Jerusalem Municipal Commissioner, to be nominated by the High Commissioner or by the United Nations, might take any action and give any directions which in his discretion he deemed appropriate for the administration of Jerusalem.

The other document was presented jointly by the representatives of France and the United States (A/C.1/SC.10/1). It contained a proposal for a temporary international regime for Jerusalem based upon Chapter XII of the Charter ("International Trusteeship System"). The central idea of this joint proposal was to entrust the protection of Jerusalem and its inhabitants temporarily to the responsibility of a United Nations Commissioner nominated by the United Nations and placed under the supreme authority of the Trusteeship Council.

The Sub-Committee discussed this document at length and heard the views of the Jewish Agency and the Arab Higher Committee. During an article-by-article examination, a number of amendments were proposed and in general accepted by the authors of the proposal. The two most important ones were the following: The representative of Mexico proposed that express mention be made of the fundamental human freedoms necessary under the special regime; wording to this effect was incorporated in Article 7 of the revised text (A/C.1/SC.10/1/Rev.1). In addition, to accommodate both the point of view of the United Kingdom and that embodied in the Trusteeship Council's report previously adopted by the Assembly, a paragraph (2) was inserted in Article 4, specifying that "the Jerusalem Municipal Commissioner, appointed in accordance with the recommendation of the General Assembly of 6 May 1948, should continue to exercise his functions under the authority of the United Nations Commissioner".

The revised text of the France-United States proposal was submitted to the Sub-Committee on

May 13 and discussed at length, for a second time, article by article.

To meet a view expressed by the United Kingdom representative, the representative of the United States added an article on the financial implications of the proposal. A number of other amendments having been introduced at the request of other representatives, a vote was taken on the revised document, which was adopted by a vote of 8 to 2, with 4 abstentions.

The Sub-Committee recommendation was as follows (A/C.1/298):

THE TEMPORARY ADMINISTRATION OF JERUSALEM

"Whereas the territory known as Palestine has been administered by the Government of the United Kingdom under a Mandate assigned by the Principal Allied Powers and confirmed by the Council of the League of Nations; and

"Whereas Jerusalem as hereinafter defined contains many Holy Places sacred to Christians, Jews and Moslems alike; and

"Whereas the Mandate will be terminated on 15 May 1948; and

"Whereas it is imperative that pending a final settlement of the Palestine problem Jerusalem be protected; and

"Whereas the maintenance and furtherance of international peace and security requires that the United Nations should exercise temporary administrative authority in Jerusalem; and

"Whereas Chapter XII of the Charter authorizes and empowers the United Nations to exercise such temporary authority;

"Now Therefore the General Assembly of the United Nations hereby decides that temporary authority in Jerusalem shall from 15 May 1948 be exercised in accordance with the terms of the following Articles:

Article 1

"The 'town planning area' of Jerusalem as defined under the Town Planning Ordinance No. 28 of 1936, and hereinafter referred to as Jerusalem, is hereby placed temporarily under the authority of the United Nations.

Article 2

"The United Nations is hereby designated as the administering authority for Jerusalem. The Trusteeship Council, operating under the authority of the General Assembly, shall exercise the functions of the administering authority.

Article 3

"The administering authority shall have full powers of administration, legislation, and jurisdiction over Jerusalem which shall be exercised through the agency of the Government of Jerusalem as hereinafter provided.

Article 4

"1. The Government of Jerusalem shall consist of a United Nations Commissioner and such officers as may be appointed by him or by the United Nations assisted to the fullest extent possible by such organs of self-government as in the opinion of the United Nations

Commissioner will meet with co-operation from the various communities of Jerusalem.

"2. The Jerusalem Municipal Commissioner, appointed in accordance with the recommendation of the General Assembly of 6 May 1948, shall continue to exercise his functions under the authority of the United Nations Commissioner.

"3. The United Nations Commissioner shall be appointed by and may be removed by the Trusteeship Council.

"4. The United Nations Commissioner shall be subject to the instructions of the Trusteeship Council. He is hereby invested with full powers to administer Jerusalem in accordance with the provisions of these articles and the terms of the Charter of the United Nations.

Article 5

"1. The United Nations Commissioner shall be responsible for the organization and direction of a police force necessary for the maintenance of internal law and order, which may be recruited from within or from outside Jerusalem.

"2. Pending the organization of the force provided for in paragraph 1 of this Article, the Trusteeship Council shall take such steps as may be appropriate for the maintenance of internal law and order.

Article 6

"1. The territorial integrity of Jerusalem and its status as defined in these articles shall be assured by the United Nations.

"2. The United Nations Commissioner may organize volunteer forces from among the inhabitants of Jerusalem to provide for local defense and to assist in the maintenance of internal law and order.

"3. In the event that the United Nations Commissioner is unable, through the use of the force provided in Article 5 or the force provided in paragraph 2 of this Article, to maintain the territorial integrity of Jerusalem against an act or threat of aggression, he shall request the Secretary-General to bring the matter to the immediate attention of the Security Council.

"4. The United Nations Commissioner shall make the necessary arrangements to ensure free access to Jerusalem for persons, foodstuffs and other essential supplies, and the maintenance of the water supply and other essential services.

Article 7

"1. All persons within Jerusalem shall enjoy freedom of conscience and shall, subject only to the requirements of public order, public morals and public health, enjoy all other human rights and fundamental freedoms, including freedom of religion and worship, language, education, speech and press, assembly and association, and petition (including petition to the Trusteeship Council).

"2. No discrimination of any kind on grounds of race, religion, language or sex shall be made against any person within Jerusalem.

Article 8

"1. The United Nations Commissioner shall, under the authority of the Trusteeship Council, assure the protection of and free access to the Holy Places, religious buildings and sites within Jerusalem, as well as of educational and cultural establishments and charitable institutions and hospitals, the rights of which will be maintained as they were before the termination of the Mandate.

"2. Subject only to the requirements of public order and security and of public morals and public health, the United Nations Commissioner shall ensure freedom of entry into and of temporary residence in, Jerusalem to all pilgrims without any distinction as to nationality or faith.

Article 9

"The temporary authority of the United Nations in Jerusalem shall be exercised in accordance with Article 76 of the Charter and be without prejudice to the rights, claims or position of the parties concerned in Jerusalem or to the final settlement of the Palestine problem

Article 10

"1. The Trusteeship Council shall immediately make plans for the raising of revenues for Jerusalem.

"2. Expenditures for Jerusalem shall be covered as far as possible by local revenues, provided that the salary and emoluments of the United Nations Commissioner, and such other officers as may be appointed by the Trusteeship Council, shall be paid from a special United Nations operational budget. In addition, the cost of maintaining the police who may be recruited from outside Jerusalem, if not covered by local revenues, shall be provided for by means to be determined by the Trusteeship Council. Such funds as are deemed by the United Nations Commissioner and the Trusteeship Council essential to accomplish the provisions of this arrangement and which cannot be raised by the Government of Jerusalem, shall be provided by the United Nations, either through subsidies or through loans repayable from future revenues of Jerusalem.

Article 11

"In accordance with Article 2, paragraph 5 of the Charter, all Members shall give the administering authority every assistance in making these Articles effective.

Article 12

"This special arrangement shall terminate upon 31 December 1949 unless otherwise determined by the General Assembly."

Sub-Committee 10 adjourned its sixth and last meeting at 4:15 P.M., May 13. A short time thereafter, Sub-Committee 9 also adjourned its last meeting. Within a matter of minutes, the First Committee met (139th meeting) to receive and consider the reports of both Sub-Committees.

This short period of time between the adjournments of the respective Sub-Committee meetings and the convening of the First Committee immediately led to a procedural debate. The Chairman of the First Committee proposed that the Committee take up the report of Sub-Committee 10 at once.

The representatives of Poland, the U.S.S.R., Uruguay and the Ukrainian S.S.R. objected to such a course of procedure on the grounds that they had not had sufficient time to study either the report of Sub-Committee 10 or that of Sub-Committee 9. The reason given by those who favored immediate consideration—namely, that the As-

sembly should attempt to finish its work 6:00 P.M. (Eastern Daylight Time) the following day (May 14) because the Mandate expired at that time—did not appear to carry sufficient weight.

It was agreed eventually to permit the Rapporteur of Sub-Committee 10 to introduce report of his group and to hear, at an even meeting, the views of those representatives who were ready to discuss the report, while those who were not would be given an opportunity to present their views at a meeting the next month.

During the meeting (139th) the representative of Syria communicated to Committee members contents of a cable which he had just received. He had been informed, he said, that the H. Commissioner for Palestine had communicated through the Syrian Government, to the A. Higher Committee the conditions of a truce which had been agreed upon by the High Commissioner and the (Security Council's) Truce Commission.²⁴⁹ The conditions were: first, that there should be a cease-fire in Jerusalem and the area and on all routes leading thereto; secondly, that there should be no impediments to providing the city with the necessities of life, the arrangements to be supervised by a commission of the two parties; thirdly, that there should be free access to the Wailing Wall for unarmed Jews and the supervision of the same commission. The terms had been accepted by the Arab Higher Committee. He believed the Committee would welcome the news that there would be peace in Jerusalem and no danger of fighting in the Holy Places.

The report of Sub-Committee 10 was not discussed during the following (140th) meeting, held later that evening (May 13), priority being given to the report of Sub-Committee 9. The recommendations of Sub-Committee 10 were discussed during the last (140th) meeting of the First Committee, on May 14.

The representative of Poland termed Sub-Committee 10's proposal a violation of the resolution of November 29, and, as such, completely unacceptable. Opposition to the proposal was also expressed by the representatives of the Arab States. The representative of Iraq said that the proposal, although termed officially a temporary administration, did, in fact, involve a Trusteeship regime. The United Nations, by itself, had no right to present such an agreement. This must be done by the states directly concerned, including the Mandatory Power.

²⁴⁹For establishment of the Truce Commission by the Security Council, see *Security Council*, pp. 415-16.

Besides, the representative of Iraq stated, agreement on a truce for Jerusalem had been reached. Furthermore, it had just (May 14) been learned that Jews and Arabs had agreed to the appointment of Harold Evans, of the United States, as Special Municipal Commissioner, and Mr. Evans had agreed to accept the post. This was an adequate agreed basis. On the other hand, anything that did not command the support of the two communities would not prove workable in practice, whatever phraseology might be used, and would be but detrimental to the truce. The representative of the Arab Higher Committee expressed himself in similar terms.

The representative of the United Kingdom also expressed apprehension lest adoption of the temporary administration plan jeopardize a truce in Jerusalem, given the strong opposition of the Arabs. He further criticized the proposal of Sub-Committee 10 for not containing more concrete enforcement provisions and for containing inadequate financial clauses. The United Kingdom could not therefore vote for the proposal. But if the General Assembly, in spite of these objections, insisted on the proposal, the United Kingdom delegation would not exercise its vote in such a way as to preclude a solution on these lines.

Welcoming the appointment of Mr. Evans, the representative of the United Kingdom expressed the belief that mediation, rather than a new and untried scheme for the administration of Jerusalem, which had been rejected by both parties in its present form, was the solution to the problem.

The representative of the U.S.S.R. held that the United States, as the real author of the proposal submitted by Sub-Committee 10, was trying to further its plan for a Trusteeship regime for all Palestine by gaining acceptance of a Trusteeship regime for Jerusalem, the latter being merely an entering wedge. The delegation of the U.S.S.R. could not accept the proposal and would stand by the resolution of November 29.

The representatives of Australia, Yugoslavia and Argentina also announced that they could not support the proposal submitted by Sub-Committee 10. The representative of Yugoslavia declared that no action should be taken by the Assembly on the proposal of Sub-Committee 10 until the Fifth Committee had reported on the budgetary implications of the proposal. The Secretary-General stated that a previous resolution of the General Assembly covered this matter, since it delegated sufficient authority to the Advisory Committee on Administrative and Budgetary Questions and

the Secretary-General with regard to expenses relating to peace and security that might arise between regular sessions of the Assembly.

Support of the proposal of Sub-Committee 10 was expressed by the representatives of France and the United States, who declared that the appointment of the Special Municipal Commissioner, desirable as it was, did not constitute adequate assurance for the protection of Jerusalem, particularly in view of the uncertain legal status of the Commissioner's authority following the expiration of the Mandate and, even more important, the precarious legal situation that might arise with respect to the appointment of a successor to Mr. Evans should the latter be obliged to give up his post for any reason whatever.

The representative of the Jewish Agency for Palestine said he had no confirmation of reports that Arabs and Jews had reached agreement on the terms of a truce for Jerusalem. He hoped such a truce had been consummated but, if it had been, he could not see how that could be used as an argument against the proposal for a temporary administration of Jerusalem.

At the same time the representative of the Jewish Agency officially notified the First Committee that a Jewish State had been proclaimed at ten o'clock that morning (May 14), and read part of the statement proclaiming the establishment of a Jewish State. He explained that the hour of the proclamation had been advanced out of respect for the Jewish Sabbath.

The representative of Guatemala said that the proposal for a special regime for Jerusalem would have to be adopted before the expiration of the Mandate, i.e., by 6:00 P.M. New York time that day, since otherwise there would exist no possibility in international law of making any special arrangement for Jerusalem.

Following a suggestion by the representative of Argentina, the representative of the United States formally moved that the First Committee forward the proposal of Sub-Committee 10 directly to the General Assembly without a recommendation. The motion was adopted by 15 affirmative votes, with 26 abstentions.

(6) *Assembly Rejects Special Jerusalem Regime*

In accordance with the decision of the First Committee, the recommendations of Sub-Committee 10 (A/C.1/298) were therefore referred directly to the General Assembly in plenary meeting. The Assembly considered the matter at its 135th plenary meeting—the last of the second special session—on May 14.

Opening that meeting, the President ruled that speakers would be limited to five minutes. Upon being challenged by the representative of the U.S.S.R., the presidential ruling was upheld by a vote of 35 to 11, with 3 abstentions.

The representative of the United States declared that if the Assembly were to institute a "Trusteeship Agreement" for Jerusalem, it must do so before the termination of the Mandate, namely, within one hour. He therefore moved that the recommendations of Sub-Committee 10 be considered before those of Sub-Committee 9. This motion was adopted by a vote of 27 to 1, with 16 abstentions.

In the ensuing discussion, the proposal regarding Jerusalem was opposed by the representatives of the Ukrainian S.S.R., Egypt, Iraq, Syria, Poland, Afghanistan and Yemen. It was supported by the representatives of France and the United States. Before the voting began, the representative of Iraq called attention to the fact that the time was now one minute past six o'clock. He recalled the statement of the representative of the United States that if any action were to be taken on the Jerusalem regime, it would have to be completed before 6.00 P.M. It being past six o'clock now, "the whole game was up". There being no comment on the remarks of the representative of Iraq, the Assembly proceeded to vote on the resolution (A/C.1/298).

The first vote was on a Mexican amendment (A/C.1/302) to replace the fifth paragraph of the preamble (reading "*Whereas* the maintenance and furtherance of international peace and security requires that the United Nations should exercise temporary authority in Jerusalem") by the following:

"*Whereas* the maintenance of order and security in Jerusalem is an urgent question which concerns the United Nations as a whole,"

The amendment was adopted by a roll-call vote of 15 to 11, with 28 abstentions.

A second Mexican amendment (A/C.1/302), to delete, in paragraph 6 of the preamble, the word "such" and to insert the word "administrative" after the word "temporary", making the amended paragraph read "*Whereas* Chapter XII of the Charter authorizes and empowers the United Nations to exercise temporary administrative authority", was adopted by a roll-call vote of 14 to 11, with 28 abstentions.

The Assembly next voted on a United States amendment (A/C.1/304) to substitute "Trusteeship Council" for "United Nations" in the third line of paragraph 1, Article 4, making the relevant

passage read "The Government of Jerusalem shall consist of a United Nations Commissioner and such officers as may be appointed by him or by the Trusteeship Council . . .".

The amendment was adopted by a roll-call vote of 17 to 11, with 26 abstentions.

A second United States amendment (A/C.1/304) proposed that the "... salary and emoluments of the United Nations Commissioner, and such other officers as may be appointed by the Trusteeship Council, shall be paid from the regular United Nations budget" (rather than "from a special United Nations operational budget", as stated in paragraph 2, Article 10, of the draft resolution submitted by Sub-Committee 10).

The amendment was approved by a roll-call vote of 19 to 12, with 23 abstentions.

A third United States amendment (A/C.1/304) to the draft resolution proposed the addition of the following to the end of the same paragraph 2, Article 10:

"... provided that, if United Nations funds are contemplated, the Secretary-General shall be guided by the procedures which were established by the Second Session of the General Assembly for defraying unforeseen and extraordinary expenses."

This amendment was carried by a roll-call vote of 17 to 12, with 25 abstentions.

A roll-call vote was then taken on the entire resolution, as amended, resulting in a vote of 20 in favor, 15 against, with 19 abstentions. The President announced that since the resolution had not received the requisite two-thirds majority, it was rejected.

Two further efforts were made during this concluding plenary meeting of the special session with regard to Jerusalem. Australia proposed verbally that the following paragraph be inserted in the draft resolution (A/552) proposed by the First Committee on the recommendation of Sub-Committee 9:²⁵⁰

"*The General Assembly,*

• • • • •

"Calls on the Jerusalem Municipal Commissioner to consult and co-operate with the United Nations Mediator in Palestine, especially to ensure the protection of the inhabitants of Jerusalem and the preservation of the Holy Places pending the establishment of an international regime for the city of Jerusalem under United Nations administration."

In introducing this amendment, the representative of Australia said it represented the barest minimum which could possibly be attained and should therefore be at least secured.

A first vote on the Australian amendment was

²⁵⁰ See p. 280.

inconclusive, resulting in a tie of 10 votes in favor, 10 against, with 28 abstentions. Upon being resubmitted, the amendment was rejected by a vote of 14 to 10, with 24 abstentions.

The final effort to deal further with the question of the City of Jerusalem was a verbal proposal of the representative of Guatemala that the Trusteeship Council be requested to adopt the draft Statute for the City of Jerusalem so that it could be put into effect. The representative of Guatemala said he realized that this question was not on the agenda, but thought the urgency of the case—the fate of Jerusalem—warranted its consideration. He also announced that his Government had recognized the Jewish State. The President stated that it was not possible for him to accede to the Guatemalan request since the point raised was not on the agenda.²⁵¹

d. FUTURE GOVERNMENT OF PALESTINE

(1) *First Committee Abandons Proposal to Refer Trusteeship Working Paper to Fourth Committee*

While the general debate was still in progress,²⁵² the representative of the United States, during the 120th meeting of the First Committee on April 21, 1948, introduced a draft resolution (A/C.1/278) calling for the referral of the United States working paper on a draft Trusteeship Agreement for Palestine (A/C.1/277) to the Fourth (Trusteeship) Committee for study and report, with recommendations to the General Assembly in plenary meeting.

In the ensuing debate on this proposal, two points of view emerged. On the one hand it was argued that a matter of substance would, in fact, be decided under the guise of taking a procedural decision. The question was not whether the United States Trusteeship proposal should be examined by the Fourth Committee, the First Committee or a joint First and Fourth Committee, but rather, whether the United States Trusteeship proposal should be considered at all as long as the resolution of November 29 remained fully in force. Among those who shared this view were the representatives of Poland, Yugoslavia, the Ukrainian S.S.R., the U.S.S.R. and the Byelorussian S.S.R. Others who opposed referring the Trusteeship proposal to the Fourth Committee argued that the proposal ought to be explored in the First Committee with a view to deciding political questions of principle before referring it to any other body. Among those expressing this view were the representatives of Sweden, New Zealand, Iran, Belgium, Uruguay and France.

On the other hand it was argued—for example,

by the representatives of Lebanon and the United States—that no decision on principle could be taken *in vacuo*, that a study of the details by the Fourth Committee in no way entailed a commitment on the principle of Trusteeship and that the issue would therefore not be prejudged in the manner feared by opponents of the procedural motion of the United States.

In the end, it was decided (at the 128th meeting) to vote on the following question: Should the First Committee begin the discussion of the working paper (A/C.1/277) submitted by the United States (i.e., on the Trusteeship proposal)? The Committee decided by a vote of 38 to 7, with 7 abstentions, to begin the examination of the Trusteeship proposal. The suggestion to refer the proposal to the Fourth Committee was abandoned.

(2) *Sub-Committee on Palestine Trusteeship Established*

Following this decision, the representative of Guatemala submitted a draft resolution (A/C.1/284) which, declaring that "it is not possible to discuss the question of trusteeship for Palestine without previously having the necessary information as to whether trusteeship is desired or will be accepted by the population of Palestine; and whether it is possible to implement trusteeship and make it workable", called for the appointment of a sub-committee to report on its findings with respect to these questions after hearing the United Nations Palestine Commission, the Mandatory Power, the Arab Higher Committee, the Jewish Agency and the legal, economic and military experts on Palestine of the Secretariat.

The representative of Guatemala subsequently accepted a United States amendment (A/C.1/285) to his draft resolution. This amendment proposed to add to the instructions to the sub-committee a specific statement that the terms of the United States Trusteeship proposal (A/C.1/277) be regarded by the sub-committee as a basis of work. The amendment further provided that the sub-committee be composed of representatives of States members of the Trusteeship and Security Councils and of the representative of Guatemala. (The original Guatemalan proposal did not touch upon the question of the sub-committee's composition, leaving this point to be decided later.)

Peru suggested (A/C.1/286) adding a third question to those to be addressed to the sub-com-

²⁵¹For action taken at the 135th plenary meeting on mediation proposal, see pp. 279-81.

²⁵²See pp. 259-60.

mittee, namely that of the approximate cost of the proposed Trusteeship plan or of any other United Nations provisional government in Palestine.

Drafting changes to the Guatemalan proposal as amended by the United States were proposed by several representatives.

A comprehensive amendment was submitted by Cuba (A/C.1/290). Instead of the composition recommended by the United States, the representative of Cuba proposed that the sub-committee be composed of the officers of the First Committee (i.e., the representatives of China, Poland and Norway), and the representatives of Argentina, Belgium, Canada, France, Guatemala, India, U.S.S.R. and United States.

Where the Guatemalan proposal limited itself to calling upon the sub-committee for "report with recommendations" concerning the Trusteeship proposal or any other United Nations provisional government for Palestine, the Cuban amendment instructed the sub-committee to "formulate and report to the Committee a proposal for a provisional regime for Palestine", taking into account the views expressed during the debate and the views of the interested parties.

In a sub-amendment (A/C.1/291) to the Cuban amendment, the representative of Guatemala proposed that the mandatory provision quoted in the preceding paragraph be replaced by a provision calling upon the sub-committee to "study the possibilities of establishing a provisional regime for Palestine and report its findings to the Committee". The representative of Guatemala, in another sub-amendment (A/C.1/291) to the Cuban amendment, also proposed enlarging the composition of the sub-committee's membership by adding the following to the list of representatives proposed for sub-committee membership by the representative of Cuba: the representatives of Australia, Colombia, Cuba, Czechoslovakia, Haiti, New Zealand, Sweden and Uruguay.

The Guatemalan sub-amendments were rejected by the Committee, the proposal to alter the sub-committee's terms of reference being rejected by a vote of 28 to 3, with 22 abstentions, and the proposal to enlarge the composition of the sub-committee being rejected by a vote of 33 to 7, with 13 abstentions.

A proposal made orally by the representative of Argentina, to add the representative of Cuba to the sub-committee membership, was adopted by a vote of 33 to 0, with 19 abstentions.

Finally, the Committee, at its 137th meeting, on May 5, by a vote of 33 to 7, with 13 abstentions,

adopted the Cuban modification (A/C.1/290) of the Guatemalan draft resolution, together with the oral amendment proposed by Argentina.

In its final form the resolution (A/C.1/292) consisted of four paragraphs. The first of these set forth the composition of the Sub-Committee, as follows:

Officers of the First Committee (i.e., China, Poland, Norway) and the representatives of Argentina, Belgium, Canada, Cuba, Guatemala, France, India, U.S.S.R. and United States.

The second paragraph laid down that the Sub-Committee "in the light of the situation in Palestine and of the work of the Security Council and the Trusteeship Council, and taking into account all suggestions made in the course of the Committee's debate, shall formulate and report to the Committee a proposal for a provisional regime for Palestine".

The third paragraph instructed the Sub-Committee to take into account "(a) whether it is likely that such proposal will commend itself to the Jewish and Arab communities of Palestine, (b) whether it is possible to implement this proposal and make it workable, and (c) the approximate cost of such proposal".

The final paragraph provided that the Sub-Committee "may consult representatives of the United Nations Palestine Commission, the Mandatory Power, the Arab Higher Committee, and the Jewish Agency and may avail itself of the services of other experts on Palestine".

During the consideration of the Guatemalan proposal, the Committee also embarked upon a discussion of the substance of the United States Trusteeship working paper (A/C.1/277). Questions raised by various representatives dealt with such matters as the duration of the Trusteeship regime, the functions of the proposed Palestine administration, the powers of the Governor-General, protection of and access to the Holy Places, immigration, land purchase and budgetary implications. There was no discussion during the preliminary article-by-article examination of the working paper on the subject of contribution of police forces by Member States to enforce the Trusteeship proposal.

On the basic issue of the proposal—i.e., on Trusteeship as such for Palestine—no new views emerged. Those who had argued in favor of retaining the resolution of November 29 expressed themselves against the Trusteeship idea. The Arab States declared that the Trusteeship proposals were worth exploring further, but only if it were clearly understood that Trusteeship

would not be a veiled attempt at partial or total implementation of the Partition Plan. Although the Palestine Arabs were ready for self-government, they would nevertheless be willing to consider a Trusteeship proposal, provided the period of Trusteeship were of limited duration and gave rise to a reasonable hope that a just and equitable solution could be found while it lasted.

Representatives of the Jewish Agency opposed the Trusteeship proposal as an unwarranted retrogression from the resolution of November 29, which the Jews in Palestine had implemented to so large an extent that a return now was impossible.

That, in brief, was the background against which the Committee decided on May 5 to set up a sub-committee—Sub-Committee 9—to "formulate and report to the Committee a proposal for a provisional regime for Palestine".

(3) *Sub-Committee Proposal Endorsed by First Committee*

Sub-Committee 9 held eleven meetings. Its officers were the same as those of the First Committee, i.e., the representative of China as Chairman, the representative of Poland as Vice-Chairman and the representative of Norway as Rapporteur. The Sub-Committee had decided by a vote of 8 to 3 (Guatemala, Poland and U.S.S.R.), with 1 abstention (China), that the meetings should be held in private and that at the end of each meeting, a Press Officer of the United Nations would issue a full press communiqué approved by the Vice-Chairman and the Rapporteur.

In its report (A/C.1/299) to the First Committee, which was submitted on May 13, the Sub-Committee stated that it had examined a number of working papers and proposals, the major suggestions or proposals having been submitted by the representative of France, the Rapporteur, the representative of the United States, and the representative of Poland. The report further stated that the Sub-Committee had sought the assistance of the Chairman of the Palestine Commission, the representative of the Mandatory Power and of Pablo Azcarate of the United Nations Secretariat. (Mr. Azcarate had returned to Lake Success from Palestine a short time before).

The Sub-Committee, at its final meeting on May 13, adopted with certain modifications a United States proposal (A/C.1/SC.9/1) after rejecting by varying margins several Polish amendments (A/C.1/SC.9/2) thereto.

The main differences between the Polish and the United States versions of the proposal were

as follows: Whereas the United States draft proposed that the General Assembly call upon all persons, organizations and Governments to "co-operate in making effective" a truce such as the Security Council was seeking to secure in Palestine, the Polish version suggested that the Assembly call upon all Governments "to refrain from any threat or use of force to change the situation, to restrain their nationals from such threats or use of force, and to co-operate in making effective such a truce".

Instead of providing for a United Nations Commissioner for Palestine to be chosen by a committee of the General Assembly composed of the five permanent members of the Security Council, as the United States proposed, Poland suggested the creation of a United Nations Temporary Mediation and Conciliation Commission in Palestine. The functions assigned to the Commissioner in the United States proposal were, with certain changes, assigned to the Mediation Commission in the Polish amendment.

Finally, the Polish amendment proposed the deletion of the final clause of the United States draft resolution (which provided for the discharge of the Palestine Commission by the General Assembly) and the substitution thereof of a clause in which the Assembly would declare that "the present resolution does in no way prejudice the rights and legal position of the parties concerned".

The draft resolution adopted by the Sub-Committee differed from the United States draft proposal in several respects. Thus, the reference in the preamble to "the resolutions adopted by the Security Council with reference to Palestine" on March 5, April 1, April 17 and April 23, 1948, was omitted, being replaced by a reference to "the present situation in regard to Palestine". Furthermore, it was decided to replace the designation "United Nations Commissioner for Palestine" by the designation "United Nations Mediator in Palestine". With one exception, the functions assigned to the United Nations representative in Palestine were identical, the exception being that the draft resolution adopted by the Sub-Committee made it one of the functions of the Mediator to "promote a peaceful adjustment of the situation in Palestine", while the original United States proposal had defined the corresponding function as the promotion of "agreement on the future government of Palestine". Finally, while the United States draft resolution had provided for the discharge of the Palestine Commission, the corresponding clause of the Sub-Committee's

draft resolution provided for the suspension of the Palestine Commission.

The draft resolution adopted by Sub-Committee 10 (A/C.1/299) consisted of three parts, preceded by a preamble.

In the preamble, the General Assembly would be "taking account of the present situation in regard to Palestine".

In the first of the three operative parts of the draft resolution, the General Assembly "strongly supports" the efforts of the Security Council to secure a truce in Palestine and calls upon all concerned to co-operate to make such a truce effective.

In the second part, the Assembly "empowers" a United Nations Mediator in Palestine, chosen by a committee composed of representatives of China, France, the United Kingdom, the United States and the U.S.S.R., to exercise, *inter alia*, the following functions:

(a) Use his good offices with the "local and community authorities" in Palestine to

(1) arrange for the operation of essential common services,

(2) assure the protection of the Holy Places,

(3) promote a peaceful adjustment of the situation in Palestine.

(b) Co-operate with the Truce Commission appointed by the Security Council in its resolution of April 23, 1948

(c) Invite "as seems to him advisable" the assistance and co-operation of appropriate specialized agencies, such as the World Health Organization, and other governmental or non-governmental organizations of a humanitarian and non-political character, such as the International Red Cross, with a view to promoting the welfare of the inhabitants of Palestine.

This part of the draft resolution also would instruct the Mediator to render progress reports monthly or more frequently to the Security Council and to the Secretary-General for transmission to Member nations, and would direct the Mediator to conform to the provisions of the present draft resolution and to instructions of the Security Council. It also would authorize the Secretary-General to pay the Mediator an emolument equal to that paid to the President of the International Court of Justice and to provide him with an adequate staff.

The third and final part of the draft resolution adopted by the Sub-Committee "suspends, as of 1 June 1948, the Palestine Commission from further exercise of responsibilities under its Resolution 181 (II) of 29 November 1947".

The report of Sub-Committee 9 reached the First Committee at its 139th meeting on May 13.

After an initial procedural debate concerning the short interval between the concluding meet-

ings of Sub-Committees 9 and 10,²⁵³ the Committee discussed the report of Sub-Committee 9 during its 140th meeting on May 13.

The representative of the United States supported the proposal of the Sub-Committee. When the discussions in the Sub-Committee appeared to be leading to a common conclusion, he said, the United States had drafted a proposal embodying the views expressed by a majority of the Sub-Committee members. The proposal thus was not a United States invention but was, rather, the product of the deliberative processes of the General Assembly.

Outlining the provisions of the draft resolution,²⁵⁴ the representative of the United States said the proposal was based on the need to satisfy two conditions: first, that any proposal should be based on the authority of the Charter, and, second, that it should be practical and take into account the existing situation and the importance of bringing an end to the conflict in the Holy Land.

The deliberations had clearly shown that it was impossible in the available time to find a peaceful solution acceptable to both parties. No proposal had been made which would either enable the United Nations to bring about a peaceful implementation of the resolution of November 29 or provide for the implementation of that resolution by use of United Nations forces.

It had further become clear that, although many Members favored the idea, neither Jews nor Arabs would be willing to sacrifice their interests to permit a temporary Trusteeship to operate effectively. Hence, the representative of the United States declared, armed forces would have to be provided for the implementation of a Trusteeship regime; yet no other governments had declared their willingness to join the United States in its declared willingness to supply such forces. A final cardinal fact in the situation was the decision of the Mandatory Power to lay down its Mandate at midnight the following day, i.e., on Friday, May 14, at 6:00 P.M. (New York time).

He reviewed the steps taken by the United States Government to secure a truce in the Holy Land. As a member of the Security Council's Truce Commission, he announced, the United States, following discussions with Arab and Jewish representatives both in New York and in Palestine, had drawn up Articles of Truce which it considered fair and equitable. He wished to call attention to two of these proposed Articles of

²⁵³See p. 270.

²⁵⁴See p. 281 for resolution as adopted by the Assembly; see pp. 278-79 for amendments adopted to the draft proposed by the Sub-Committee.

Truce in particular, namely Articles 5 and 11. Article 5 had stated:

"During the period of the truce, and without prejudice to the future governmental structure of Palestine, existing Arab and Jewish authorities shall function as Temporary Truce Regimes in the areas in which such authorities are now exercising control and shall accord full and equal rights to all inhabitants in such areas."

And Article 11 had stated:

"During the period of the truce, and without prejudice to future decisions on the question of immigration, the Arab Higher Committee and the Jewish Agency for Palestine accept, as a matter of emergency, the authority of the Security Council Truce Commission to deal with the question of immigration into Palestine."

The representative of the United States, reviewing the recent history of United Nations efforts to secure a truce in Palestine, regretted that the proposed Articles of Truce had not been accepted by the Jewish Agency, the Arab Higher Committee, the Arab States or the Mandatory Power. He noted that revised truce terms had been submitted since then but had not yet been accepted by either party.

Against this background, the representative of the United States strongly recommended adoption of the draft resolution submitted by Sub-Committee 9, pointing out that, pending further action by the General Assembly, the resolution of November 29, 1947, remained as a recommendation although it could not be implemented. Although the current special session had not succeeded in finding a solution for the problem, Members were in a position to use the power of the United Nations in continuing efforts to ease the situation in Palestine. The proposal before the Committee was based upon the conviction that peace depended, not upon force, but upon the processes of reconciliation.

The representative of Canada supported the draft resolution submitted by Sub-Committee 9. This resolution, he pointed out, provided for measures to supplement the efforts of the Security Council since it proposed to add the good offices of a mediator to lend his moderating influence.

The representative of Greece also supported the draft resolution but presented an amendment to Part III. He suggested (A/C.1/300) that the Palestine Commission be "relieved" rather than "suspended", as proposed in the Sub-Committee's draft resolution. Mere suspension, he thought, would confuse the situation.

The representative of Poland, observing that the representative of Greece had brought up once again an amendment which had been discussed extensively in the Sub-Committee, announced that

his delegation likewise would resubmit its amendments to the draft resolution (A/C.1/SC.9/2).²⁵⁵

The representative of the United Kingdom said it was now evident that there was no longer any question of imposing any settlement in Palestine. His Government had suggested an approach to the problem by truce and mediation and the draft resolution of the Sub-Committee appeared to give effect to that suggestion. The United Kingdom delegation would support this draft resolution since it believed that it opened the road to an ultimate solution for peace in Palestine.

The representative of New Zealand termed the proposal of Sub-Committee 9 pitifully inadequate and said it was indeed the very least that the Assembly could do. The statements of many delegations appeared to make it clear, however, that nothing better could be achieved. The entire situation confronting the Assembly was the result of departure from the principles agreed upon at the previous session. As for the draft resolution presented by Sub-Committee 9, the representative of New Zealand offered two amendments (A/C.1/301). The draft resolution instructed the Mediator to conform in his activities with such instructions as the Security Council might issue. The representative of New Zealand proposed to insert the words "the General Assembly or", so that the Mediator would be instructed to comply with the instructions of the General Assembly as well. Furthermore, the representative of New Zealand proposed the deletion of Part III of the draft resolution (A/C.1/299), which "suspends, as of 1 June 1948, the Palestine Commission . . .". He proposed to substitute for this clause a paragraph in which the Assembly "thanks . . . the Palestine Commission for . . . [its] efforts, and, pending a further decision by the General Assembly or the Security Council, resolves, in the light of the present situation and without prejudice to the General Assembly's resolution . . . of the 29th November 1947, to suspend the responsibility of the Palestine Commission under that resolution as from a date to be fixed by the Secretary-General".

The representative of Czechoslovakia protested against the manner in which the Assembly had been going about its work. A Sub-Committee had been set up on May 4 to make proposals on questions of substance although there had been no prior decision on the fundamental principles. The first Committee, in his opinion, had never seriously discussed the United States contention that the resolution of November 29 could not be

²⁵⁵ See p. 275.

implemented by peaceful means and that implementation by the use of force had proved impossible. Yet the fact was that partition was actually being implemented and that the special session of the Assembly had proved powerless to alter the situation in Palestine or even to ensure a peaceful change-over. As for the draft resolution, he reserved the position of his delegation pending the receipt of instructions from the Czechoslovak Government.

The representative of Poland held that there was no relationship between the actual situation in Palestine, on the one hand, and the draft resolutions prepared by Sub-Committees 9 and 10, on the other hand. They were both unrealistic and could have no effect upon the real situation in Palestine.

Both proposals were part of a manoeuvre of long standing to prevent implementation of the Partition Plan, a manoeuvre in which the United States had played, and was playing, the predominant part. Both draft resolutions were merely parts of the Trusteeship plan, whose acceptance *in toto* the United States had found it impossible to secure.

The Polish representative said it had appeared possible that unanimous agreement might be reached in Sub-Committee 9 on a draft resolution based upon a working paper submitted by the Sub-Committee's Rapporteur. In spite of that agreement, the Sub-Committee had "suddenly" been faced with a new draft resolution by the United States. Nevertheless, he, as a member of the Sub-Committee, had endeavored to make the United States draft resolution acceptable by the introduction of amendments. This attempt was rebuffed, with the result that the Polish delegation was obliged to oppose the resolution in its present form.

The representative of Poland then reintroduced most of the amendments he had previously presented in the Sub-Committee (A/C.1/SC.9/2), deploring in particular the Sub-Committee's failure to include in its draft resolution an appeal to all governments to refrain from any threat or use of force to change the situation, and its failure to insert a provision stating that the draft resolution did not in any way prejudice the rights and legal position of the parties. He also objected to the draft resolution's reference to "community authorities" in Palestine when, in his view, the reference should be to "the respective authorities," i.e., Arab and Jewish authorities on a level higher than that of individual local communities.

As for Section III of the draft resolution, the

Polish representative supported the New Zealand amendment (A/C.1/301), saying that if it were accepted he would not insist upon his own amendment to this part of the draft resolution.

The representative of the Dominican Republic held that while the proposal of Sub-Committee 9 was not fully satisfactory it was generally acceptable. The powers laid down for the Mediator were very limited, making him a mandatory without a mandate. The delegation of the Dominican Republic preferred the text of the draft resolution to the alternative versions proposed in the various amendments and would vote for the unamended text in the hope that on this basis further progress would be made toward re-establishing peace in Palestine.

Opposition to the draft resolution was voiced by the representative of the Ukrainian SSR, who expressed substantial agreement with the views outlined by the representative of Poland.

At this stage of the discussion, the representative of Cuba moved closure of the debate on the report of Sub-Committee 9.

This motion was opposed by the representatives of Siam and Iran, but was adopted by the Committee by a vote of 23 to 15, with 10 abstentions.

On a point of order, the representative of Yugoslavia held that under Rule 142 of the rules of procedure, the Assembly could not proceed to vote on the draft resolution submitted by Sub-Committee 9 until it had heard a statement by the Secretary-General and a report from the Fifth (Administrative and Budgetary) Committee on budgetary implications.

The Secretary-General said no precise figure could be given since neither the contemplated size of the Mediator's staff nor the duration of the Mediator's activities could be clearly known. A tentative figure for the expenses might be \$100,000. Commenting upon a further statement of the Yugoslav representative, the Secretary-General declared that he was satisfied as to his authority to provide funds for the proposed Mediator without prior references to the Fifth Committee.

The draft resolution submitted by Sub-Committee 9, together with the amendments presented thereto, was then put to the vote. The Committee adopted the first of the two New Zealand amendments (A/C.1/301), i.e., the one providing for the Mediator's acting in compliance, not only with instructions of the Security Council, but also with instructions from the Assembly. The vote on this amendment was 26 to 6, with 16 abstentions.

The Committee also adopted the Greek amendment (A/C.1/300) to "relieve" rather than "suspend" the Palestine Commission, the vote being 24 to 15, with 11 abstentions.

Finally, the Committee, by a vote of 13 to 7, with 25 abstentions, adopted a French amendment (A/C.1/303) to insert the word "future" before the word "situation" in the phrase "to promote a peaceful adjustment of the situation of Palestine", an amendment that had not been discussed during the preceding debate in the Committee.

All other amendments were rejected by varying votes.

The amended resolution as a whole was then adopted by a vote of 35 to 6, with 10 abstentions, and was forwarded to the General Assembly for its decision.

(4) *Australia Withdraws Draft Resolution on Implementation of Partition*

The representative of Australia said he had abstained from the final vote on the resolution of Sub-Committee 9 for two reasons: (i) the failure of the Committee to accept the second New Zealand amendment (A/C.1/301), which would have brought the resolution into relation with the resolution of November 29; and (ii) the Australian draft resolution which had been before the Committee for some time, although it had never been generally discussed.

The Australian draft resolution (A/C.1/279) would have: recalled the resolution of November 29, taken note of the report submitted by the Palestine Commission; recognized that "circumstances beyond [the First Committee's] control have prevented the Palestine Commission from adhering to the prescribed schedules of stages of implementation of the . . . resolution of 29 November 1947"; and recommended that the General Assembly

"1. Request the Palestine Commission

"(a) To proceed immediately with the creation of Provisional Councils of Government and Local Militia Forces, in co-operation with the respective communities concerned, in the prescribed areas of Palestine,

"(b) To assume as from 15 May, in co-operation with one or both of the Provisional Councils of Government, Civil Administration in the relevant area or areas of Palestine,

"(c) To carry through, in co-operation with one or both of the Provisional Councils of Government, the remaining stages after 15 May prescribed in the General Assembly Resolution of 29 November 1947."

The Australian draft resolution would further have recommended that the Assembly

"2 Call on the states of the Arab League to prohibit their Nationals from engaging in activities in Palestine

designed to obstruct the carrying out of the General Assembly Resolution of 29 November 1947,"

and

"3. Call on States Members of the United Nations to refrain from furnishing aid or encouragement to either community in Palestine which is acting without the sanction of the Palestine Commission and in obstruction of the terms of the General Assembly Resolution of 29 November 1947."

That resolution, which had been before the First Committee since April 21, was motivated, like the rejected New Zealand amendment, by the desire and resolve to see that the authority and credit of the United Nations and its decisions were upheld, the representative of Australia declared. He ventured to think that both the Australian and New Zealand proposals expressed the real conscience of many representatives around the Committee table. However, the Committee had adopted a resolution (i.e., the one proposed by Sub-Committee 9, as amended) which, though sketchy, did admit a certain amount of responsibility on its part for what was happening in Palestine, and gave some recognition to the momentum of events. For these reasons he now withdrew the Australian draft resolution.

With the withdrawal of the Australian proposal, the adoption of the amended draft resolution of Sub-Committee 9, and the decision²⁵⁶ to refer the proposal of Sub-Committee 10 concerning Jerusalem directly to the General Assembly without a vote in Committee, the First Committee had completed its task (141st meeting, May 14, 1948) and it was not convened again during the special session.

(5) *Assembly Adopts Mediation Proposal*

The resolution proposed by the First Committee (A/552) was considered at the 135th (concluding) plenary meeting of the second special session of the General Assembly.²⁵⁷

Just before the Assembly opened the discussion on the resolution, the representative of Colombia asked whether the representative of the United States could confirm the information given to the press regarding recognition of the Government of the Jewish State by the United States. The representative of the United States said he had no official information on this matter at the present time.

The representative of Guatemala supported the draft resolution recommended by the First Committee, although he deplored the acceptance of the

²⁵⁶See p. 271.

²⁵⁷For discussion on Jerusalem at the 135th plenary meeting, see pp. 271-73.

Greek amendment, which "relieved" rather than "suspended" the Palestine Commission. The Guatemalan delegation had consistently opposed any measures tending to abrogate the resolution of November 29. It interpreted the draft resolution now under consideration as limiting the role of the United Nations representative in Palestine to mediation between the parties. The resolution of November 29 thus remained in force.

The representative of the U.S.S.R. said that in view of the situation in Palestine at the present time there was no reason to appoint a mediator. A feature of that situation was the existence of one of the two States provided for in the Assembly's November resolution, the Jewish State. Even if the draft resolution were accepted, its acceptance could in no way affect the partition decision, which remained fully valid. The U.S.S.R. delegation would vote against the draft resolution submitted by the First Committee because it feared that opponents of the Partition Plan might take advantage of the provisions of the proposed resolution to complicate the existing situation.

The resolution of November 29 had been adopted by the Assembly to protect the interests of the Palestine population. Ever since, the United Kingdom, and particularly the United States, had tried to prevent the implementation of the November resolution. The policy of the United States was full of contradictions, while the policy of the U.S.S.R. had been entirely consistent, according first consideration to the interests of the people of Palestine.

The representative of Poland said the creation of a Jewish State in Palestine was in conformity with the resolution of November 29. He was sure that the leaders of the New Jewish State realized the wisdom of close co-operation with the other peoples of the Middle East and that the Arab population of Palestine would follow their example, thus strengthening the Arab States in their struggle for complete independence in that part of the world. Creation of the Jewish State had already rendered obsolete many of the provisions of the draft resolution recommended by the First Committee, a fact which, the representative of Poland thought, the United States itself had seemed to realize when it decided to grant *de facto* recognition to the Jewish State. The draft resolution amounted to a veiled attempt to invalidate the partition resolution. The Polish delegation would vote against it.

The representative of Peru said he would abstain from voting on the draft resolution since, in his opinion, it was too feeble to ensure real

and lasting harmony among the peoples of Palestine.

The representative of Uruguay declared that the Mediator should be given adequate powers, since he would be incurring heavy responsibilities. He requested a roll-call vote on separate paragraphs of the draft resolution on which some delegations might wish to abstain.

The representative of Australia proposed an amendment²²⁸ to the draft resolution to link the Mediator's activities explicitly with the legal and *de facto* situation in Jerusalem.

Referring to the recognition of the Jewish State by the United States, the representative of Cuba said he could not see why a vote should now be taken on the draft resolution submitted by the First Committee. That draft resolution, he held, now seemed pointless in view of the action of its sponsor, the United States Government.

The representative of Syria said he understood at last why the United States delegation had urged that priority should be given to the report of Sub-Committee 10.²²⁹ The real intention of the United States had been to await the termination of the Mandate, secure acceptance of a Trusteeship regime for Jerusalem, advocating a political stand-still, and then present the Assembly with the *fait accompli* of United States recognition of the so-called Jewish State. By acting as it did, the United States had acted against the resolution of the Security Council.

The representative of the United States read two statements to the Assembly. The first one was from the President of the United States and read:

"This Government has been informed that a Jewish State has been proclaimed in Palestine, and recognition has been requested by the Provisional Government thereof. The United States recognizes the Provisional Government as the *de facto* authority of the new State of Israel."

The second statement was issued by the White House in Washington and read:

"The desire of the United States to obtain a truce in Palestine will in no way be lessened by the proclamation of a Jewish State. We hope that the new Jewish State will join with the Security Council Truce Commission in redoubled efforts to bring an end to the fighting, which has been, throughout the United Nations consideration of Palestine, a principal objective of this Government."

The objective of bringing peace to Palestine, the representative of the United States declared, remained the policy and hope of his Government. The draft resolution before the Assembly promoted the realization of that objective. Conse-

²²⁸See p. 272.

²²⁹See pp. 270-71.

quently, the United States delegation would continue to give the draft resolution its full support.

The representative of Egypt said that in view of the latest developments it would be a worthless mockery if the Assembly continued to discuss the draft resolution before it. The entire procedure had been a "mere fake" and the nations gathered in the Assembly had been victims, unaware of what was going on behind the scenes. What had happened was a blow not only to the United Nations but to international relations as a whole. The hopes and ideals of mankind had been betrayed.

The representative of Lebanon said the United States had been responsible for the convening of the present Assembly session. For four weeks the United States delegation had been assuring the parties that its only aim was to bring about peace and reconciliation. The Arabs, it now appeared, had been duped. The action taken by the United States would lead to the gravest repercussions in the Middle East, and the intellectual, cultural and spiritual interests of the United States in the Middle East would be deeply affected by the decision just taken by the United States.

This concluded the discussion of the resolution proposed by the First Committee. Following the rejection of the Australian amendment,²⁶⁰ the draft resolution (A/552) was put to the vote, paragraph by paragraph.

The result of the voting was as follows:

Part of Resolution	Adopted, 27 to 5, with 13 abstentions	Vote
Preamble	" 32 to 0, " 20 "	"
Section I	" 31 to 7, " 11 "	"
Section II, Para. 1	" 31 to 4, " 13 "	"
" II, " 2	" 32 to 5, " 12 "	"
" II, " 3	" 29 to 6, " 13 "	"
" II, " 4	" 29 to 11, " 8 "	"
Section III		

A vote was then taken on the resolution as a whole, at the request of the representative of Colombia, by roll-call, and it was adopted by a vote of 31 to 7, with 16 abstentions. The resolution (186 (S-2)) was as follows:

"The General Assembly,

"Taking account of the present situation in regard to Palestine,

I

"Strongly affirms its support of the efforts of the Security Council to secure a truce in Palestine and calls upon all Governments, organizations and persons to co-operate in making effective such a truce;

II

"I. Empowers a United Nations Mediator in Palestine, to be chosen by a committee of the General Assembly composed of representatives of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, to exercise the following functions:

"(a) To use his good offices with the local and community authorities in Palestine to:

(i) Arrange for the operation of common services necessary to the safety and well-being of the population of Palestine;

(ii) Assure the protection of the Holy Places, religious buildings and sites in Palestine;

(iii) Promote a peaceful adjustment of the future situation of Palestine;

"(b) To co-operate with the Truce Commission for Palestine appointed by the Security Council in its resolution of 23 April 1948 [S/727];

"(c) To invite, as seems to him advisable, with a view to the promotion of the welfare of the inhabitants of Palestine, the assistance and co-operation of appropriate specialized agencies of the United Nations, such as the World Health Organization, of the International Red Cross, and of other governmental or non-governmental organizations of a humanitarian and non-political character;

"2. Instructs the United Nations Mediator to render progress reports monthly, or more frequently as he deems necessary, to the Security Council and to the Secretary-General for transmission to the members of the United Nations;

"3. Directs the United Nations Mediator to conform in his activities with the provisions of this resolution, and with such instructions as the General Assembly or the Security Council may issue,

"4. Authorizes the Secretary-General to pay the United Nations Mediator an emolument equal to that paid to the President of the International Court of Justice, and to provide the Mediator with the necessary staff to assist in carrying out the functions assigned to the Mediator by the General Assembly,

III

"Relieves the Palestine Commission from the further exercise of responsibilities under resolution 181 (II) of 29 November 1947."

Following the adoption of this resolution, the Assembly, without discussion or objection, adopted a resolution (189 (S-2)) submitted by the Dominican Republic. The resolution expressed the "full appreciation" of the General Assembly for the "work performed by the Palestine Commission in pursuance of its mandate from the General Assembly".

The second special session then adjourned after an address by the President. (In pursuance of the General Assembly resolution of May 14, 1948 (186 (S-2)), a committee of the Assembly composed of representatives of China, France, the U.S.S.R., the United Kingdom and the United States met on May 20, 1948, and appointed Count Folke Bernadotte, President of the Swedish Red Cross, as United Nations Mediator on Palestine.)²⁶²

²⁶⁰See p. 272.

²⁶¹See pp. 412-16.

²⁶²Security Council, *Official Records, Third Year, No. 71*, p. 4. For reports of the Mediator see *Security Council*, pp. 429-48, and his progress report to the General Assembly, pp. 304-13.

F. ACTIVITIES OF COMMITTEES AND COMMISSIONS OF THE ASSEMBLY BETWEEN THE SECOND AND THIRD REGULAR SESSIONS

1. *Interim Committee*

a. ORGANIZATION

The Interim Committee established by the General Assembly during the second regular session²⁶³ held its first meeting at Lake Success on January 5, 1948. Luis Padilla Nervo (Mexico) was elected Chairman, Fernand van Langenhove (Belgium), Vice-Chairman and Nasrollah Entezam (Iran) Rapporteur. It held its 29th (last) meeting on August 5, 1948.

The Interim Committee was composed of representatives of all United Nations Member States with the exception of Byelorussian S.S.R., Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia, these latter declining to participate in the Committee's activities for the reasons stated by their respective representatives in the course of the discussion preceding the Assembly's decision to establish the Interim Committee.²⁶⁴

In the course of its work, the Committee established four sub-committees.

Sub-Committee 1 was established at the second meeting (January 5, 1948) and consisted of representatives of Chile, China, Denmark, France, India, Lebanon, Liberia, United Kingdom and United States. Its task was to prepare a draft of the Committee's Rules of Procedures.

Sub-Committee 2 was set up at the eleventh meeting (March 2, 1948) and consisted of representatives of Australia, Belgium, Brazil, China, Colombia, Dominican Republic, Ecuador, France, Greece, Iran, Lebanon, Sweden, United Kingdom, United States and Venezuela. Its task was to study, and to submit recommendations concerning the general principles of co-operation in the maintenance of international peace and security (Article 11, paragraph 1, of the Charter) and the promotion of international co-operation in the political field (Article 13, paragraph 1 a), these tasks having been referred to the Interim Committee by paragraph 2 (c) of the General Assembly's resolution 111 (II) of November 13, 1947.

Sub-Committee 3 was established at the twelfth meeting (March 15, 1948) and consisted of representatives of Argentina, Australia, Belgium, Brazil, Canada, Chile, China, Cuba, France, Guatemala, India, Norway, Siam, Syria, Turkey, United King-

dom and United States. Its task was to study proposals with respect to the problem of voting in the Security Council and to submit recommendations in connection therewith.

Sub-Committee 4 was established as of March 15, 1948, in accordance with a decision taken by the Interim Committee at its fourth meeting (January 9, 1948) and consisted of representatives of Afghanistan, Bolivia, China, Costa Rica, Egypt, El Salvador, France, Haiti, Iraq, Netherlands, Pakistan, Panama, Philippines, Union of South Africa, United Kingdom, United States and Uruguay. Its task was to study the advisability of establishing a permanent committee of the General Assembly to take the place of the Interim Committee, whose own existence, as determined by the Assembly's resolution of November 13, 1947, must end with the convening of the Assembly's third regular session.

The officers of the four Sub-Committees are given below:

- Sub-Committee 1:* Pierre Ordonneau (France), *Chairman*
Shuhsi Hsü (China), *Rapporteur*
- Sub-Committee 2:* Pierre Ordonneau (France), *Chairman*
Philip C. Jessup (United States), *Rapporteur* (until June 21, 1948)
Joseph E. Johnson (United States), *Rapporteur* (since June 21, 1948)
- Sub-Committee 3:* José Arce (Argentina), *Chairman*
J. Starnes (Canada), *Rapporteur*
- Sub-Committee 4:* J. G. de Beus (Netherlands), *Chairman*
José D. Ingles (Philippines), *Rapporteur*

The Sub-Committees, in turn, set up a number of working groups to study particular aspects of the tasks entrusted to them.

b. WORK AND RECOMMENDATIONS OF THE INTERIM COMMITTEE

(1) *Korean Elections*

Confronted with its inability to carry out its functions in the area north of the 38th Parallel in Korea because of the unwillingness of the Government of the U.S.S.R. to co-operate, the United Na-

²⁶³See pp. 80-81.

²⁶⁴See pp. 75-79.

tions Temporary Commission on Korea²⁶⁵ on February 6, 1948, decided to consult the Interim Committee regarding the Commission's future course of action. Specifically, the Commission addressed the following questions to the Interim Committee:

"1. Is it open to or incumbent upon the Commission, under the terms of the General Assembly resolutions of 14 November 1947,²⁶⁶ and in the light of developments in the situation with respect to Korea since that date, to implement the programme as outlined in resolution II in that part of Korea which is occupied by the armed forces of the United States of America?

"2. If not,

"(a) Should the Commission observe the election of Korean representatives to take part in the consideration of the Korean question, as outlined in resolution I of 14 November 1947, provided that it has determined that elections can be held in a free atmosphere? and

"(b) Should the Commission consider such other measures as may be possible and advisable with a view to the attainment of its objectives?"

The question of the consultation by the United Nations Temporary Commission on Korea was first taken up by the Interim Committee on February 19, and the Committee devoted six meetings to it (A/583). The Committee heard a comprehensive statement by K. P. S. Menon (India), the Chairman of the Temporary Commission on Korea, giving a general review of the Commission's work since its arrival in Korea and the reasons which had led it to decide to ask for a consultation with the Interim Committee. He explained that, while the Commission had had the co-operation of the occupying forces in South Korea, it had not been possible for it to exercise its functions in North Korea. It had therefore been faced with the alternatives of: observing elections and facilitating the establishment of a National Korean Government in South Korea only; observing elections for the limited purpose of consultation with the elected representatives of the Korean people and making further attempts to organize meetings between political leaders of North and South Korea; or expressing its inability to carry out its mission. The latter possibility had been unanimously rejected by the Temporary Commission. Most of the members of the Commission, Mr. Menon informed the Interim Committee, had expressed concern that the formation of a separate government in South Korea would not facilitate the purposes laid down in the Assembly's resolution, i.e., the attainment of national independence of Korea and the withdrawal of the occupying forces.

During the Interim Committee's consideration of the question it was generally agreed that con-

sultation by the Temporary Commission on Korea with the Interim Committee was in conformity with the General Assembly's resolution. It was pointed out that the General Assembly had foreseen possible difficulties in the application of its resolution, and that it had therefore adopted a specific provision to ensure that the Commission could obtain the necessary guidance from a subsidiary organ of the Assembly on which all Members were entitled to be represented and which could thus express a fully representative opinion. The recommendations of the General Assembly could only mean that it intended the Temporary Commission to proceed with its task in spite of the difficulties which it might encounter.

Elections to establish a purely consultative body, it was stated, would be contrary to the spirit and letter of the General Assembly resolution. It was desirable to have the participation of all the people of Korea, including North Korea, to avoid anything which might crystallize the division between the two parts of the country. But if, in the circumstances, it was possible to hold elections in only half the territory, this would nevertheless enable the Korean people to take a step toward the establishment of a free Korean Government. The provisional character of such an Assembly, representing only one part of the country should, however, be clearly stated.

Certain views were expressed in the Committee which differed from the majority point of view. For instance, it was stated that paragraph 4 of the second resolution adopted by the Assembly made it clear that the Temporary Commission in fulfilling its terms of reference could not confine its activities to South Korea. It was thought that the establishment in South Korea of a government composed of representatives from part of the country might give rise to similar action in North Korea, which might perpetuate the division of the country. It was further suggested that elections should be held in South Korea to set up an advisory body charged with administrative functions which would make no claims to be a National Government. This would enable the Koreans to make their wishes known through their representatives, but would leave the door open for a fusion between south and north; meantime, the two Great Powers concerned might again consider the possibility of reaching agreement. For these reasons certain representatives were of the opinion that the only practical and useful

²⁶⁵For an account of the developments leading to the establishment of this Commission, see pp. 81-87; for an account of the Commission's activities, see pp. 302-4.

²⁶⁶Resolution 112 (II), see p. 88.

way of approaching the problem would be to convene a special session of the General Assembly.

On February 26 the Interim Committee adopted a resolution submitted by the United States (A/583) in which it stated that it deemed it necessary that the program set forth in the General Assembly's resolutions be carried out and, as a necessary step in this program, that the Temporary Commission should "proceed with the observance of elections in all Korea and if that is impossible, in as much of Korea as is accessible to it". The Committee also stated that it considered it important that the elections be held to choose representatives of the Korean people with whom the Temporary Commission might consult regarding the attainment of independence of the Korean people and that these representatives constituting a National Assembly might establish a National Government of Korea. It therefore advised the Temporary Commission that in its view it was incumbent on the Commission under the terms of the General Assembly's resolution to implement the program outlined by the Assembly in such parts of Korea as were accessible to the Commission. The vote on the resolution was 31 to 2, with 11 abstentions.

The Interim Committee decided to point out to the Temporary Commission certain considerations (A/583) which it had had in mind in addition to those stated in its resolution. These were: (i) that the elections should be held in a free atmosphere wherein the democratic rights of freedom of speech, press and assembly would be recognized and respected; (ii) that the National Assembly to which representatives were to be elected would be a stage in the formation of a Korean Government, the form of which would be determined by the Korean people themselves—and the Committee hoped that the Korean representatives in the National Assembly would be able to secure through consultations and negotiations the full co-operation in the government of all Koreans; and (iii) that the Interim Committee recognized that the Temporary Commission had the authority and discretion to discharge its duties in Korea wherever and to the extent that circumstances permitted.²⁶⁷

(2) *Principles of International Co-operation*

Under its terms of reference, the Interim Committee was authorized to consider and report, with its conclusions, to the General Assembly on "methods to be adopted to give effect to that part of Article 11 (paragraph 1) which deals with the general principles of co-operation in the maintenance of international peace and security, and

to that part of Article 13 (paragraph 1 a) which deals with the promotion of international co-operation in the political field".

In pursuance of this objective, the Interim Committee, on January 9, 1948, invited Members to submit proposals by February 16. Subsequently, on March 2, it established a sub-committee (Sub-Committee 2) to study the proposals already received, together with any additional ones that might be submitted.

The Sub-Committee held nineteen meetings, completing its final report (A/AC.18/73 and Add.1) on July 19. The Interim Committee considered the Sub-Committee's report on July 26 and 27, and, with a few alterations, approved it unanimously (A/605).

A number of delegations submitted proposals for the consideration of the Committee and/or Sub-Committee. Lebanon proposed (A/AC.18/15) the establishment of a nine-member "Permanent Committee of Conciliation" whose powers and functions were outlined in an instrument containing nine articles.

Belgium proposed (A/AC.18/18) that the Interim Committee consider the possibility of ensuring the transfer to the organs of the United Nations, including the International Court of Justice, of the functions conferred upon the organs of the League of Nations and upon the Permanent Court of International Justice by the General Act for the Pacific Settlement of International Disputes of September 26, 1928.

In the discussion and eventual adoption of this proposal it was made clear that a recommendation to this effect did not imply approval of the substance of the General Act in question, but was intended solely to enable those states which wished to avail themselves of the machinery laid down in that General Act to find a replacement for the now defunct organs of the League of Nations which that Act invokes.

In a joint proposal (A/AC.18/24) China and the United States, in addition to suggesting the creation of a sub-committee to study the over-all problem (a suggestion which led to the establishment of Sub-Committee 2), proposed that an investigation be made of the desirability of formulating procedures and specific methods for the encouragement of the pacific settlement of disputes prior to their reference to the Security Council or General Assembly. The two states suggested that in this connection one might consider the ad-

²⁶⁷The report of the Interim Committee to the General Assembly on its consultations concerning the Korean elections is given in doc. A/583.

disputes is impaired by the fact that the organs of the League of Nations and the Permanent Court of International Justice to which it refers have now disappeared, "Whereas the amendments hereafter mentioned are of a nature to restore to the General Act its original efficacy;

"Whereas these amendments will only apply as between States having acceded to the General Act as thus amended, and, as a consequence, will not affect the rights of such States, parties to the Act as established on 26 September 1928, as should claim to invoke it insofar as it might still be operative,

"Instructs the Secretary-General to prepare a revised text of the General Act, including the amendments mentioned hereafter, and to hold it open to accession by States under the title 'Revised General Act for the Pacific Settlement of International Disputes'.

"Amendments to be made to the General Act of 26 September 1928

"(a) In article 6, the words 'to the Acting President of the Council of the League of Nations' shall be replaced by 'to the President of the General Assembly of the United Nations, or, if the latter is not in session, to the last President'.

"(b) In article 9, 43 (paragraph 2), 44, 45 and 47, the words 'of the League of Nations', or the words 'of the League', shall be replaced by 'of the United Nations'.

"(c) In articles 17, 18, 19, 20, 23, 28, 30, 33, 34, 36, 37 and 41, the words 'Permanent Court of International Justice' shall be replaced by 'International Court of Justice'.

"(d) The text of article 42 shall be replaced by the following provision:

"The present General Act shall bear the date . . . (date of the resolution of the General Assembly)."

"(e) The text of paragraph 1 of article 43 shall be replaced by the following provision:

"1 The present General Act shall be open to accession by the Members of the United Nations, by the non member States which shall have become parties to the Statute of the International Court of Justice or to which the General Assembly of the United Nations shall have communicated a copy for this purpose."

"(f) In article 43 (paragraph 3), the words 'The Secretary-General of the League of Nations' shall be replaced by 'The Secretary-General of the United Nations', and the words 'the Assembly of the League of Nations' shall be replaced by 'The General Assembly of the United Nations'.

"(g) The text of article 46 shall be replaced by the following provision:

"A copy of the present General Act, signed by the President of the General Assembly and by the Secretary-General of the United Nations, shall be deposited in the archives of the Secretariat. A certified true copy shall be delivered by the Secretary-General to each of the Members of the United Nations, to the non-member States which shall have become parties to the Statute of the International Court of Justice and to those designated by the General Assembly of the United Nations."

(b) PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE OF THE GENERAL ASSEMBLY SUBMITTED FOR CONSIDERATION BY THE GENERAL ASSEMBLY

'Rule 31—Add at the end:

'He shall superintend the process of agreement and

conciliation, provided for under rule 58 (1) and may, in furtherance of this, appoint a rapporteur or conciliator accepted by the parties.'

"Rule 58 (1)—Add to the existing rule 58, which will become 58 (2), a new paragraph (1), as follows:

"Where any question has been placed on the agenda under Article 11 (paragraph 2) of the Charter of the United Nations, the representatives of the parties shall, before or immediately after the opening statements and in any case before the item is referred by the General Assembly to its appropriate committee, be invited by the President to meet under his direction for the purposes of reaching agreement as to the facts underlying the question and of conciliation."

(c) APPOINTMENT OF A RAPPOREUR OR CONCILIATOR FOR A SITUATION OR DISPUTE BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL

"The General Assembly,

"Mindful of its responsibilities, under Articles 13 (paragraph 1a), and 11 (paragraph 1), of the Charter, to promote international co-operation in the political field and to make recommendations with regard to the general principles of the maintenance of international peace and security; and in discharge of its functions under Article 10 of the Charter;

"Noting the experience of the League of Nations, which it has caused to be studied, whereby cases were presented to the Council of the League of Nations by a rapporteur who had the function of a conciliator, and that this practice allowed private conversations among the parties and the rapporteur and avoided the crystallization of views that tend to result from taking a stated public position;

"Noting that the Security Council has already made use of a similar procedure; and

"Deeming it desirable that such a practice be developed in the Security Council as an integral part of the system of pacific settlement and also as a means for the better preparation of cases presented to the Security Council,

"Recommends that the Security Council examine the utility and desirability of adopting the following practice:

"After a situation or dispute has been brought to the attention of representatives on the Security Council in accordance with rule 6 of the provisional rules of procedure of the Security Council and not later than immediately after the opening statements on behalf of the parties concerned,

"(a) The parties shall be invited to meet with the President of the Security Council;

"(b) They shall attempt to agree upon a representative on the Security Council to act as rapporteur or conciliator for the case. The representative so agreed upon may be the President or any other representative on the Council who will thereupon be appointed by the President to undertake the function of rapporteur or conciliator. The President shall inform the Security Council whether a rapporteur or conciliator has been appointed;

"(c) If a rapporteur or conciliator is appointed, it would be desirable for the Security Council to abstain from further action on the case for a reasonable interval during which actual efforts at conciliation are in progress;

"(d) The rapporteur or conciliator so agreed upon and appointed shall attempt to conciliate the situa-

these articles should, so far as possible, receive the same privileges and immunities.

Article 8

"Members of commissions constituted under these articles shall receive appropriate compensation for the period of their service. In the case of commissions constituted under Article 4, such compensation shall be provided by the parties to the controversy, each party providing an equal share.

Article 9

"Subject to any determinations that may be made by the United Nations organ concerned or by the parties to a controversy in constituting commissions under Articles 3 and 4 respectively, commissions constituted under these articles may meet at the seat of the United Nations or at such other places as they may determine to be necessary for the effective performance of their functions.

Article 10

"The Secretary-General shall assign to each commission constituted by a United Nations organ under these articles, staff adequate to enable it to perform its duties and shall, as necessary, seek expert assistance from specialized agencies brought into relationship with the United Nations. He shall enter into suitable arrangements with the proper authorities of States in order to assure the commission, so far as it may find it necessary to exercise its functions within their territories, full freedom of movement and all facilities necessary for the performance of its functions. The Secretary-General shall, at the request of any commission appointed by parties to a controversy pursuant to Article 4, render this assistance to the commission to the extent possible.

"Upon completion of its proceedings each commission appointed by a United Nations organ shall render such reports as may be determined by the appointing organ. Each commission appointed by or at the request of parties to a controversy pursuant to Article 4, shall file a report with the Secretary-General. If a settlement of the controversy is reached, such report will normally merely state the terms of settlement."

The fifth recommendation was more general in character and dealt with the desirability of continuing a long-range study program for examining existing procedures and machinery of pacific settlement. Such a long-range study program, the Interim Committee recommended, should be considered as the beginning of an extensive effort culminating in the development of all aspects of international co-operation in the political field.

In furtherance of this recommendation, the Interim Committee suggested (A/605) that paragraph 2 (c) of the General Assembly's resolution of November 13, 1947²⁶⁹ be replaced by the following, the main effect of the replacement being that the provisions of the paragraph in question would become mandatory rather than permissive in character and would no longer limit the (future) Interim Committee to a study of methods:

"To consider systematically, using as starting point the recommendations and studies of the Interim Committee

contained in document A/605, the further implementation of that part of Article 11 (paragraph 1), relating to the general principles of co-operation in the maintenance of international peace and security, and of that part of Article 13 (paragraph 1 a), which deals with the promotion of international co-operation in the political field, and to report its conclusions to the General Assembly."

The Interim Committee added that, should the Assembly decide not to re-establish the Interim Committee, an alternative plan should be formulated concerning the manner in which these studies should be pursued.

The Interim Committee further expressed its hope that the work done thus far, and the research studies prepared at the Committee's request by the Secretariat, "will receive the early and careful attention of Member Governments". The report added:

"It is believed that the studies initiated and the consideration of the proposals presented have stimulated and assisted in the appraisal, by Member Governments, of the existing methods of pacific settlement in the light of the Charter and, in particular, of their own arrangements in this field. Under present international conditions, Governments would have found it difficult to take up this task individually.

The Interim Committee notes that further progress in the realization of concrete results in this field will depend more upon the maturing of the views of Member Governments as to the general policy and approach to be taken toward this problem than upon the elaboration of detailed procedures of implementation."

(3) *Voting in the Security Council*

At its second session the Assembly adopted resolution 117(II),²⁷⁰ requesting the Interim Committee to consider the problem of voting in the Security Council, taking into account all proposals which have been or may be submitted by Members of the United Nations to the Assembly's second session or to the Interim Committee; to consult with any committee which the Security Council may designate to co-operate with the Interim Committee in the study of the problem; and to report, with its conclusions, to the third session of the General Assembly, the report to be transmitted not later than July 15, 1948, to the Secretary-General, and by the Secretary-General to the Member States and to the General Assembly.

In the discharge of these duties, the Interim Committee considered the problem and, under date of July 15, 1948, published its report to the General Assembly (A/578).

At its fourth meeting, on January 9, 1948, the Interim Committee adopted a resolution (A/AC.18/3) requesting all Members of the United Nations desiring to submit proposals on the prob-

²⁶⁹See p. 80.

²⁷⁰See p. 63.

lem of voting in the Security Council to transmit them to the Secretary-General not later than March 15, 1948.

Argentina had proposed (A/AC.18/12) the convening of a General Conference of the Members of the United Nations, in conformity with Article 109 of the Charter, with a view to abolishing the "privilege of the veto . . .".

China had suggested (A/AC.18/13) a three-fold program: recommendation to the Security Council to regard a number of possible Council decisions as being procedural; recommendation that the five permanent members of the Council voluntarily agree to waive their right to the "veto" in all proceedings arising under Chapter VI (Pacific Settlement of Disputes) of the Charter; and authorization of any majority of at least seven members of the Security Council, including at least four of the five permanent members, to request the Secretary-General to convene a special session of the General Assembly, if such a majority has been prevented from taking action on a given matter by the exercise of the "veto" by a permanent member, the Assembly to deal with the consideration of the matter in question, provided it has been removed from the agenda of the Security Council.

The United Kingdom proposed a six-point program (A/AC.18/17) suggesting that the permanent members of the Council might agree: to consult each other where possible before a vote is taken whenever their unanimity is required to enable the Council to function; not to exercise their "veto" right unless they regard the question under consideration to be of vital importance to the United Nations as a whole, in which case they should explain their reason for so regarding it; not to exercise their "veto" right simply because a certain proposal does not go far enough to satisfy them; to advocate rules of conduct providing that questions are only brought before the Security Council after other means of settlement have been tried; to appoint a rapporteur or small committee of the Council to attempt conciliation between the disputing parties before resorting to final Council discussion and voting; to attempt to agree on a formula defining the term "dispute".

New Zealand, announcing its support for any proposal designed to eliminate or modify the present Charter provisions requiring the unanimity of the Security Council's five permanent members, proposed (A/AC.18/38) that the Charter be amended so that non-procedural decisions of the Security Council would require the concurring votes of four of the five permanent members

rather than of all five, as the present Charter provision (Article 27) requires.

The United States advocated (A/AC.18/41) that the Interim Committee study the categories of decisions which the Security Council is required to make, and report to the Assembly those categories of decisions which, in the Committee's opinion, should be made by an affirmative vote of seven members of the Council, whether or not such categories are regarded as procedural or non-procedural. The United States attached a provisional list of 31 such categories to its proposal. It further proposed that the Committee invite the Assembly to accept the Committee's conclusions and to recommend to the permanent members of the Council mutually to agree to follow such voting procedures. The United States also proposed that the five permanent members be urged to consult among themselves concerning important decisions to be taken by the Security Council.

After a preliminary general discussion of the above proposals, the Committee established Sub-Committee 3²¹ and instructed it to study these and other suggestions which might be submitted and to submit a preliminary report by May 15, 1948. In the course of the seven meetings held by the Sub-Committee, additional proposals were submitted by Canada, Belgium, Turkey and Argentina.

Canada suggested (A/AC.18/49) that all states, before submitting a dispute to the Security Council, should make every effort to settle the dispute through direct negotiations, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice. In submitting a dispute to the Council, they should set forth in a memorandum what efforts they had made to settle the dispute in the manner described above. Then, too, Canada suggested, states should not ask the Council to consider frivolous complaints but only those which involve disputes or situations likely to endanger international peace and security. Consequently, each request for Council consideration of a complaint should be accompanied by a statement indicating in what manner the continuance of the dispute, etc., is likely to endanger peace and security. Furthermore, Canada suggested, the Council should, before dealing with a dispute referred to it, first settle the question of whether it has jurisdiction to deal with the matter, "that is to say whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security". Having deter-

²¹See p. 282.

mined this preliminary question affirmatively, the Council should proceed promptly and effectively, that being the obligation imposed by the Charter upon Council members. Finally, Canada proposed, the Security Council should work out agreed procedures to ensure that no state is judge in its own case.

Belgium proposed (A/AC.18/50) that a request by the Security Council for an advisory opinion from the International Court of Justice be regarded as a procedural matter. In the event that this view should be contested by a permanent member casting a negative vote against such a request for an advisory opinion, Belgium proposed that the Council should request the Secretary-General to transmit to the International Court of Justice the records of the pertinent Council meetings, letting the Court decide for itself whether it is competent in the matter "as is the duty of the Court whenever its competence is contested". The request to the Secretary-General to transmit the pertinent Council records to the Court would be, in the opinion of the Belgian delegation, "clearly . . . procedural in nature".

Belgium also suggested (A/AC.18/54) that the Assembly recommend that Member States revive the practice, begun under the League of Nations, of conferring additional powers upon the Security Council in separate agreements to "attenuate the drawbacks of the veto rule . . .". Thus two or more states might agree among themselves to accept as binding, so far as they are concerned, any proposal which received a contractually specified majority of the votes of Security Council members, even if such a proposal would not be a valid decision from the Council's own point of view, e. g., because a permanent member might have cast a negative vote. In support of this suggestion, the Belgian delegation cited several precedents designed to attenuate the unanimity rule of the League of Nations, and retailed several advisory opinions of the Permanent Court of International Justice upholding the validity of agreements similar to those recommended by Belgium.

Turkey suggested (A/AC.18/52) adding two categories to the provisional list of Security Council decisions which should be made by an affirmative vote of any seven members, as suggested by the United States (see above), namely, decisions as to whether a given question should be considered under Chapter VI or under Chapter VII of the Charter; and decisions of the Council aimed only at the determination of the existence of a threat to the peace, a breach of the peace or an act of aggression.

Argentina submitted (A/AC.18/53) a list of 28 types of possible Security Council decisions which, in the opinion of the Argentine delegation, should be adopted by the vote of any seven members of the Council. Included in the Argentine list were all matters referring to the recommendations concerning the admission of new Members, suspension or expulsion of Members and decisions to restore suspended rights and privileges of Members, on the ground that these matters were based upon the "constituent powers of the Organization which belong to the General Assembly". Also included in the list of Security Council decisions not to be subject to the "veto" proposed by Argentina would be a variety of resolutions not involving the Council's exercise of its "specific powers to maintain peace and security" (e.g., referral of questions to the Assembly, approval of reports to Assembly, requests for the convening of special Assembly sessions, decisions as to whether a matter is procedural or substantive in character, decisions to meet away from headquarters, to establish subsidiary organs, to invite states not members of the Council to participate in its deliberations, requests for the assistance of other United Nations Charter organs, requests for advisory opinions from the International Court of Justice, as well as a number of other possible decisions involving the Court, and recommendations concerning the appointment of the Secretary-General).

Also exempt from the "veto", following the Argentine suggestions, would be any decisions taken by the Council within the framework of Chapter VI (Pacific Settlement of Disputes) and in connection with the settlement of local disputes through regional agencies (Article 52, paragraph 3). The Argentine premise for the exclusion of such decisions from the operation of the unanimity principle was stated as follows: "The Members of the United Nations are obliged to seek a settlement of all kinds of disputes as far as possible before the Security Council deems it necessary to resort to measures of force."

Also before the Sub-Committee was a list of possible decisions adopted or which might be adopted by the Security Council in application of the Charter or the Statute of the International Court of Justice. This list (A/AC.18/SC.3/3) had been prepared by the Secretariat. In studying the list (see below) the Sub-Committee sought to determine which of the possible decisions were to be regarded as procedural within the meaning of the relevant Charter Article (Article 27, paragraph 2), and which, whether procedural or not, should be taken by the vote of any seven members of the

Security Council. The Sub-Committee, which had set up a working group to study this matter, submitted a preliminary report (A/AC.18/62) to the Interim Committee on June 3, 1948, and a second report (A/AC.18/66) on how the proposed procedures might best be adopted.

The two reports of the Sub-Committee were discussed by the Interim Committee at the fifteenth to nineteenth meetings (July 7-9, 1948), and, with certain modifications, based in part upon amendments submitted by China (A/AC.18/69) and India (A/AC.18/70), were adopted and embodied in the Interim Committee's report on this subject (A/578) to the General Assembly.

(a) LIST OF POSSIBLE DECISIONS OF THE SECURITY COUNCIL WITH CONCLUSIONS OF INTERIM COMMITTEE THEREON

THE CHARTER

Chapter I

"1. Whether a matter is essentially within the domestic jurisdiction of any State.

CONCLUSION: No recommendation.

Chapter II

"2. Recommendation to the General Assembly on the admission of a State to membership in the United Nations.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"3. To postpone consideration of or voting on a recommendation of a State for membership until the next occasion for the consideration of applications.

CONCLUSION: That this decision is procedural.

"4. Recommendation to the General Assembly on the suspension from the exercise of the rights and privileges of membership of a Member of the United Nations against which preventive or enforcement action has been taken by the Security Council.

CONCLUSION: No recommendation.

"5. Restoration of the exercise of these rights and privileges.

CONCLUSION: No recommendation.

"6. Recommendation to the General Assembly on the expulsion of a Member of the United Nations which has persistently violated the principles contained in the Charter.

CONCLUSION: No recommendation.

Chapter IV

"7. Steps in pursuance of recommendations addressed to the Security Council by the General Assembly on any questions or any matters within the scope of the Charter or relating to the powers and functions of any organs provided for in the Charter.

CONCLUSION: That no definite recommendation can be made on this item since the voting procedure would depend upon the specific steps to be taken by the Security Council.

"8. Steps in pursuance of recommendations to the Security Council by the General Assembly on the general principles of co-operation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments.

CONCLUSION: That no definite recommendation can be made on this item, since the voting procedure would depend upon the specific steps to be taken by the Security Council.

"9. Steps in pursuance of recommendations by the General Assembly on any questions relating to the maintenance of international peace and security brought before the General Assembly by any Member of the United Nations, or by the Security Council, or by a State which is not a Member of the United Nations in accordance with Article 35, paragraph 2.

CONCLUSION: That no definite recommendation can be made on this item since the voting procedure would depend upon the specific steps to be taken by the Security Council.

"10. Submission to the General Assembly of any questions relating to the maintenance of international peace and security.

CONCLUSION: That this decision is procedural.

"11. Request to the General Assembly that the General Assembly make a recommendation on a dispute or situation in respect of which the Security Council is exercising the functions assigned to it in the Charter.

CONCLUSION: That this decision is procedural.

"12. Consent to notification by the Secretary-General to the General Assembly or Members of the United Nations of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council.

CONCLUSION: That this decision is procedural.

"13. Consent to notification by the Secretary-General to the General Assembly or to Members of the United Nations of any matters relative to the maintenance of international peace and security with which the Security Council ceases to deal.

CONCLUSION: That this decision is procedural.

"14. Request to the Secretary-General for the convocation of a special session of the General Assembly.

CONCLUSION: That this decision is procedural

Chapter V

"15. Approval of credentials of representatives of members of the Security Council

CONCLUSION: That this decision is procedural.

"16. Acceptance and discharge of responsibilities devolving upon the Security Council under international instruments other than the Charter and the Statute of the International Court.

CONCLUSIONS:

(a) That no definite recommendation could be reached on this item since the voting procedure would depend upon the specific steps to be taken by the Security Council.

(b) That the Belgian proposal (A/AC.18/54²³) be adopted.

"17. Approval of annual reports to the General Assembly.

CONCLUSION: That this decision is procedural.

"18. Submission and approval of special reports to the General Assembly

CONCLUSION: That this decision is procedural.

"19. Formulation of plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

CONCLUSION: No recommendation.

"20. Admission to the Members of the United Na-

²³See above, p. 290.

tions of plans for the establishment of a system for the regulation of armaments.

CONCLUSION: No recommendation.

"21. Whether a matter is or is not procedural within the meaning of Article 27, paragraph 2.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"21a. Whether any matter before the Security Council falls within one of the categories which the Interim Committee and the General Assembly recommend should be determined by the vote of any seven members of the Security Council.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"22. To determine whether a question is a situation or a dispute for the purposes of Article 27, paragraph 3.

CONCLUSIONS:

(a) That this decision should be adopted by the vote of any seven members of the Security Council.

(b) That a definition of the word *dispute* for the purposes of Article 27, paragraph 3, should be adopted (see below)."

DEFINITION OF A DISPUTE

The representative of the United Kingdom submitted a definition of a dispute which was prepared in collaboration with other members of the Interim Committee. This definition was discussed and amended, and the following formula was approved:

"(1) In deciding for the purposes of Article 27, paragraph 3, whether a matter brought before the Security Council by a State or States is a dispute or a situation, the Security Council shall hold that a dispute arises:

"(a) If the State or States bringing the matter before the Security Council, and the State or States whose conduct is impugned, agree that there is a dispute.

"(b) Whenever the State or States bringing the matter before the Security Council allege that the actions of another State or States in respect of the first State or States constitute a breach of an international obligation or are endangering or are likely to endanger the maintenance of international peace and security, or that such actions demonstrate preparation to commit a breach of international obligations or to endanger the maintenance of international peace and security, and the State or States which are the subject of these allegations contest, or do not admit, the facts alleged or inferences to be drawn from such allegations.

"(2) Further, if a State bringing before the Security Council a matter of the nature contemplated under paragraph (1) above, alleges that another State is violating the rights of a third State, and the latter supports the contention of the first State, then the third State shall also be deemed to be a party to the dispute.

"(3) Nothing in this definition shall prevent the Security Council from deciding that a dispute exists in circumstances not covered by the above definition."

"22a. Whether any member of the Security Council is a party to a dispute before the Security Council for the purposes of Article 27, paragraph 3.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"23. Organization of the Security Council in such

manner as to enable the Council to function continuously.

CONCLUSION: That this decision is procedural.

"24. Arrangement of the holding of periodic meetings.

CONCLUSION: That this decision is procedural.

"25. Holding of meetings at places other than the seat of the United Nations.

CONCLUSION: That this decision is procedural.

"26. Establishment of such subsidiary organs as the Security Council deems necessary for the performance of its functions.

CONCLUSION: That this decision is procedural.

"27. Steps incidental to the establishment of a subsidiary organ: appointment of members, terms of reference, interpretation of terms of reference, reference of questions for study, approval of rules of procedure.

CONCLUSION: That this decision is procedural.

"28. Adoption of rules of procedure.

CONCLUSION: That these decisions are procedural.

"29. Adoption of method of selecting the President.

CONCLUSION: That this decision is procedural.

"30. Participation without vote of Members of the United Nations not members of the Security Council in the discussion of any question brought before the Security Council whenever the Security Council considers that the interests of those Members are specially affected.

CONCLUSION: That this decision is procedural.

"31. Invitation to a Member of the United Nations which is not a member of the Security Council or to any State which is not a Member of the United Nations to participate without vote in the discussion relating to a dispute to which it is a party.

CONCLUSION: That this decision is procedural.

"32. Enunciation of conditions for such participation of a State which is not a Member of the United Nations.

CONCLUSION: That this decision is procedural.

"33. Whether a State not a Member of the United Nations has accepted the conditions deemed just by the Security Council for participation under Article 32.

CONCLUSION: That this decision is procedural.

"34. Approval of credentials of representatives of States invited under Articles 31 and 32 of the Charter and rule 39 of the provisional rules of procedure.

CONCLUSION: That this decision is procedural.

Chapter VI

"35. Determination as to whether a question is a situation or a dispute for purposes other than those of Article 27, paragraph 3.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"36. Determination of the parties to a dispute for purposes other than those of Article 27, paragraph 3.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"37. To remind Members of their obligations under the Charter.

CONCLUSION: That this decision is procedural.

"38. Establishment of procedures for the hearing of disputes or situations.

CONCLUSION: That this decision is procedural.

"39. Request for information on the progress or the results of resort to peaceful means of settlement.

CONCLUSION: That this decision is procedural.

"40. Deletion of a question from the list of questions of which the Security Council is seized.

CONCLUSION: That this decision is procedural.

"41. To call upon the parties to a dispute to settle

their dispute by peaceful means of their own choice in accordance with Article 33, paragraph 1.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"42. To invite the parties to a dispute to continue or to resume their efforts to seek a solution of their dispute in accordance with Article 33, paragraph 1.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"43. Investigation of any dispute or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"44. Determination whether the continuance of a dispute or situation is likely to endanger the maintenance of international peace and security.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"45. To consider and discuss a dispute or a situation brought before the Security Council (adoption of the agenda).

CONCLUSION: That this decision is procedural.

"46. Whether a State not a Member of the United Nations has accepted, for the purposes of the dispute which it desires to bring to the attention of the Security Council, the obligations of pacific settlement provided in the Charter.

CONCLUSION: That this decision is procedural.

"47. Recommendation of appropriate procedures or methods of adjustment of a dispute of the nature referred to in article 33, or of a situation of like nature.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"48. Recommendation that a legal dispute should be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"49. Whether a dispute referred to the Security Council in accordance with Article 37, paragraph 1, is in fact likely to endanger the maintenance of international peace and security.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"50. Recommendation of such terms of settlement as the Security Council may consider appropriate for a dispute referred to the Security Council in accordance with Article 37, paragraph 1.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"51. Recommendation at the request of all the parties to a dispute with a view to pacific settlement of the dispute.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

Chapter VII

"52. Determination of the existence of any threat to the peace, breach of the peace or act of aggression.

CONCLUSION: No recommendation.

"53. Recommendations after the determination of the existence of any threat to the peace, breach of the peace, or act of aggression.

CONCLUSION: No recommendation.

"54. Decision as to what measures shall be taken in accordance with Articles 41 and 42.

CONCLUSION: No recommendation.

"55. To call upon the parties concerned to comply with such provisional measures as the Security Council deems necessary or desirable.

CONCLUSION: No recommendation.

"56. Ascertainment of compliance with provisional measures under Article 40.

CONCLUSION: That no recommendation can be made on this item, since the voting procedure would depend upon the specific steps to be taken by the Security Council to ascertain such compliance.

"57. Decision as to what measures not involving the use of armed forces are to be employed to give effect to the decisions of the Security Council.

CONCLUSION: No recommendation.

"58. To call upon the Members of the United Nations to apply measures not involving the use of armed force.

CONCLUSION: No recommendation.

"59. Whether measures provided for in Article 41 would be inadequate or have proved to be inadequate.

CONCLUSION: No recommendation.

"60. To take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security.

CONCLUSION: No recommendation.

"61. Establishment of the general principles to govern the special agreements provided for in Article 43.

CONCLUSION: No recommendation.

"62. Initiation and negotiation of agreements under Article 43 governing the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

CONCLUSION: No recommendation.

"63. To call upon the Members of the United Nations to make available to the Security Council armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

CONCLUSION: No recommendation.

"64. Invitation to a Member of the United Nations not a member of the Security Council to participate in the decision of the Security Council concerning the employment of contingents of that Member's armed forces.

CONCLUSION: That this decision is procedural.

"65. Determination of the strength and degree of readiness of the national air force contingents to be held immediately available for combined international enforcement action and of plans for their combined action, within the limits laid down in the special agreements referred to in Article 43.

CONCLUSION: No recommendation.

"66. Approval of plans for the application of armed force.

CONCLUSION: No recommendation.

"67. Establishment of and instructions to the Military Staff Committee.

CONCLUSION: That no recommendation can be made on this item, since the voting procedure would depend upon the specific instructions to be given to the Military Staff Committee.

"68. Approval of rules of procedure and organization of the Military Staff Committee.

CONCLUSION: That this decision is procedural.

"69. Solution of questions relating to the command of armed forces placed at the disposal of the Security Council.

CONCLUSION: No recommendation.

"70. Authorization to the Military Staff Committee to establish regional sub-committees.

CONCLUSION: No recommendation.

"71. Determination as to which Members of the United Nations shall take the action required to carry out the decisions of the Security Council for the maintenance of international peace and security.

CONCLUSION: No recommendation.

"72. Deleted²⁷³

"73. Consideration of a report on measures taken by Members in the exercise of the right of self-defence under Article 51.

CONCLUSION: No recommendation.

Chapter VIII

"74. Recommendation to encourage the development of pacific settlement of local disputes through regional arrangements or regional agencies.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council

"75. Utilization of regional arrangements or agencies for enforcement action.

CONCLUSION: No recommendation.

"76. Authorization to take enforcement action under regional arrangements or regional agencies

CONCLUSION: No recommendation

Chapter X

"77. Request for assistance from the Economic and Social Council

CONCLUSION: That this decision is procedural.

Chapter XII

"78. Exercise of the functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment.

CONCLUSION: No recommendation.

"79. To avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social and educational matters in the strategic areas.

CONCLUSION: That this decision is procedural.

"80. To dispense, on grounds of security, with the assistance of the Trusteeship Council.

CONCLUSION: That this decision is procedural.

Chapter XIV

"81. Recommendation of the Security Council on conditions on which a State which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"82. Recommendation or decision in pursuance of Article 94, paragraph 2, upon measures to be taken to give effect to a judgment of the International Court of Justice.

CONCLUSION: No recommendation

"83. Request to the International Court of Justice for an advisory opinion on a legal question.

CONCLUSION: That this decision is procedural.

Chapter XV

"84. Recommendation on the appointment of the Secretary-General.

CONCLUSION: No recommendation.

"85. Decision to entrust to the Secretary-General additional functions.

CONCLUSION: That no definite recommendation can be made on this item, since the voting procedure would depend upon the functions to be entrusted to the Secretary-General.

Chapter XVII

"86. Enunciation of opinion by the Security Council that there have come into force such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42.

CONCLUSION: No recommendation.

Chapter XVIII

"87. Vote regarding the date and place of a general conference of the Members of the United Nations for the purpose of reviewing the Charter

CONCLUSION: That this decision is governed by Article 109, paragraph 1, of the Charter, under which an unqualified majority suffices.

"88. Vote regarding the proposal to call a general conference of the Members of the United Nations for the purpose of reviewing the Charter after the tenth annual session of the General Assembly.

CONCLUSION: That this decision is governed by Article 109, paragraph 3, of the Charter, under which an unqualified majority suffices.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Chapter I

"89. Election of judges of the International Court of Justice.

CONCLUSION: That this decision is subject to an absolute majority vote of the Security Council, according to Article 10, paragraphs 1 and 2, of the Statute of the International Court of Justice.

"90. Recommendation on the conditions under which a State which is a party to the Statute, but is not a Member of the United Nations, may participate in electing members of the Court.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council

"91. Appointment of three members of the joint conference for the purpose of choosing one name for each vacant seat in the International Court.

CONCLUSION: That this decision is governed by Article 10, paragraph 2, of the Statute of the International Court of Justice.

"92. Request of the Security Council for the appointment of a joint conference for the purpose of choosing one name for each vacant seat in the International Court.

CONCLUSION: That this decision is procedural.

"93. Acceptance of names submitted by the joint conference for vacant seats in the International Court.

²⁷³This item, originally included in the list of possible decisions of the Security Council, was subsequently deleted.

CONCLUSION: That this decision is subject to an absolute majority vote of the Security Council, according to Article 10, paragraphs 1 and 2, of the Statute of the International Court of Justice.

"94. Fixation of a period within which those members of the Court who have already been elected shall proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

CONCLUSION: That this decision is procedural.

"95. Fixation of the date of the election to fill vacancies in the International Court.

CONCLUSION: That this decision is procedural.

Chapter II

"96. Determination of conditions under which the International Court shall be opened to States other than the States parties to the Statute of the International Court.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council.

"97. Deleted"²⁴

Chapter V

"98. Recommendation concerning the participation of States which are parties to the Statute but are not Members of the United Nations in the amendment of the Statute.

CONCLUSION: That this decision should be adopted by the vote of any seven members of the Security Council."

(b) CLASSIFICATION BY CATEGORIES OF POSSIBLE DECISIONS OF THE SECURITY COUNCIL

The Interim Committee reached definite conclusions (A/578) on the voting procedure which should apply to the following four categories in the list of possible decisions reproduced above:

(i) Decisions which, according to the Statute of the International Court of Justice, are taken by an absolute majority of votes of six members of the Security Council, without distinction between permanent and non-permanent members (Article 10, paragraphs 1 and 2, of the Statute). This provision applies to Items 89 and 93.

(ii) Decisions which, according to the Charter or the Statute of the International Court of Justice, are taken by a vote of any seven members of the Security Council, without distinction between permanent and non-permanent members (Article 109, paragraphs 1 and 3, of the Charter and Article 10, paragraph 2, of the Statute of the International Court of Justice) (Items 87, 88 and 91).

(iii) Decisions which are of a procedural character within the meaning of Article 27, paragraph 2, of the Charter.

(iv) Decisions which the Interim Committee recommends should be adopted by the vote of any seven members of the Security Council, whether these decisions are considered procedural or non-procedural.

(c) METHODS FOR IMPLEMENTATION OF RECOMMENDATIONS REGARDING THE CLASSIFICATION OF POSSIBLE SECURITY COUNCIL DECISIONS

Three principal methods were suggested in the course of the Interim Committee's consideration of the implementation of the conclusions reached with regard to the voting on the various categories of possible Security Council decisions, namely:

(i) Implementation by means of interpretation of the Charter, a method proposed, among others, by the representative of China.

(ii) Implementation on the basis of agreement among the five permanent members of the Security Council, a method likewise advocated by the representative of China, as well as by other representatives, including those of the United Kingdom and the United States.

(iii) Implementation on the basis of convoking a general conference to review the Charter, a method advocated in an Argentine proposal.²⁷⁵ This proposal was opposed by the representatives of Canada, France, Norway, United Kingdom and United States. It was adopted by the Interim Committee by a vote of 19 to 7, with 10 abstentions.

The final conclusions of the Interim Committee are set forth in Part IV of its report to the General Assembly (A/578). They read as follows:

"A. The Interim Committee presents the following conclusions for the approval of the General Assembly:

"1. That the General Assembly

"Recommend to the permanent members and the other members of the Security Council that they deem the following items in the list of possible decisions of the Security Council to be procedural: items 3, 10, 11, 12, 13, 14, 15, 17, 18, 23, 24, 25, 26, 27, 28 (and sub-headings), 29, 30, 31, 32, 33, 34, 37, 38, 39, 40, 45, 46, 64, 68, 77, 79, 80, 83, 92, 94 and 95; and that the members of the Security Council conduct their business accordingly.

"2. That the General Assembly

"Recommend to the permanent members of the Security Council that they agree that the following items in the list of possible decisions of the Security Council should be adopted by the vote of any seven members, whether the decisions are considered procedural or non-procedural: items 2, 21, 21(a), 22, 22(a), 35, 36, 41, 42, 43, 44, 47, 48, 49, 50, 51, 74, 81, 90, 96 and 98; and that steps be taken to make this agreement effective.

"3. That the General Assembly

"Recommend to the permanent members of the Security Council that:

"(a) Wherever possible, consultations should take place among them concerning important decisions to be taken by the Security Council;

"(b) They agree among themselves to consult with

²⁷⁵This item, originally included in the list of possible decisions of the Security Council, was subsequently deleted.

²⁷⁶Doc. A/AC.18/53, see p. 290.

one another, wherever possible, before a vote is taken, if their unanimity is required to enable the Security Council to function effectively;

"(c) They agree that, if there is not unanimity, the minority of the permanent members, mindful of the fact that they are acting on behalf of all the United Nations, would only exercise the veto when they consider the question of vital importance to the United Nations as a whole, and that they would explain on what grounds they consider this condition to be present;

"(d) They agree that they will not exercise their veto against a proposal simply because it does not go far enough to satisfy them;

"(e). They agree, for the purposes of Article 27, paragraph 3, of the Charter, on a definition of a dispute, taking into account the proposal contained in the comment on item 22, part II, of the present report.

"4. That the General Assembly

"Recommend to the Members of the United Nations that, in agreements conferring functions on the Security Council, such conditions of voting within this body be provided as would exclude the application of the rule of unanimity of the permanent members

"B. Whereas the deficiencies observed in the present functioning of the Organization of the United Nations require due consideration,

"The Interim Committee recommends to the General Assembly to consider at its third regular session whether the time has come or not to call a general conference, as provided for in Article 109 of the Charter."

(4) *Advisability of the Establishment of a Permanent Assembly Committee*

Another task entrusted to the Interim Committee by the General Assembly required the Committee to report to the third regular Assembly session on the advisability of establishing a permanent committee to perform the duties of the Interim Committee, and to formulate recommendations concerning the fields of activity of such a permanent body.

In a report (A/606) on this matter to the General Assembly, the Interim Committee unanimously recommended that it (i.e., the Interim Committee) be continued for a further period to be determined by the Assembly.

The advisability of such a step had been explored both by the Committee itself and by one of its sub-committees (Sub-Committee 4). The conclusion itself was based on the Committee's conviction that the Interim Committee "has, during its first year, performed very useful functions and justified the Assembly's decision in creating it, even though the Committee has not yet had an opportunity to perform one of the functions assigned to it, namely, to consider and report, with its conclusions, on certain important matters proposed for inclusion in the agenda of the General Assembly".

The Committee also concluded that, while it had functioned effectively, the value of its work

"would be enhanced if all Members of the General Assembly were to participate in its deliberations" and expressed the hope that those Members which had refused to participate in its work,²⁷⁰ fearing that the Committee would infringe upon the prerogatives of other Charter organs, such as the Security Council, would therefore decide to join in its future work.

Concerning the functions of a future Interim Committee, as recommended by the Committee, "it was agreed that [it] . . . should be vested with basically the same powers as those laid down in General Assembly resolution 111(II) of 13 November 1947".

By way of clarification and, to some extent, amplification of the powers and functions laid down in that Assembly resolution, the Interim Committee proposed that "such preparatory work as might be undertaken by the Interim Committee should be understood to include, when practicable and advisable, the formulation of draft resolutions"; and, on specific instructions from the Assembly, the Interim Committee, when discharging its functions relating to the implementation of Assembly resolutions, would have the authority "either to receive reports from, and give advice to, *ad hoc* committees and commissions, or to observe, encourage, and report on, the implementation of specified resolutions of the General Assembly".

Accepting a Belgian proposal (A/AC.18/44 and Add. 1), the Interim Committee further suggested to the General Assembly that a future Interim Committee "might be authorized . . . to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities".

The Interim Committee concluded that the future Interim Committee "should not be empowered to consider legal matters which might be proposed for inclusion in the agenda of the General Assembly. However, it was agreed that the general mandate of the [future] Interim Committee might require it to express an opinion on the legal as well as the political aspects of matters under its consideration and that, therefore, the [future] Interim Committee should be considered entitled to do so. This might involve the interpretation of the relevant provisions of the Assembly resolutions."

It was further concluded that "there was no present need for its [i.e., the future Interim Committee's] competence to be extended to include economic, social, cultural, humanitarian and trusteeship matters as such, nor to include questions

²⁷⁰See p. 79.

arising within Chapter XI of the Charter [Declaration on Non-Self-Governing Territories]".

Opinion in the Interim Committee was divided as to the advisability of empowering the future Interim Committee to deal with administrative and budgetary matters. The Secretary-General, in a statement made on his behalf to the Committee, expressed "grave concern" and urged members of the Committee "not to recommend the extension of the powers of the Interim Committee to administrative and budgetary matters", warning that it would lead to administrative inefficiency because of overlapping functions of separate organs (A/606, Annex I). The Committee eventually decided to submit this question to the General Assembly for consideration and decision.

No changes were recommended in the functions to be performed by the future Interim Committee in the political field as compared with those performed during its first experimental year.

During the consideration of the over-all question of the future Interim Committee, the Dominican Republic had proposed (A/AC.18/40) certain changes as regards the method of accrediting Committee representatives with a view to enabling the permanent representatives to the United Nations to be entitled automatically to represent their countries on the Interim Committee. In this connection, the Committee "considered that the whole matter of credentials, particularly in relation to the status and credentials of heads of permanent delegations, should be studied further before specific and substantive recommendations could be made with regard to the Dominican proposal. The Committee agreed, however, to suggest that, should the Interim Committee be continued, those representatives who were duly accredited during the first experimental year should not be required to present new credentials unless the Member Governments concerned desired to send a different representative." A similar proposal on the accreditation of representatives to the United Nations was submitted by Bolivia, and included as an annex to the Committee's report (A/606, Annex IV).

Finally, the Committee decided, in order to facilitate the Assembly's task, to attach as an annex to its report (A/606, Annex III) the text of a draft resolution on the re-establishment of the Interim Committee for a further period to be determined by the General Assembly. This draft resolution read as follows:

"The General Assembly

"Having taken note of the reports submitted to it by the Interim Committee and of its conclusions that the tasks performed by it in the interval between the

second and third regular sessions have effectively assisted the Assembly in the performance of its functions and well justify the continuation of the Interim Committee;

"Affirming that, for the effective performance of the duties specifically conferred upon the General Assembly by the Charter in relation to matters concerning the maintenance of international peace and security (Articles 11 and 35), the promotion of international co-operation in the political field (Article 13), and the peaceful adjustment of any situation likely to impair the general welfare or friendly relations among nations (Article 14), it is necessary to continue the Interim Committee for the purpose of considering such matters further and reporting with its conclusions to the General Assembly;

"Recognizing fully the primary responsibility of the Security Council for prompt and effective action for the maintenance of international peace and security (Article 24);

"Resolves that:

"1. There shall be re-established (for a period to be determined by the General Assembly) an Interim Committee on which each Member of the General Assembly shall have the right to appoint one representative;

"2. The Interim Committee, as a subsidiary organ of the General Assembly established in accordance with Article 22 of the Charter, shall assist the General Assembly in the performance of its functions by discharging the following duties:

"(a) To consider and report with its conclusions to the General Assembly on such matters as may be referred to it by the General Assembly;

"(b) To consider and report with its conclusions to the General Assembly on any dispute or any situation which, in virtue of Articles 11 (paragraph 2), 14 or 35 of the Charter, has been proposed for inclusion in the agenda of the General Assembly by any Member of the United Nations or brought before the General Assembly by the Security Council, provided the Committee previously determines the matter to be both important and requiring preliminary study. Such determination shall be made by a majority of two-thirds of the members present and voting, unless the matter is one referred by the Security Council under Article 11, paragraph 2, in which case a simple majority will suffice;

"(c) To consider systematically, using as a starting point the recommendations and studies of the Interim Committee contained in document A/605, the further implementation of that part of Article 11, paragraph 1, relating to the general principles of co-operation in the maintenance of international peace and security, and of that part of Article 13, paragraph 1 (a), which deals with the promotion of international co-operation in the political field, and to report with its conclusions to the General Assembly;

"(d) To consider, in connexion with any matter under discussion by the Interim Committee, whether occasion may require the summoning of a special session of the General Assembly and, if it deems that such a session is required, so to advise the Secretary-General in order that he may obtain the views of the Members of the United Nations thereon;

"(e) To conduct investigations and appoint commissions of inquiry within the scope of its duties, as

it may deem useful and necessary, provided that decisions to conduct such investigations or inquiries shall be made by a two-thirds majority of the members present and voting. An investigation or inquiry elsewhere than at the headquarters of the United Nations shall not be conducted without the consent of the State or States in whose territory it is to take place;

"(f) To report to the next regular session of the General Assembly on any changes in the constitution of the Committee [its duration] or its terms of reference which may be considered desirable in the light of experience,

"3. The Interim Committee is hereby authorized to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities,

"4. In discharging its duties the Interim Committee shall at all times take into account the responsibilities of the Security Council under the Charter for the maintenance of international peace and security as well as the duties assigned by the Charter or by the General Assembly or by the Security Council to other Councils or to any committee or commission. The Interim Committee shall not consider any matter of which the Security Council is seized,

"5. The rules of procedure governing the proceedings of the Interim Committee and such sub-committees and commissions as it may set up shall be those adopted by the Interim Committee on 9 January 1948, with such changes and additions as the Interim Committee may deem necessary, provided that they are not inconsistent with any provision of this resolution or with any applicable rule of procedure of the General Assembly. The Interim Committee shall be convened by the Secretary-General, in consultation with the Chairman elected during its previous session or the head of his delegation, to meet at the headquarters of the United Nations not later than 31 January 1949. At the opening meeting, the Chairman elected during the previous session of the Interim Committee, or the head of his delegation, shall preside until the Interim Committee has elected a Chairman. The Interim Committee shall meet as and when it deems necessary for the conduct of its business. No new credentials shall be required for representatives who were duly accredited on the Interim Committee during the previous session;

"6. The Secretary-General shall provide the necessary facilities and assign appropriate staff as required for the work of the Interim Committee, its sub-committees and commissions."

2. *United Nations Special Committee on the Balkans (UNSCOB)*

The United Nations Special Committee on the Balkans was created by the General Assembly's resolution 109(II) of October 21, 1947.²⁷⁷ It met for the first time in Paris, on November 21, 1947, and, after meeting in Athens between November 25 and 29 to arrange organizational and procedural questions, it established on December 1, 1947, its principal headquarters in Salonika, Greece, as directed by the Assembly's resolution.

In June 1948 it went to Geneva, where its report

to the General Assembly (A/574)²⁷⁸ was adopted on June 30. While in Geneva it decided that although it would maintain its principal headquarters in Salonika and would assemble there from time to time, it would hold its sittings in Athens from the beginning of July 1948 unless otherwise decided. In a supplementary report (A/644) the Committee reviewed the developments between June 17 and September 10, 1948.

On November 25, 1947, the Special Committee adopted a resolution requesting the Secretary-General to inform the Governments of Poland and of the U.S.S.R. of its hope that they "would see fit to participate in the work of the Committee by appointing representatives in the near future" to fill the seats held open for them in accordance with the General Assembly's resolution.

4. ORGANIZATION OF THE COMMITTEE

On November 26, 1947, the Committee decided, in principle, to establish observation groups to enable it to carry out efficiently the duty, imposed upon it by the Assembly, of observing the compliance of the four Governments (Albania, Bulgaria, Greece and Yugoslavia) with the Assembly's recommendations. These observation groups were to be stationed on both sides of the frontier between Greece, on the one hand, and Albania, Bulgaria and Yugoslavia, on the other.

The Committee reported that only the Greek Government had co-operated with it in this connection, and that the observation groups were able to operate within Greece only, except on one occasion, when Observation Group 6 was allowed to enter Bulgarian territory to investigate a Bulgarian claim of a Greek border violation.

Originally, the Committee had planned to set up six observation groups in the field and one in reserve, each composed of four observers and auxiliary personnel, but this plan was later modified, largely because of financial reasons. On December 5, 1947, the Special Committee requested the Secretary-General to provide funds considered indispensable to the proper execution of its work, indicating that in order to safeguard the international character of the observation groups, operating costs should be borne by the United Nations. The Secretary-General replied on December 10, 1947, that the appropriation requested by the Special Committee greatly exceeded the appropriation approved by the General Assembly, and stated that it would be difficult to guarantee appropriations from the Working Capital Fund of the United Nations in

²⁷⁷ See *General Assembly*, pp. 74-75.

order to cover such high costs. In reply to a renewed request, the Secretary-General indicated (December 30, 1947) that some moderate adjustment might be possible, but only for incidental expenses. On January 16, 1948, UNSCOB decided "to accept offers of equipment and maintenance thereof which may be made by one or more of the Members of the United Nations as an aid, the re-imbursement of which the Special Committee will recommend to the next session of the General Assembly, in the event of the Secretary-General's not having done so before."

The Secretary-General subsequently approved, in principle, a request for a supplementary budget of \$164,000, and allotted funds for the period from February 13 to May 31, 1948. The allotment did not, however, cover such basic and major expenses as the salaries, transport and equipment of the observation group.

In its report the Committee stated that it had found the budget provided by the General Assembly to be completely inadequate, and a serious handicap throughout its work.

On December 10, 1947, UNSCOB established three sub-committees: the first to concern itself with the observation groups, the second with political problems and the third with refugees and minorities. Later, on February 24, 1948, when the Special Committee had completed its examination of the problem of political refugees, it decided that there should only be two sub-committees. Sub-Committee 1 was henceforth to deal with observation groups and budgetary matters, Sub-Committee 2 with political and administrative problems and with the question of political refugees and minorities.

On May 27, 1948, UNSCOB decided to establish an *ad hoc* Committee to sit in Salonika during the time that the special Committee itself would be working on its report in Geneva. This *ad hoc* Committee was to carry on the normal routine work connected with the reports of the observation groups, to deal with any emergency concerning the groups, pending a decision of the Special Committee, and to draw the attention of the Special Committee to all questions within its competence.

b. CONCILIATORY ROLE OF THE SPECIAL COMMITTEE

In its report the Special Committee stated that from the inception of its work it had "regarded the establishment of good neighbourly relations as the key to the problem. . . ; however, [it] could not secure co-operation from Albania, Bulgaria and Yugoslavia and has so far been unable to assist the four Governments concerned to establish such rela-

tions". It reviewed in detail its efforts in this connection and stated that its efforts to render effective help in the establishment of frontier conventions had likewise been fruitless.

As regards the question of political refugees, the Committee found that Greece was ready to comply with the General Assembly's recommendation that the four Governments co-operate in the voluntary repatriation of refugees where possible. It also found that the Greek Government had done all that could be expected of it under present circumstances in housing and feeding the refugees under conditions which at least were comparable to those of Greek domestic refugees.

The Committee felt that the political refugees in Greece (some 1,200) should be removed from that country because they were an international irritant, a burden on the Greek Government, and their lives were hopeless in many cases. The Special Committee therefore decided that the problem and the records of the refugees in Greece be turned over to a competent agency of the United Nations, and, if no United Nations body should be able to assume this responsibility, that the Committee should make a direct approach to countries to which some of the refugees had indicated a desire to emigrate—for example, to Australia, France, Syria, Turkey, the United Kingdom and the United States.

On February 9, 1948, the Preparatory Commission for the International Refugee Organization, having been contacted by the Special Committee, replied that it would be unable to assist in the solution of the refugee problem concerned. Later, on June 10, 1948, the Preparatory Commission informed the Special Committee that it had made a preliminary study of certain aspects of the problem and that it was prepared to examine the possibility of rendering assistance in solving the problem of international refugees in Greece.

The Special Committee reported that it was unable to take any action concerning Greek refugees in Albania, Bulgaria and Yugoslavia because it "was unable to approach either the Governments of those countries or the refugees themselves".

The Special Committee also reported that it was hampered by a similar lack of co-operation in its study of the practicability of concluding agreements for the voluntary transfer of minorities, although the Greek Government was willing to co-operate with it. The Committee stated, however, that it "fully appreciates the complex character of the problem of minorities and is continuing its studies, but is not now in a position to state its views".

**c. OBSERVATION BY UNSCOB ON THE
EXTENT OF COMPLIANCE WITH THE
GENERAL ASSEMBLY'S RESOLUTION OF
OCTOBER 21, 1947**

In its report, the Special Committee reviewed the evidence, gathered by its own observation groups by direct observation and through the testimony of witnesses, which led it to conclude that, in varying degrees, Albania, Bulgaria and Yugoslavia were furnishing support to Greek guerrillas and the "so-called 'Provisional Democratic Greek Government' headed by Markos".

UNSCOB also investigated Greek allegations that Greek children were being forcibly removed by the guerrillas across the frontiers into Albania, Bulgaria and Yugoslavia, as well as into a number of other Southeastern and Eastern European countries. The Special Committee found that in some cases parents had agreed, either wholeheartedly or under duress, to the removal of their children from Greek territory, while in others the children had been removed notwithstanding their parents' protests. The Committee concluded that, although the responsibility for the initiation of the plan could not be ascertained, the appearance of large numbers of Greek children in the countries of the north indicated that the program enjoyed the approval and assistance of the northern governments. The Committee suggested that the Greek Government take up the matter directly with the governments concerned. The Special Committee further decided to forward reports on this issue to the Governments of Albania, Bulgaria and Yugoslavia and to urge these Governments to discourage any further removal of Greek children from Greek territory and to return Greek children already in their respective territories to Greece.

The Greek Government subsequently (June 2, 1948) informed UNSCOB that it had sent telegrams, in connection with the removal of the children, to the Governments of Bulgaria, Czechoslovakia, Hungary, Poland and Yugoslavia and, through the Secretary-General of the United Nations, to the Government of Albania. The Polish Government denied that any Greek children were in Poland, but said it considered that Greek children who might be forced to abandon their homes had the right to shelter. The Hungarian Government acknowledged receiving Greek children on humanitarian grounds, stating that they had lost their parents as a result of military operations in Greece and had not been torn from their families.

As regards the various allegations of border violations made by Greece, on the one hand, and by Albania, Bulgaria and Yugoslavia, on the other,

the Committee reported that, with the exception of one case, it had not been permitted to visit the territories of the northern neighbor states of Greece. This case arose out of a Bulgarian complaint that a Bulgarian patrol of three soldiers, while on Bulgarian soil, had been fired on and abducted by Greek troops. The incident was said to have occurred on an island in the Evros River, where the Greco-Bulgarian boundary line is in dispute, on April 4, 1948. In this instance, Bulgaria, accepting a request of the Special Committee, permitted an UNSCOB observation group (Observation Group 6) to make an on-the-spot investigation and provided Bulgarian officers to co-operate with the Group. The investigation on the island took place on April 29, 1948, and the Committee concluded that the Bulgarian version of the incident was more probable than the differing account thereof by Greek authorities.

The Australian delegation abstained from voting on the chapter (Chapter III) of the Committee's report dealing with the observations by the Special Committee of the extent of compliance to the General Assembly's resolution, and expressed general reservations to this chapter.

In these reservations, the Australian delegation stated that the Special Committee had been given the primary function of assisting the four Governments concerned in the implementation of certain recommendations (i.e., those contained in paragraph 5 of the Assembly's resolution,²¹⁸ to the effect that the four Governments should establish normal diplomatic and good neighborly relations; that they establish frontier conventions; that they co-operate in the settlement of problems arising out of the presence of refugees; and that they study the practicability of concluding agreements for the voluntary transfer of minorities). As a secondary function, the Committee was to observe the compliance of the four States with these recommendations.

The Special Committee had, however, been given no mandate as far as paragraph 4 of the Assembly's resolution was concerned (i.e., the paragraph calling on Albania, Bulgaria and Yugoslavia to do nothing to furnish aid and assistance to the guerrillas). In this connection, the Australian delegation referred to the unanimous opinion of the Special Committee on January 15, 1948, that the instructions to the Committee's observation groups should be based on paragraph 5(1) of the Assembly's resolution, to the exclusion of paragraph 4. The observation groups had, however,

²¹⁸See *General Assembly*, p. 74.

not merely concerned themselves with the presence or absence of good neighborly relations, but had carried out investigations, cross-examined witnesses and heard evidence from various sources. In May 1948 the Special Committee had reversed its previous decision and based its instructions to the observation groups on paragraph 4, as well as on paragraph 5, of the Assembly's resolution, and had authorized the observation groups to make use of all available sources of information. The Australian delegation dissented from this decision. The Australian reservation concluded:

"It is largely on the 'investigations' by the observation groups of 'aid and assistance' that chapter III, and in particular chapter III B, of the report is based. The Australian delegation as a rule abstained from these 'conclusions' contained in chapter III B which were not based on the direct observations of observers. In its opinion, it was as unnecessary as it was inadvisable to draw categorical conclusions either from the presumptions of observers who had no access to three of the four countries concerned or from the evidence of witnesses produced by only one of the four interested Governments.

"Maintaining then its view, that the observation groups should have been limited to observing the compliance or non-compliance of the Governments concerned with the Assembly's recommendation that they establish good neighbourly relations among themselves, the Australian delegation must enter a general reservation to chapter III of the report. This section gives disproportionate emphasis to activities which in the opinion of the Australian delegation were not in accordance with the spirit and intention of the General Assembly when it passed its resolution of 21 October 1947."

d. CONCLUSIONS AND RECOMMENDATIONS

(1) Conclusions

On the basis of events which had come to its knowledge up to June 16, 1948, the Special Committee reported the following conclusions to the General Assembly (A/574):

"The Special Committee has consistently endeavoured to assist Albania, Bulgaria and Yugoslavia, on the one hand, and Greece, on the other, to establish normal diplomatic and good neighbourly relations amongst themselves. The Government of Greece has co-operated with the Special Committee in implementing the resolution of the General Assembly of 21 October 1947. The Governments of Albania, Bulgaria and Yugoslavia, on the other hand, have refused to co-operate with the Special Committee or even to recognize it as a duly constituted body of the United Nations. Because of this refusal to co-operate with it, the Special Committee has thus far been unable to give substantial assistance to the four Governments in the implementation of the recommendations contained in the General Assembly's resolution concerning (1) establishment of normal diplomatic and good neighbourly relations; (2) frontier conventions; (3) political refugees; and (4) voluntary transfer of minorities.

"Good neighbourly relations between Greece and her northern neighbours do not exist. Diplomatic relations

exist between Greece and Yugoslavia, but these relations are not normal. There are no diplomatic relations between Albania and Greece. The Special Committee has been informed that the resumption of diplomatic relations between Bulgaria and Greece is now under discussion in Washington, D. C. (U.S.A.).

"It appears to the Special Committee that the Greek guerrillas have received aid and assistance from Albania, Bulgaria and Yugoslavia; that they have been furnished with war material and other supplies from those countries; that they have been allowed to use the territories of Albania, Bulgaria and Yugoslavia for tactical operations; and that after rest or medical treatment in the territories of Albania, Bulgaria and Yugoslavia, their return to Greece has been facilitated. The Special Committee further finds that moral support has been given to the guerrillas through Government-controlled radio stations, the existence of the broadcasting station of the Greek guerrillas on Yugoslavia soil, and the systematic organization of aid committees. This assistance has been on such a scale that the Special Committee has concluded that it has been given with the knowledge of the Governments of Albania, Bulgaria and Yugoslavia.

"So long as events along the northern borders of Greece show that support is being given to the Greek guerrillas from Albania, Bulgaria and Yugoslavia, the Special Committee is convinced that a threat to the political independence and territorial integrity of Greece will exist, and international peace and security in the Balkans will be endangered.

"Although the Governments of Albania, Bulgaria and Yugoslavia have not so far co-operated with it, the Special Committee is convinced that it would be possible to assist these Governments and the Government of Greece to reach, in the interest of all, a peaceful settlement of their differences if the Governments concerned were prepared to act in accordance with the General Assembly's resolution of 21 October 1947 and in the spirit of the Charter of the United Nations. It is with this hope that the Special Committee is continuing its task."

(2) Recommendations

On the basis of its work and conclusions, the Special Committee made the following four recommendations:

"As long as the present disturbed conditions along the northern frontiers of Greece continue, it is, in the opinion of the Special Committee, essential that the functions of exercising vigilance with regard to the relations between Albania, Bulgaria, Yugoslavia and Greece and of endeavouring to bring about a peaceful settlement of existing tension and difficulties, remain entrusted to an agency of the United Nations."

This recommendation was accepted by a vote of 8 to 0, with 1 member (France) abstaining.

"The Special Committee, however, recommends that consideration should be given to the constitution of the Special Committee in a form which would not entail so heavy a financial burden on the United Nations and on the nations members of the Special Committee."

This recommendation was adopted by a vote of 6 to 0, with 3 members—Australia, France, United Kingdom—abstaining.

"The Special Committee recommends that the nations which have provided observers and equipment shall be reimbursed for the expenses incurred and that the United Nations shall meet all such expenses in the future."

This recommendation was adopted unanimously, as was the fourth (final) recommendation reading:

"The Special Committee recommends that the General Assembly shall consider ways and means of obtaining the co-operation of Albania, Bulgaria and Yugoslavia with the Special Committee."

c. SUPPLEMENTARY REPORT

In its supplementary report (A/644), covering developments between June 17 and September 10, 1948, the Special Committee informed the General Assembly that no fundamental change had occurred in the situation as described in its original report and confirmed the conclusions and recommendations which it had there expressed. It also recommended that the Assembly warn Albania, Bulgaria and Yugoslavia that continued aid to the Greek guerrillas endangered peace in the Balkans and that it recommend all states to exercise care not to do anything to assist any armed group fighting against the Greek Government.

It recommended that the General Assembly should instruct the Special Committee

"(1) To observe and report upon the response of Albania, Bulgaria and Yugoslavia to the General Assembly's injunction not to furnish aid and assistance to the Greek guerrillas, in accordance with General Assembly resolution 109 (II) of 21 October 1947 and any other resolution which the General Assembly may adopt;

"(2) To continue to utilize observation groups in such a manner and with such personnel and equipment as the Special Committee deems necessary for the fulfilment of its task;

"(3) To be available to assist the Governments of Albania, Bulgaria, and Greece and Yugoslavia in the implementation of the recommendations of the General Assembly."

The Australian delegation abstained from voting on these general recommendations on the grounds that it would have been wiser in the circumstances for the Committee to have made no recommendations and to have left the question of finding a solution to the General Assembly.

3. United Nations Temporary Commission on Korea

The United Nations Temporary Commission on Korea, established by resolution 112(II) of the General Assembly on November 11, 1947,²²² submitted the first part of its report to the Assembly on August 19, 1948 (A/575 and Add. 1, and Add. 2).²²³

The Commission held its first meeting in Seoul, Korea, on January 12, 1948, and elected K.P.S. Menon (India) as temporary Chairman. On February 4, Mr. Menon was elected permanent Chairman. Later, in view of the imminent departure from Seoul of Mr. Menon, the Commission decided to rotate the office of Chairman among Commission members for fifteen-day periods, a system which began with the chairmanship of the French representative on March 17, 1948. Liu Yu-Wan (China) was elected permanent Rapporteur of the Commission on February 4.

To facilitate its tasks, the Commission established three sub-committees, one *ad hoc* sub-committee, several observation groups and a Main Committee.

While the Commission enjoyed the co-operation of the United States military authorities in Southern Korea, its efforts to establish liaison with the Soviet authorities in Northern Korea proved unsuccessful, and the Commission did not gain access to Northern Korea.

In these circumstances, the Commission decided to avail itself of a provision in the General Assembly's resolution, authorizing it to consult the Interim Committee of the General Assembly. The latter, on February 26, 1948, expressed the view that "it is incumbent upon the United Nations Temporary Commission on Korea" to implement the Assembly's resolution of November 14, 1947, "in such parts of Korea as are accessible to the Commission".

The Commission, guided by this expression of the Interim Committee's opinion, decided to observe the elections in South Korea which, according to an announcement of the United States military authorities, would be held on May 10, 1948. This decision, the Report of the Commission added, "did not imply any essential change in the opinion of the members of the Commission that they were primarily concerned with Korea as a whole".

The Commission submitted certain suggestions to the authorities concerned, calling for modifications of existing regulations to assure free elections. These suggestions were accepted. During the elections themselves, observer groups of the Commission made extensive journeys throughout South Korea. While noting certain complaints, the Commission concluded (A/575) that:

"(a) There existed in South Korea during the period of preparation for the elections and on Election Day itself, a reasonable degree of free atmosphere wherein

²²² See p. 164.
²²³ The Commission completed the second part of its report (A/AC49/60/Add.1) on October 15, 1948.

democratic rights of freedom of speech, Press and assembly were recognized and respected;

"(b) The United States Army Forces in Korea and the South Korean Interim Government complied with the recommendations of the Commission on electoral procedures and the conduct of the elections conformed generally to the electoral laws and regulations;

"(c) The elections were regarded as a step in the re-establishment of the independence of Korea and, as such, were the only substantial issue placed before the electorate, resulting in the large percentage both of registration and balloting; the candidates who stood for election were in favour of this method of effecting the unity and independence of Korea and therefore did not place any fundamentally conflicting issues before the electorate; and opposition to the issues involved in the elections took the form of a boycott of the elections themselves;

"(d) Having taken into account the reports of its observation groups, and the conclusions noted above, and bearing in mind the traditional and historical background of the people of Korea, the results of the ballot of 10 May 1948 are a valid expression of the free will of the electorate in those parts of Korea which were accessible to the Commission and in which the inhabitants constitute approximately two-thirds of the people of all Korea."

The statistics gathered by the Commission indicated that approximately 75 per cent of the potential electorate of South Korea had actually participated in the elections.

Observation of the elections constituted only one part of the task assigned to the Commission by the General Assembly. A further instruction called upon the Commission to consult with the national Korean Government constituted as a result of the elections.

Since not all parts of Korea had participated in the elections, some members of the Commission doubted whether the authorities established in South Korea could properly be regarded as a national government of the kind referred to in the resolution of the General Assembly. The Commission, however, decided by a vote of 4 to 2 to enter into consultations with the Korean Government, a decision of which it notified President Syngman Rhee of that Government on August 18, 1948.

The task of the actual consultations was assigned subsequently to the Commission's Main Committee, which had remained in Seoul. The Commission itself left Korea shortly after the elections and drafted the first part of its report in Shanghai. It returned to Seoul on June 7, remaining there until September 2, when it left for Lake Success to draft the second part of the report. In this report (A/C.19/80/Add. 1) the Commission stated, *inter alia*:

"(c) Even though the elections of 10 May 1948 were restricted to South Korea and were opposed by some

political parties and kindred organizations in that area, nevertheless, they were an impressive expression of the will of the Korean people in their attempt to achieve their independence and the unification of their country. The misgivings that the elections might produce an Assembly of a unilateral character proved finally to be groundless. For it was indeed significant that the election of a large number of independents prevented the two parties which had been predominant in politics in South Korea from jointly obtaining an absolute majority in the Assembly. Moreover, the elected representatives undertook their responsibilities with seriousness and despatch, and there was considerable evidence that, in the exercise of their judgment, they were not subject to the control of any one political party. Their proceeding without delay to the constituting of an Assembly and the formation of a Government was a reflection of the desire of the Korean people to expedite the achievement of their independence.

"(d) The Government established by the elected representatives has assumed the functions previously exercised by the Military Government of the United States Armed Forces in Korea and a progressive and orderly transfer of these functions is reaching its final stage.

"Agreements have been reached for the training of internal security forces and the settlement of financial matters. Providing the transfer of governmental functions is satisfactorily completed and provisions made for adequate security forces, it is to be expected that the degree of support accorded to the new Korean Government by the people, as evidenced by the election returns of 10 May 1948, will enable it adequately to perform the normal functions of a government. In view of the fact, however, that for some years to come South Korea will be unable to support itself without help from abroad, the establishment of the basis for a viable economy is of paramount importance."

The Commission went on to point out:

"(e) All these developments, however, have been overshadowed by the grim reality of a divided Korea. All Koreans, regardless of their political affiliations or social standing, are united in their condemnation of this disunity. The Commission maintains the view that for the social, political and economic well-being of Korea immediate unification is absolutely essential.

"The efforts of the Korean leaders for the attainment of this unity, official and unofficial such as they have been, have failed to achieve any positive results. The reason for this failure must be attributed in the main to the tension prevailing in the international situation."

The Assembly was therefore faced with the situation of two regimes, one in North Korea and one in South Korea, both claiming sovereignty in their respective areas and both exercising effective authority, subject only to the rights of the occupying forces. The Commission stated its opinion that even though

"effective jurisdiction of the Government established in Seoul does not extend to the north, the view is held that this Government does provide a basis from which it may be possible to proceed to unification by peaceful methods of negotiation, at least in the economic field where such unity is of vital importance. It is the opinion of the

Commission that the need for setting up some procedure for peaceful negotiations is urgent and must take place before military evacuation of the occupying forces abandons Korea to the arbitrary rule of rival political regimes whose military forces might find themselves driven to internecine warfare."

The Commission refrained from outlining any specific resolution for consideration by the Assembly, expressing the view that the Korean problem was only one aspect of the general international situation. It did, however, express the belief that, notwithstanding this, there were prospects that the prevailing tension between North and South Korea might be eased in the course of time. It recommended that the Assembly should remain seized of the Korean question.

4. Progress Report of the United Nations Mediator on Palestine

On September 16, 1948, 24 hours before his assassination, the United Nations Mediator on Palestine, Count Folke Bernadotte, had prepared a progress report for submission to the General Assembly.²⁵¹

A. STRUCTURE OF THE REPORT

The report (A/648) states the Mediator's conviction that prompt Assembly action would greatly enhance the prospects of a peaceful settlement in the Holy Land, and would, in fact, be indispensable for such a settlement.

It covers the Mediator's activities during the Palestine truce from June 11 to July 9, 1948, and the one which, beginning on July 18, 1948, was still in force when the report was submitted to the Assembly.

The report is divided into three parts, each of which is devoted to a broad aspect of the Palestine situation. Thus Part I deals with the mediation effort *per se*, Part II with the supervision of the two truces and Part III with the question of assistance to refugees, particularly some 360,000 Arab refugees who left, or were expelled from, Israeli-ruled parts of Palestine during the fighting in the Holy Land.

Annexes to the report reproduce textually important communications exchanged between the Mediator and the two contending parties (Annexes I and II to Part I) and tabulate the replies and aid furnished in response to requests for specific communications to alleviate the plight of refugees (Annexes I and II to Part III). A further annex contains the flight log of the Mediator from May 27

to September 9, 1948 (Annex III to Part I). The flight log is reproduced below.²⁵²

B. THE MEDIATOR'S CONCLUSIONS

(1) Conclusions on the Mediation Effort

The operative part of the report consists of the conclusions reached by the Mediator on each of the three major aspects of the Palestine problem. These conclusions are stated in his report in the following terms:

"1. Since I presented my written suggestions to the Arab and Jewish authorities on 27 June,²⁵³ I have made no formal submission to either party of further suggestions or proposals for a definitive settlement. Since that date, however, I have held many oral discussions in the Arab capitals and Tel Aviv, in the course of which various ideas on settlement have been freely exchanged. As regards my original suggestions, I hold to the opinion that they offered a general framework within which a reasonable and workable settlement might have been reached, had the two parties concerned been willing to discuss them. They were flatly rejected, however, by both parties. Since they were put forth on the explicit condition that they were purely tentative, were designed primarily to elicit views and counter-suggestions from each party, and, in any event, could be implemented only if agreed upon by both parties, I have never since pressed them. With respect to one basic concept in my suggestions, it has become increasingly clear to me that, however desirable a political and economic union might be in Palestine, the time is certainly not now propitious for the effectuation of any such scheme.

"2. I do not consider it to be within my province to recommend to the Members of the United Nations a proposed course of action on the Palestine question. That is a responsibility of the Members acting through the appropriate organs. In my role as United Nations Mediator, however, it was inevitable that I should accumulate information and draw conclusions from my experience which might well be of assistance to Members of the United Nations in charting the future course of United Nations action on Palestine. I consider it my duty, therefore, to acquaint the Members of the United Nations through the medium of this report, with certain of the conclusions on means of peaceful adjustment which have evolved from my frequent consultations with Arab and Jewish authorities over the past three and one-half months and from my personal appraisal of the present Palestinian scene. I do not suggest that these conclusions would provide the basis for a proposal which would readily win the willing approval of both parties. I have not, in the course of my intensive efforts to achieve agreement between Arabs and Jews, been able to devise any such formula. I am convinced, however, that it is possible at this stage to formulate a proposal which if fully approved and strongly backed by the General Assembly, would not be fruitlessly resisted by either side, consider it I am, of course, that the Security Council stands firm in its resolution of 15 July that military action shall not be employed by either party in the Palestine dispute. It

²⁵¹For the Mediator's appointment, see p. 281; for a description of his death, see *Security Council*, p. 432.

²⁵²See pp. 312-13.

²⁵³Doc. S/853, see *Security Council*, p. 432.

cannot be ignored that the vast difference between now and last November is that a war has been started and stopped and that in the intervening months decisive events have occurred.

SEVEN BASIC PREMISES

"3. The following seven basic premises form the basis for my conclusions:

Return to peace

"(a) Peace must return to Palestine and every feasible measure should be taken to ensure that hostilities will not be resumed and that harmonious relations between Arab and Jew will ultimately be restored.

The Jewish State

"(b) A Jewish State called Israel exists in Palestine and there are no sound reasons for assuming that it will not continue to do so.

Boundary determination

"(c) The boundaries of this new State must finally be fixed either by formal agreement between the parties concerned or failing that, by the United Nations.

Continuous frontiers

"(d) Adherence to the principle of geographical homogeneity and integration, which should be the major objective of the boundary arrangements, should apply equally to Arab and Jewish territories, whose frontiers should not, therefore, be rigidly controlled by the territorial arrangements envisaged in the resolution of 29 November.

Right of repatriation

"(e) The right of innocent people, uprooted from their homes by the present terror and ravages of war, to return to their homes, should be affirmed and made effective, with assurance of adequate compensation for the property of those who may choose not to return.

Jerusalem

"(f) The City of Jerusalem, because of its religious and international significance and the complexity of interests involved, should be accorded special and separate treatment.

International responsibility

"(g) International responsibility should be expressed where desirable and necessary in the form of international guarantees, as a means of allaying existing fears, and particularly with regard to boundaries and human rights.

SPECIFIC CONCLUSIONS

"4. The following conclusions, broadly outlined, would, in my view, considering all the circumstances, provide a reasonable, equitable and workable basis for settlement:

"(a) Since the Security Council, under pain of Chapter VIII sanctions, has forbidden further employment of military action in Palestine as a means of settling the dispute, hostilities should be pronounced formally ended either by mutual agreement of the parties or, failing that, by the United Nations. The existing indefinite truce should be superseded by a formal peace, or at the minimum, an armistice which would involve either complete withdrawal and demobilization of armed forces or their wide separation by creation of broad demilitarized zones under United Nations supervision.

"(b) The frontiers between the Arab and Jewish territories, in the absence of agreement between Arabs and Jews, should be established by the United Nations and delimited by a technical boundaries commission ap-

pointed by and responsible to the United Nations, with the following revisions in the boundaries broadly defined in the resolution of the General Assembly of 29 November in order to make them more equitable, workable and consistent with existing realities in Palestine.

"(i) The area known as the Negev, south of a line running from the sea near Majdal east-southeast to Faluja (both of which places would be in Arab territory), should be defined as Arab territory;

"(ii) The frontier should run from Faluja north-northeast to Ramleh and Lydda (both of which places would be in Arab territory), the frontier at Lydda then following the line established in the General Assembly resolution of 29 November;

"(iii) Galilee should be defined as Jewish territory.

"(c) The disposition of the territory of Palestine not included within the boundaries of the Jewish State should be left to the Governments of the Arab States in full consultation with the Arab inhabitants of Palestine, with the recommendation, however, that in view of the historical connexion and common interests of Transjordan and Palestine, there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan, subject to such frontier rectifications regarding other Arab States as may be found practicable and desirable.

"(d) The United Nations, by declaration or other appropriate means, should undertake to provide special assurance that the boundaries between the Arab and Jewish territories shall be respected and maintained, subject only to such modifications as may be mutually agreed upon by the parties concerned.

"(e) The port of Haifa, including the oil refineries and terminals, and without prejudice to their inclusion in the sovereign territory of the Jewish State or the administration of the city of Haifa, should be declared a free port, with assurances of free access for interested Arab countries and an undertaking on their part to place no obstacle in the way of oil deliveries by pipeline to the Haifa refineries, whose distribution would continue on the basis of the historical pattern.

"(f) The airport of Lydda should be declared a free airport with assurance of access to it and employment of its facilities for Jerusalem and interested Arab countries.

"(g) The City of Jerusalem, which should be understood as covering the area defined in the resolution of the General Assembly of 29 November, should be treated separately and should be placed under effective United Nations control with maximum feasible local autonomy for its Arab and Jewish communities, with full safeguards for the protection of the Holy Places and sites and free access to them, and for religious freedom.

"(h) The right of unimpeded access to Jerusalem, by road, rail or air, should be fully respected by all parties.

"(i) The right of the Arab refugees to return to their homes in Jewish-controlled territory at the earliest possible date should be affirmed by the United Nations, and their repatriation, resettlement and economic and social rehabilitation, and payment of adequate compensation for the property of those choosing not to return, should be supervised and assisted by the United Nations conciliation commission described in paragraph (k) below.

"(j) The political, economic, social and religious rights of all Arabs in the Jewish territory of Palestine and of all Jews in the Arab territory of Palestine should be fully guaranteed and respected by the authorities. The conciliation commission provided for in the follow-

ing paragraph should supervise the observance of this guarantee. It should also lend its good offices, on the invitation of the parties, to any efforts toward exchanges of populations with a view to eliminating troublesome minority problems, and on the basis of adequate compensation for property owned.

"(k) In view of the special nature of the Palestine problem and the dangerous complexities of Arab-Jewish relationships, the United Nations should establish a Palestine conciliation commission. This commission, which should be appointed for a limited period, should be responsible to the United Nations and act under its authority. The commission, assisted by such United Nations personnel as may prove necessary, should undertake:

"(i) To employ its good offices to make such recommendations to the parties or to the United Nations, and to take such other steps as may be appropriate, with a view to ensuring the continuation of the peaceful adjustment of the situation in Palestine,

"(ii) Such measures as it might consider appropriate in fostering the cultivation of friendly relations between Arabs and Jews;

"(iii) To supervise the observance of such boundary, road, railroad, free port, free airport, minority rights and other arrangements as may be decided upon by the United Nations,

"(iv) To report promptly to the United Nations any development in Palestine likely to alter the arrangements approved by the United Nations in the Palestine settlement or to threaten the peace of the area."

(2) Conclusions regarding the Truce Operation

"1. The supervision of the truce is a continuing responsibility and it is neither necessary nor desirable at this stage to formulate any definitive views concerning the operation. The experience thus far gained in the supervision of two truces extending over a total period of more than three months has been very valuable, however, and on the basis of this experience certain analyses and conclusions may even now be usefully set forth.

"2. In assessing in general terms the entire period of truce, my dual role of Mediator and of supervisor of truce observation is an important factor. Conditions of truce, even though subject to frequent minor and occasional major infractions by both parties, provide a peaceful basis indispensable to the task of mediation. At the same time, organizing and supervising truce observance make imperative demands on time and staff. I am inevitably drawn into the settlement of disputes arising solely out of the truce, and it may be readily appreciated that my position and decisions as truce supervisor cannot, in the minds of the disputants, be easily dissociated from my role in the more fundamental task of mediation.

"3. The situation in Jerusalem has been considerably more tense and difficult during the second truce than during the first. This fact is due to a complex of reasons among which are the change in military dispositions between truces, and the increased concentration of manpower which appears to have taken place there in the interval between the truces. The special importance which each side attaches to the status of Jerusalem in a general settlement of the Palestine problem is, in the circumstances, a constant influence tending to heighten the tension there.

"4. However, the situation in Jerusalem has shown recent improvement. The decision of the Security Coun-

cil on 19 August fixing the responsibility of the parties under the cease-fire order, a considerable increase in the number of United Nations Observers stationed there, and intensive efforts to achieve localized demilitarization agreements, have produced beneficial results. Nevertheless, the conditions in Jerusalem are such that not even the increased number of Observers now there could for long maintain the truce in the City if it should appear likely that a settlement would be indefinitely deferred.

"5. United Nations supervision of the regular food convoys for Jerusalem has been an important feature of both truces. The movement of these convoys involved difficult negotiation and constant supervision and escort. Apart from some sniping activity during the early days of each truce, the convoy system has worked remarkably well. On the other hand, persistent efforts to ensure the flow of water to Jerusalem through the main pipe lines have met with failure during both truces, the destruction of the Latrun pumping station having so far nullified all efforts to solve the problem during the second truce.

"6. The period of the first truce coincided with the ripening of cereal crops in Palestine. Since the front lines ran almost entirely through land belonging to Arab cultivators, a great number of fields bearing crops was in no-man's land or behind Jewish positions. Attempts by Arabs to harvest crops in no-man's land and in the vicinity of and sometimes behind Jewish positions often led the Jews to react by firing on the harvesters. This was a major complication during the first truce, both before and after my ruling of 16 June, and explains many of the breaches of truce and the difficulties of truce observation over a wide area. During the second truce, incidents of this nature have been relatively few, since the harvest season for cereal crops is over. The efforts of Observers in securing local agreements regarding harvesting of crops undoubtedly saved many crops that would otherwise have been lost.

"7. The fact that in the Negebe there is no continuous front line has been, during both truces, a special cause of difficulty as a result of the need for each side to by-pass the other's positions in order to supply some of its own positions. Convoys under United Nations supervision largely solved the problem, though not without friction, during the first truce. During the second truce a similar system was proposed, but agreement on conditions could not be reached with the parties. Consequently, on 14 September I laid down the terms governing future convoys in the Negebe.

"8. In considering the effectiveness of the truce supervision, attention must be paid to two distinct, though related, aspects of the problem. On the one hand, there is the problem of observing the actual fighting fronts, of dealing with incidents which may arise there and preventing, if possible, any further outbreak of hostilities. On the other hand, there is the observation which is necessary over a vast area, to check whether or not materials and men are being moved in a manner to confer a military advantage contrary to the terms of the truce. As regards the second aspect of this problem, an important consideration is that the area under observation covers a very large part of the Middle East and that the necessity to concentrate a majority of the limited number of Observers at my disposal near the fighting fronts restricts the number available for duties elsewhere. The availability of an increased number of Observers has enabled me to ensure a more extensive supervision, especially in territories outside Palestine.

"9. Experience has shown that the more quickly action can be taken to deal with a local violation, the more easily incidents are controlled or prevented. It must be admitted that, on occasion, slowness to act, often because of circumstances beyond control, has hampered the operation of the truce supervision. Although the Secretary-General of the United Nations has given me the fullest co-operation and every assistance available to him, it is apparent that the United Nations was not in position as regards Observer personnel, armed guards, communications and transportation equipment or budgetary provision to set up rapidly the elaborate machinery of truce observation required.

"10. The second truce differed from the first principally in the fact that it was ordered by the Security Council under threat of further action under Chapter VII of the Charter, and that no time limit was set. This introduced a new element into the situation as compared with the first truce, in that the second truce involved compliance with a Security Council order. There is a tendency on each side to regard alleged breaches by the other side of a truce which has been ordered by the Security Council as calling for prompt action by that Council. Both sides now evidence a sense of grievance and complain that the compulsory prolongation of the truce is contrary to their interests. This feeling is inevitably reflected in their attitudes toward the Observers and truce obligations in general. The truce undoubtedly imposes a heavy burden on both sides, but even so, the burden of war would be heavier.

"11. The truce is not an end in itself. Its purpose is to prepare the way for a peaceful settlement. There is a period during which the potentiality for constructive action, which flows from the fact that a truce has been achieved by international intervention, is at a maximum. If, however, there appears no prospect of relieving the existing tension by some arrangement which holds concrete promise of peace, the machinery of truce supervision will in time lose its effectiveness and become an object of cynicism. If this period of maximum tendency to forego military action as a means of achieving a desired settlement is not seized, the advantage gained by international intervention may well be lost."

(3) *Conclusions regarding Assistance to Refugees*

"1. Conclusions which may be derived from the experience to date are summarized as follows:

"(a) As a result of the conflict in Palestine there are approximately 360,000 Arab refugees and 7,000 Jewish refugees requiring aid in that country and adjacent States.

"(b) Large numbers of these are infants, children, pregnant women and nursing mothers. Their condition is one of destitution and they are 'vulnerable groups' in the medical and social sense.

"(c) The destruction of their property and the loss of their assets will render most of them a charge upon the communities in which they have sought refuge for a minimum period of one year (through this winter and until the end of the 1949 harvest).

"(d) The Arab inhabitants of Palestine are not citizens or subjects of Egypt, Iraq, Lebanon, Syria and Transjordan, the States which are at present providing them with a refuge and the basic necessities of life. As residents of Palestine, a former mandated territory for which the international community has a continuing responsibility until a final settlement is achieved, these

Arab refugees understandably look to the United Nations for effective assistance.

"(e) The temporary alleviation of their condition, which is all that my disaster relief programme can promise them now, is quite inadequate to meet any continuing need, unless the resources in supplies and personnel available are greatly increased. Such increased resources might indirectly be of permanent value in establishing social services in the countries concerned, or greatly improving existing services. This applies particularly to general social administrative organizations, maternal and child care services, the training of social workers, and the improvement of food economics.

"(f) The refugees, on return to their homes, are entitled to adequate safeguards for their personal security, normal facilities for employment, and adequate opportunities to develop within the community without racial, religious or social discrimination.

"(g) So long as large numbers of the refugees remain in distress, I believe that responsibility for their relief should be assumed by the United Nations in conjunction with the neighbouring Arab States, the Provisional Government of Israel, the specialized agencies, and also all the voluntary bodies or organizations of a humanitarian and non-political character.

"2. In concluding this part of my report, I must emphasize again the desperate urgency of this problem. The choice is between saving the lives of many thousands of people now or permitting them to die. The situation of the majority of these hapless refugees is already tragic, and to prevent them from being overwhelmed by further disaster and to make possible their ultimate rehabilitation, it is my earnest hope that the international community will give all necessary support to make the measures I have outlined fully effective. I believe that for the international community to accept its share of responsibility for the refugees of Palestine is one of the minimum conditions for the success of its efforts to bring peace to that land."

c. SUMMARY OF OTHER PARTS OF THE REPORT

The conclusions stated above were preceded, in the Mediator's report to the General Assembly, by an account of his actual work. A brief résumé of these parts of the report follows.

(1) *The Mediation Effort*

The Mediator's activities up to July 15, 1948—the date on which the Security Council, in the presence of Count Bernadotte, ordered the second Palestine truce—are covered in another part of the present *Yearbook*²⁸⁴ and are not reviewed here, although an account thereof is contained in the Mediator's report to the Assembly. Of the period following July 15, the Mediator reported:

"14. Following my return to Rhodes on 19 July, after my short visit to Lake Success to attend the meetings of the Security Council, I consulted with Arab leaders on different occasions at Beirut, Amman and Alexandria. These conversations persuaded me that while the Arab States would maintain the truce, they would reject any

²⁸⁴See *Security Council*, pp. 429-41.

suggestion of acceptance or recognition of the Jewish State, and would not meet with Jewish representatives. The Arab leaders had become greatly concerned and incensed about the mounting distress among the huge number of Arab refugees. They considered the solution of this problem fundamental to a settlement of the Palestine question. I recognized that in the Arab States public opinion on the Palestine question was considerably agitated and that each of my visits to Arab capitals projected the question into prominence in the Arab Press. I decided, therefore, in addition to the true supervision, to concentrate my efforts in the immediate future on the problem of refugees and the demilitarization of Jerusalem, since no useful purpose could be served by taking precipitate action in forcing matters to a head. I concluded that a short 'cooling-off' period as regards the basic political problems might best serve the cause of later mediation. I decided, therefore, in the circumstances, that I could fulfil my previous commitment to attend the International Red Cross Conference in Stockholm. While there I would use the opportunity afforded by this Conference to further United Nations action in favour of immediate relief for Arab refugees.

"15. The two visits which I paid to Tel Aviv, at the end of July and early in August, made it apparent that the Jewish attitude had stiffened in the interval between the two truces, that Jewish demands in the settlement would probably be more ambitious, and that Jewish opinion was less receptive to mediation. A feeling of greater confidence and independence had grown out of Jewish military efforts during the interval between the two truces. Less reliance was placed in the United Nations and there was a growing tendency to criticize its shortcomings with regard to Palestine.

"16. Following my return to Rhodes from Stockholm on 3 September, I undertook further talks with Arab and Jewish leaders in Alexandria, Amman and Tel Aviv in the period 6 to 9 September. These talks revealed that there was, at least for the time being, no prospect of voluntary agreement between the disputants, nor any willingness on the part of Arabs to negotiate with the Jews either directly or through the Mediator. But I did sense a more moderate and reasonable atmosphere in all quarters and a tendency to discuss more realistically the basic problems.

"17. As a result of these talks, I became convinced: (a) that it would be of utmost urgency that the General Assembly consider and reach decisions upon the Palestine question at its forthcoming session; (b) that if the General Assembly should reach firm and equitable decisions on the principal political issues there would be a reasonable prospect that settlement could be achieved if not by formal at least by tacit acceptance; and (c) that the truce could be maintained with reasonable fidelity throughout the General Assembly session but that it might be gravely doubted that it could be indefinitely prolonged beyond then in the absence of tangible progress toward a settlement."

The Mediator also recalled the offer of direct negotiations which the Provisional Government of Israel, through him, extended to the Arab States on August 6, 1948, an offer which the Arab States declined. In this connection, the Mediator declared in his report:

"For my part . . . I would welcome direct negotiations

at any time the parties could agree to hold them, though I was well aware that at this particular time such an offer was probably premature, since I had just discussed the question of settlement with the Arabs. I am convinced, however, that the offer was sincerely made. It had recently been brought to my attention by both Arab and Jewish officials that other offers for direct negotiations have been transmitted by Jewish representatives directly to Arab authorities. I have reaffirmed to both Arab and Jewish authorities that I would be very pleased should they find it possible to enter into direct negotiations and that I am prepared to offer every possible assistance toward that end."

The Mediator also reviewed his efforts to bring about the demilitarization of Jerusalem, efforts which at the writing of the report had not yet borne fruit.

In a section dealing with the problem of Arab refugees in so far as that problem entered into his mediatory efforts, Count Bernadotte recalled that his proposal to permit such refugees to return to their homes in Jewish-occupied parts was rejected by the Provisional Government of Israel on security grounds. The Mediator added:

"... notwithstanding the views expressed by the Provisional Government of Israel, it was my firm view that the right of the refugees to return to their homes at the earliest practicable date should be affirmed.

"It must not be supposed, however, that the establishment of the right of refugees to return to their former homes provides a solution of the problem. The vast majority of the refugees may no longer have homes to return to and their re-settlement in the State of Israel presents an economic and social problem of special complexity. Whether the refugees are re-settled in the State of Israel or in one or other of the Arab States, a major question to be faced is that of placing them in an environment in which they can find employment and the means of livelihood. But in any case their unconditional right to make a free choice should be fully respected."

As regards the Assembly's resolution of November 29, 1947, the Mediator's observations on the spot led him to the view that "the . . . question . . . is not whether it may be advisable to review and revise the resolution. . . . It has already been overrun and irrevocably revised by the actual facts of recent Palestine history." Among these facts he cited the non-internationalization of Jerusalem, the lack of implementation of the clauses providing for economic union, the non-creation of the proposed Arab State, as well as the attitude of both parties. On the last point, the Mediator stated that the only implementation of the partition resolution—although admittedly not in accordance with the procedure envisaged therein—had been the creation of the State of Israel, a "vigorous reality" which would continue to exist. On the other hand, the Jews, as a result of recent events,

had apparently modified their attitude towards some of the territorial provisions of the partition scheme, notably as regards the internationalization of Jerusalem and the disposition of some other territories not intended for inclusion in the Jewish State in the resolution of November 29.

On the Arab side, the Mediator declared in his report, the dilemma was that the Arab States knew and felt that the State of Israel could only be destroyed by force, although they had been unable to do this. Besides, there was the fact that the Security Council had decreed that force should in no case be employed. The Arabs, the Mediator further reported, feared that Israel might not be satisfied to stay within its borders as of that time. In this connection, as well as in connection with the problem of immigration, the Mediator suggested that it would be helpful if the Jews as well as others were somewhat more understanding with respect to the general Arab attitude.

Any proposal for a unitary state, comprising Arabs and Jews in Palestine, as envisaged by the Arabs, was in the Mediator's opinion, unrealistic in the circumstances at the time he was reporting, and while economic union remained desirable, it was not at that time attainable.

Although officially the attitude of the two parties had not, at the time of the report, undergone any marked change, the Mediator nevertheless was able to report:

"There are recent indications of more moderate and sober counsel in at least some important quarters."

He added:

"Although it cannot be said that neither side will fight again under any circumstances, I am strongly of the view that the time is ripe for a settlement. I am reasonably confident that given the permanent injunction against military action issued by the Security Council, and firm political decisions by the General Assembly, both sides will acquiesce, however reluctantly, in any reasonable settlement on which is placed the stamp of approval of the United Nations."

(2) *The Supervision of the Two Truces*

Under this heading, the Mediator reviewed the operation of the first and second truces, the first lasting from June 11 to July 9, 1948, the second having begun on July 18 and continuing to be in force at the time the report was written.

Both truces, the Mediator stated, had worked well on the whole. In both there were initial difficulties because of the fact that no United Nations Observers were on hand at the respective times fixed for cessation of hostilities, a fact which made it difficult for the Mediator's staff to judge the validity of rival claims of positions won or lost

after the two truces were to become effective. In most such cases, therefore, the report stated, the Observers took as their point of departure the position of the front lines as they found them upon arriving on the scene.

Charges of truce violations were registered with the Mediator by both sides. The overwhelming majority of these charges were found to be either grossly exaggerated or without valid evidence. There were, however, three serious breaches of the truce between June 11 and July 9, and four serious violations between July 18 and the date of the writing of the report. In each of these cases, the Security Council was formally notified by the Mediator.

(a) *SERIOUS TRUCE VIOLATIONS*

(i) *The Altalena Incident*

Sponsored by the Irgun Zvai Leumi, the ship *Altalena* attempted to bring war materials and men of military age to Palestine in circumvention of the truce terms. The Provisional Government of Israel took strong police action to prevent the landing, and the ship was set on fire, but some of the men and arms had already been successfully landed in Israel. The Provisional Government of Israel was informed by the Mediator that its explanation regarding the disposition of the men and arms was not satisfactory. The incident occurred toward the end of the first truce.

(ii) *Firing on Negeb-bound Convoys*

Egyptian forces refused to permit convoys carrying relief supplies under United Nations control to pass through their territory to isolated Jewish settlements in the Negeb, and fired on them. The incident was settled temporarily, but re-occurred toward the end of the first truce.

(iii) *Blocking Jerusalem Water Supply*

Transjordan and Iraqi forces refused to permit the flow of water to Jerusalem through the pipeline and pumping stations controlled by them. Despite repeated representations by the Mediator to the Arab authorities and despite the decision of the Security Council of July 7, no water flowed to Jerusalem during the first truce.

(iv) *Destruction of Latrun Pumping Station*

The Latrun pumping station, located in no-man's land and controlled by the Mediator's staff, was blown up on August 12, 1948. This violation of the truce was found to have been the responsibility of Arab forces, possibly irregulars.

(v) Violation of Jerusalem Red Cross Zone

Egyptian, Transjordan and Israeli forces were located in close proximity in the vicinity of Jerusalem's Red Cross Zone, which included Government House, the Jewish Agricultural School and the Government Arab College. Following the occurrence of a number of minor incidents, Israeli forces, during the night of August 16-17, launched an attack on Egyptian positions south of the Zone. Although the attack was repulsed, Israeli forces remained in occupation of part of the Zone, and refused to withdraw unless the Arab Legion complied with a previous order of the Observers to withdraw from positions occupied by them in no-man's land at Nabi Dawid and Deir Abu Tor, and unless the Egyptian and Transjordan forces agreed to the establishment of, and withdrawal from, an enlarged neutral zone in the area surrounding the Red Cross Zone. The Central Truce Supervision Board decided on August 27 that the Israeli forces had committed two flagrant violations of the terms of the truce in (a) launching the attack and in (b) retaining troops in the Red Cross Zone, and ordered them to withdraw by August 29. At the same time, the Board decided to create a Neutral Zone, supervised by United Nations Observers, around the Red Cross Zone, and ordered all troops to be withdrawn from the Neutral Zone. After initial delays, this order was complied with by all concerned, and on September 4, all troops were withdrawn from both the Red Cross Zone and the newly created Neutral Zone.

Commenting upon the matter, the Mediator stated in his report: "I am convinced that the settlement arrived at in this case and the establishment of the enlarged Neutral Zone will help to ameliorate the generally tense situation in Jerusalem." He added that Israeli authorities "are protesting against the failure of the Arab Legion to comply with Board's order that they withdraw from the positions occupied by them at Nabi Dawid and Deir Abu Tor. The Observers are exerting strong efforts to induce the Arab forces to withdraw from those positions."

(vi) Murder of Two French Observers at Gaza

The third serious violation of the second truce occurred on August 28, when two French Observers, Lt.-Col. Joseph Queru and Captain Pierre Jeanne, were killed at Gaza by Saudi Arabian irregular troops under Egyptian military command. Although there was an element of United Nations responsibility in that the Egyptian forces did not receive advance notice of the arrival of the plane carrying

the two Observers, and the pilot was not properly briefed, "nevertheless"—the Mediator reported—"Egyptian anti-aircraft guns fired at the plane in violation of the truce, and the two unarmed Observers were murdered and robbed by troops under Egyptian command after the officers had landed and left their plane. The Egyptian Government was notified of its responsibility and appropriate redress was requested."

(vii) Attack on Three Arab Villages

The Secretary-General of the League of Arab States, in the latter part of July, complained to the Mediator against the attack on three Arab villages—Ein Gazal, Jaba and Ijzim—located south of Haifa, in Israeli territory, claiming that Jewish attacks had led to the capture or massacre of tens of thousands and that there were four thousand refugees from these localities. A preliminary investigation by the Mediator's staff disclosed that the villages were deserted and had been damaged, but uncovered no evidence of massacre or capture. Israeli authorities admitted that some of the inhabitants had been killed or made prisoners during what they called a "police raid" undertaken to stamp out sniping and the activities of irregulars who were blocking the Tel Aviv-Haifa road. After a thorough investigation, the Observers located more than 8,000 of the villagers and established that less than 130 were killed or missing. The Central Truce Supervision Board found that the villages were attacked by the Jews between July 18 and 25 by air and land, and that the inhabitants had been forced to evacuate. Following this evacuation, the villages of Ein Gazal and Jaba were destroyed by the Israeli forces. The attack could not be excused as a police action since there had been fighting prior to the truce, and at the commencement of the truce, the villagers had offered to negotiate with the Jews, who had apparently failed to explore the offer. The Mediator, on September 9, informed the Provisional Government of Israel that the action at the three villages constituted a violation of both the spirit and letter of the truce terms, that the evacuated villagers should be permitted forthwith to return, and that the Provisional Government must do everything possible to rehabilitate them, including the restoration at its expense of all houses damaged or destroyed.

All in all, there had been some five hundred complaints and incidents reported to the Mediator during the first truce, as compared to some three hundred between July 13 and September 4, 1948. All but the seven incidents described above were of

a less serious nature, and no special reports were submitted to the Security Council in connection with them.

Concerning the machinery of dealing with alleged violations of the truce, the Mediator stated:

"All complaints are submitted to investigation by Observers in the field and, where necessary, by a special investigation team. In cases where they cannot be settled by Observers on the spot, they are referred, together with the Observer's report, to Haifa Headquarters for disposal. The less serious cases are referred to the Chief of Staff, and the more serious ones to the Central Truce Supervision Board. Decisions by both the Chief of Staff and the Central Truce Supervision Board are transmitted to me for review and are then dispatched to the Governments concerned. Major violations, if not immediately rectified by the parties, are reported to the Security Council."

The allocation of Observers was flexible. As of September 8, 1948, the distribution and location of Observers were as follows.

Israel: Haifa, 76; Aqir, 2; Natanya, 4; Rama David, 4; Tel Aviv, 28; Tiberias, 13.

Jerusalem: 79.

Arab areas of Palestine: Hebron, 4; Gaza, 14; Nablus, 15; Ramallah, 7.

Egypt: Alexandria, 5; Cairo, 5; El Arish, 3; Port Said, 1.

Iraq: Baghdad, 3; Basra, 3.

Lebanon: Beirut, 17.

Syria: Damascus, 14.

Transjordan: Aqaba, 2; Amman, 16.

In both truces, the Mediator reported, the most sensitive spot was the City of Jerusalem, which, particularly during the second truce, was gripped by an atmosphere of tenseness, punctuated by many instances of sniping and other forms of dangerous, if limited, military action, chiefly by irregulars on both sides. The situation was somewhat eased through the creation of neutral zones, but the only real solution of the problem was, the Mediator reported, to be found in the eventual total demilitarization of the City, as yet unachieved.

(b) PERSONNEL OF THE TRUCE SUPERVISION

The first truce was supervised by 93 military Observers, i.e., 31 each from Belgium, France and the United States, five Swedish officers, 51 United Nations guards and 70 additional men serving as auxiliary personnel.

Three hundred officers from Belgium, France and the United States came to Palestine and the surrounding countries as military Observers for the second truce—125 each from the United States and France, 50 from Belgium. In addition, there were ten Swedish officers, including Major-General Aage Lundstrom, Chief of the Mediator's Military Staff and his personal representative. During the middle of August, it became clear to the Mediator

that his staff, although larger than during the first truce, was still too small and he therefore requested the services of an additional 300 enlisted men—50 from Belgium, and 125 each from France and the United States—to act as Observers and to assist the officer Observers in their work. At the time the report was written (September 16), 84 United States enlisted men had arrived, and the Mediator had also secured four French and 78 United States enlisted men to serve the Observers as auxiliary technical personnel. The latter included air crewmen, clerks, communications and motor transport personnel and medical assistants.

Equipment needed by the Mediator's staff was made available by the United Nations, France, the United Kingdom and the United States.

In both truces, Haifa was chosen as headquarters of the observation organization, while the Mediator's headquarters as such remained throughout on the island of Rhodes.

(c) OBSERVER CASUALTIES

In his report to the General Assembly, the Mediator stated:

"I can speak only with praise of the loyalty of the Observer personnel to the cause of international peace, and of their courage and impartiality in the performance of their duty. They are unarmed and have no power to prevent truce violations or to enforce their rights or decisions. They are engaged in a difficult and hazardous task. It is with deep regret that I must record the following casualties among Observers. . . ."

Those killed were:

Commandant RENÉ DE LABARRIÈRE, of the French Army, killed while on duty near Afula on July 3, 1948.

OLE H. BAKKE, of Norway, a United Nations guard, killed while on duty at Jerusalem on July 13, 1948.

Lieutenant-Colonel JOSEPH QUERU, of the French Army, killed while on duty near Gaza on August 28, 1948.

Captain PIERRE JEANNEL, of the French Army, killed while on duty near Gaza on August 28, 1948.

The wounded men were:

Commandant DU MOUSTIER DE CANCHY, of the French Army, wounded while on duty near Afula on July 3, 1948.

Captain ROBERT DENS, of the Belgian Army, wounded while on duty near Gaza on July 3, 1948.

Private First-Class EDWARD BRODERU, of the United States Marine Corps, wounded while on duty at Jerusalem on July 3, 1948.

Captain PAUL J. J. LEYDER, of the Belgian Army, wounded while on duty at Latrun on August 1, 1948.

Captain MICHEL TAYMANS, of the Belgian Army, wounded while on duty at Jerusalem on August 13, 1948.

Captain HENRI TORS, of the French Army, wounded while on duty at Jerusalem on August 28, 1948.

ERIC GORMSEN, of the United States, a United Nations guard, wounded while on duty at Jerusalem on September 8, 1948.

"All these men"—the Mediator declared in his report—"were casualties in the service of the international community. I commend their gallantry and devotion to duty, and express my sincerest sympathy to the families of those who have lost their lives."

(3) Assistance to Refugees

The Mediator estimated that some 360,000 Arabs and some 7,000 Jews became refugees as a result of hostilities in Palestine. The 7,000 Jews were women and children from Jerusalem and various Arab-occupied areas who sought refuge in Jewish-controlled territory. As for the Arabs, the Mediator's report provided these "confirmed estimates":

3,000 sought refuge in Iraq,
50,000 in Lebanon,
70,000 in Syria,
50,000 in Transjordan,
145,000 in various parts of Arab Palestine,
12,000 in Egypt.

330,000

(The remainder were scattered along access roads or distributed in tiny isolated communities or hiding places over a wide area.)

Approximately 50,000 Arabs remained in Jewish-controlled territory.

By the middle of July 1948, the refugee problem had become grave, and the Mediator considered that urgent measures had to be taken for humanitarian reasons. An appeal for assistance to the Preparatory Commission for the International Refugee Organization, elicited the response that PC-IRO doubted the eligibility of the Arab refugees under the IRO's constitution, adding that even if these doubts should prove to be unfounded, "... prior claim on its [PC-IRO's] limited resources would still be had by a large number of persons [which] the Organization had not yet been able to assist, but which have long had urgent refugee status".

The Mediator, on July 21, 1948, requested the Secretary-General to dispatch to his headquarters on Rhodes a senior official from the United Nations' Department of Social Affairs for the purpose of surveying the grave refugee problem. The request was met, and the basic emergency relief needs of the refugees were determined. Subsequently, the Mediator addressed appeals to 53 nations for voluntary contributions to assist these refugees and enlisted the services of such bodies as the World Health Organization, the Food and Agriculture Organization, the United Nations International Children's Emergency Fund and the International

Refugee Organization (in an advisory capacity). UNICEF agreed to provide up to \$411,000 plus shipping costs to cover an initial two months' program. The Mediator had requested \$796,000.

Further aid came from the International Red Cross and the World Council of Churches, as well as from many of the nations to which an appeal had been made.

In his report, the Mediator differentiated among three phases of the problem of assistance to refugees: immediate relief of basic needs, short-term planned program and a long-range program.

As regards a short-term program, this would consist of integrating into a single co-ordinated whole the aid and assistance which individual nations and organizations might be willing to furnish. Such an attempt was in progress at the time of the report. A senior member of the United Nations Secretariat was serving as the Mediator's Director of Disaster Relief, with headquarters in Beirut, established with the assistance of the Government of Lebanon and the League of Arab States. Assistance in the work, the Mediator reported, "will be provided by a Chief Medical Officer (WHO); a Chief Supply Officer (IRO, with subsequent replacement by UNICEF); and a Director of Field Operations (IRC); two Supervisory Field Medical Officers (IRC and UN); a Field Supervisory Supply Officer will support the programme in the field and will be assisted by Liaison and Supply Officers established, besides Beirut, at Damascus, Amman, Ramallah, Tel Aviv or Haifa, Gaza and Jerusalem."

Concerning the long-range program, the report declared that "even if the refugees were able to return to their homes at once, it would nevertheless be necessary, owing to their present circumstances, to maintain them during the winter and until August/September 1949, when harvesting will have been completed. It is obvious that action must be taken to determine the necessary measures and to provide for their implementation. It is my hope that the General Assembly of the United Nations will assume this responsibility."

d. FLIGHT LOG OF THE MEDIATOR

Dates	Itinerary of Flight
May 27	Paris-Rome-Athens
" 28	Athens-Cairo
" 31	Cairo-Haifa
June 1	Haifa-Mafrak-Amman-Mafrak-Cairo
" 3	Cairo-Mafrak-Amman-Haifa
" 4	Haifa-Cairo
" 5	Cairo-Beirut
" 6	Beirut-Haifa-Mafrak-Amman-Mafrak-Haifa
" 7	Haifa-Cairo
" 12	Cairo-Jerusalem-Damascus

<i>Date</i>	<i>Itinerary of Flight</i>	<i>Date</i>	<i>Itinerary of Flight</i>
June 13 . .	Damascus-Tel Aviv-Haifa-Rhodes	July 18 . .	Amsterdam-Geneva-Rome
" 15 . .	Rhodes-Cairo	" 19 . .	Rome-Rhodes
" 17 . .	Cairo-Tel Aviv	" 24 . .	Rhodes-Beirut
" 18 . .	Tel Aviv-Haifa-Rhodes	" 25 . .	Beirut-Haifa
July 1 . .	Rhodes-Jerusalem	" 26 . .	Haifa-Tel Aviv-Rhodes
" 2 . .	Jerusalem-Rhodes	August 1 . .	Rhodes-Amman
" 3 . .	Rhodes-Cairo	" 3 . .	Amman-Jerusalem-Alexandria
" 4 . .	Cairo-Rhodes	" 5-6 . .	Alexandria-Tel Aviv-Haifa-Rhodes
" 5-6 . .	Rhodes-Tel Aviv-Cairo	" 9 . .	Rhodes-Haifa-Jerusalem
" 7 . .	Cairo-Tel Aviv-Haifa	" 11 . .	Jerusalem-Haifa-Rhodes
" 8 . .	Haifa-Rhodes	" 12 . .	Rhodes-Rome-Geneva
" 9 . .	Rhodes-Amman-Haifa-Beirut-Rhodes	" 13 . .	Geneva-Stockholm
" 10 . .	Rhodes-Rome-Geneva	September 1 . .	Stockholm-Copenhagen-Paris
" 11 . .	Geneva-Amsterdam	" 2 . .	Paris-Geneva-Rome
" 11-12 . .	Amsterdam-Prestwick-Gander-New York	" 3 . .	Rome-Rhodes
" 17 . .	New York-Gander-Prestwick	" 6 . .	Rhodes-Alexandria
" 18 . .	Prestwick-Amsterdam	" 8 . .	Alexandria-Mafraq-Amman-Mafraq-Haifa
		" 9 . .	Haifa-Tel Aviv-Rhodes

ANNEX I

DELEGATIONS TO THE GENERAL ASSEMBLY²⁸⁵

A. Second Regular Session of the General Assembly

AFGHANISTAN:

Representatives Abdul Hosayn Aziz
Abdul Hamid Aziz
Abdul Kayoum
Sultan Ahmed

ARGENTINA:

Representatives José Arce
Enrique V. Corominas
Brig.-General Franklin Lucero
Luis Arean
Rodolfo Muñoz
Alternates Coronel Eduardo Lonardi
Carlos Quiros
Guillermo Roque Spangenberg
José Moneta
Ruben Dussaut

AUSTRALIA:

Representatives Herbert V. Evatt
N. J. O. Makin
Lt.-Colonel W. R. Hodgson
A. S. Watt
Alternates J. D. L. Hood
W. D. Forsyth
C. V. Kellway
J. E. Oldham
J. Plimsoll
A. H. Tange

BELGIUM:

Representatives Paul-Henri Spaak
Fernand van Langenhove
Herman Vos
Pierre de Smet
Pierre Ryckmans
Alternates R. Scheyven
Victor Larock
Georges Kaackenebeck
Fernand Dehousse
Joseph Nisot

BOLIVIA:

Representatives Adolfo Costa du Rels
Eduardo Anze Matienzo
Ernesto Sanjinés
Humberto Palza
Luis Romero Saenz
Alternate Antonio Mogro Moreno

BRAZIL:

Representatives Oswaldo Aranha
Alvaro Adolfo da Silveira
Arthur de Souza Costa
João Carlos Muniz
Gilberto Amado
Alternates Henrique de Souza Gomes
Afran de Mello Franco
Enrico Penteado
Octavio Bulhões
Olyntho Machado

BYELORUSSIAN S.S.R.:

Representatives Kuzma V. Kiselev
Vladimir V. Skorobogaty
Leonid I. Kaminsky
Vasili P. Smolhar

CANADA:

Representatives Louis S. St. Laurent
J. L. Ilsley
Norman P. Lambert
Walter A. Tucker
Joseph Bradette
Alternates L. B. Pearson
George F. Davidson
L. R. Beaudoin
Sidney D. Pierce
Escott Reid

CHILE:

Representatives José Maza
Humberto Alvarez Suarez
Manuel Trucco Gaceta
Hernan Santa Cruz
Rodrigo Abarcto Orostegui
Alternate Joaquin Larraín

CHINA:

Representatives Wang Shih-chieh
V. K. Wellington Koo
T. F. Tsiang

²⁸⁵The Charter of the United Nations provides that no Member may have more than five representatives in the General Assembly. Replacements for those representatives who served only a short time account for the fact that in some instances more than five representatives for a Member State are listed.

	P. C. Chang Liu Chieh <i>Alternates</i> L.-Gen. Shih ming Chu C. L. Hsia Shuhsi Hsu Chang Chung-fu		<i>Alternates</i> Mohamed Amin Rostem Abdel Monem Mostapha Saad Kamel Colonel Mohamed Abdel-Halim Khalifa Abbas Ammar
COLOMBIA:		EL SALVADOR:	
<i>Representatives</i>	Alfonso López Gonzalo Restrepo Jaramillo Evaristo Sourdis Julio Cesar Turbay Alberto González Fernández	<i>Representatives</i>	Hector David Castro Joaquin Leiva Roberto Aguilar Trigueros
COSTA RICA:		ETHIOPIA:	
<i>Representatives</i>	Ricardo Fournier Francisco de Paula Gutiérrez B. Arturo Morales Flores <i>Alternates</i> Fernando Flores B. Miguel A. Blanco	<i>Representatives</i>	Aklilou Abte Wold Getahoun Tesemma Emmanuel Abraham Zaudie Gabre Heywo Gabre Maskal Kifle-Egzi <i>Alternates</i> John H. Spencer Petros Sahlou
CUBA:		FRANCE:	
<i>Representatives</i>	Guillermo Belt Ernesto Dihigo Jose Perez Cubillas Joaquin E. Meyer Jose Ensenar	<i>Representatives</i>	Georges Bidault Yvon Delbos Jules Moch Alexandre Parodi Léon Jouhaux <i>Alternates</i> René Mayer Pierre Olivier Lapie Mme. Marie Hélène Lefancheux Roger Garreau Maurice Couve de Murville
CZECHOSLOVAKIA:		GREECE:	
<i>Representatives</i>	Jan Masaryk Juraĭ Slavik Jan Papanek Jaromir Spacek Mrs. Gertruda Sekaninova <i>Alternates</i> Karel Lusicky Josef Hanc Ladislav Radumsky Vaclav Hyka Vaclav Benes	<i>Representatives</i>	Constantine Tsaldaris Georges Melas Vassili Dendramis Constantine Sakelliaropoulos Christos Diamantopoulos <i>Alternates</i> Alexis Kyrou John Spyropoulos Xenophon Zolotas John Kalergis G. Conklelis
DENMARK:		GUATEMALA:	
<i>Representatives</i>	Gustav Rasmussen Harrvig Frisch Ernst Christiansen Per Federspiel J. Villemoes Einar P. Foss Ib Norlund <i>Alternates</i> Henrik Kauffmann H. Lannung William Borberg Mrs. Bodil Begtrup	<i>Representatives</i>	Jorge García Granados Ernesto Viteri Bertrand Julio Camey Herrera Federico Rölz Bennet José Luis Mendoza Carlos García Bauer <i>Alternate</i>
DOMINICAN REPUBLIC:		HAITI:	
<i>Representatives</i>	Arnuro Despradel Julio Ortega Frier Max Henriquez-Ureña Elias Brache <i>Alternates</i> Enrique de Marchena Joaquin Balaguer Tulio Franco y Franco Ricardo Perez Alfonseca	<i>Representatives</i>	Joseph D. Charles Antonio Vieux Max H. Dorsinville Herard C. L. Roy Luc Grimar
ECUADOR:		HONDURAS:	
<i>Representatives</i>	L. Neftali Ponce Clemente Duran-Ballen <i>Alternates</i> José A. Correa Arturo Meneses Pallares	<i>Representative</i> <i>Alternate</i>	Tiburcio Carias, Jr. Raul Alvarado Trochez
EGYPT:		ICELAND:	
<i>Representatives</i>	Mohamed Hussein Heykal Pasha Mahmoud Fawzi Taha El Sayed Nasr Wahid Fikry Raafat Abdel Halim El Rifai	<i>Representatives</i>	Thor Thors Asgeir Asgeirsson Hermann Jonasson Olafur Thors
		INDIA:	
		<i>Representatives</i>	Mrs. Vijaya Lakshmi Pandit Sir Fazl Ali Raja Sir Maharaj Singh M. C. Setalvad K. M. Panikkar

<i>Alternates</i>	M. K. Vellodi P. P. Pillai B. R. Sen Sri Narayan Mahtha B. Shiva Rao		
IRAN:			
<i>Representatives</i>	Mostafa Adl Abolghassem Forouhar Nasrollah Entezam Fazlollah Nabil Jalal Abdoh	<i>Alternates</i>	J. V. Wilson Mrs. I. E. Roberts W. B. Sutch T. O. W. Brebner C. K. Webster C. Crow Miss I. P. Coates Miss H. N. Hampton
<i>Alternates</i>	Morteza Moshfegh Kazemi Hossein Navab Abolghassem Panahi Abbasali Khalatbary	NICARAGUA:	
IRAQ:		<i>Representatives</i>	Guillermo Sevilla-Sacasa Octavio Salinas Juan José Martínez-Lacayo
<i>Representatives</i>	General Noury As-Said Mohammed Fadhil Jamali Abdullah Damluji Abdul-Majid Abbass	NORWAY:	
<i>Alternates</i>	Mrs. Fadhil Jamali Mrs. Badia Afnan Miss Sitria Al Khoja Awni Khalidy Hashiem Hilli	<i>Representatives</i>	Halvard M. Lange Nils Langhelle Wilhelm Munthe Morgenstierne Carl J. Hambro Terje Wold Finn Moe Arthur Sundt J. Strand Johansen Mrs. Aase Lionaes Frede Castberg
LEBANON:		<i>Alternates</i>	
<i>Representatives</i>	Camille Chamoun Abdallah Yafi Charles Malik Victor Khouri Adel Osseiran Edouard Ghorra Ramiz Shamma Karim Azkoul	PAKISTAN	
<i>Alternates</i>		<i>Representatives</i>	Sir M. Zafrulla Khan M. A. H. Ispahani Mrs. S. Tasadduque Hussain M. Laik Ali Abdus Sattar Pirzada Mohamed Ayub Laurie Shaffi M. Farookhi
LIBERIA:		<i>Alternates</i>	
<i>Representatives</i>	Gabriel L. Dennis William E. Dennis A. Dash Wilson	PANAMA:	
LUXEMBOURG:		<i>Representatives</i>	Ricardo J. Alfaro Jorge E. Boyd José A. Sosa Juan Rivera Reyes Manuel Mendez Guardia
<i>Representatives</i>	Joseph Bech Hugues Le Gallais Pierre Elvinger Pierre Pescatore	PARAGUAY:	
MEXICO:		<i>Representatives</i>	Guillermo Enciso Velloso César R. Acosta Carlos Soler
<i>Representatives</i>	Jaime Torres Bodet Luis Padilla Nervo Primo Villa-Michel Luis Quintanilla Antonio Carrillo Flores Gustavo Martínez Cabañas Rafael de la Colina Raul Noriega	PERU:	
<i>Alternates</i>		<i>Representatives</i>	Alberto Ulloa Juan Bautista de Laval Juvenal Monge Carlos Holguin de Laval Rear-Admiral Enrique A. Labarthe
NETHERLANDS:		PHILIPPINES:	
<i>Representatives</i>	Baron C. G. W. H. van Boetzelael van Oosterhout J. H. van Roijen J. W. M. Snouck Hurgronje J. A. W. Burger E. M. J. A. Sassen L. J. C. Beaufort Baron A. W. C. Bentinck J. P. A. Francois W. J. A. Kernkamp Miss Marga A. M. Klompé	<i>Representatives</i>	Brig.-General Carlos P. Romulo Miguel Cuaderno Emilio Abello Vicente Sotto Tomas Cabili Teodoro Evangelista Leonides S. Virata Salvador P. López Colonel Amado N. Bautista Jose D. Ingles Renato Constantino
<i>Alternates</i>		<i>Alternates and Advisers</i>	
NEW ZEALAND:		POLAND:	
<i>Representatives</i>	Sir Carl August Berendsen James Thorn	<i>Representatives</i>	Zygmunt Modzelewski Oscar Lange Jozef Winiewicz Tadeusz Zebrowski Jan Drohojowski Manfred Lachs
		<i>Alternates</i>	

	Karol Laptas Juliusz Katz-Suchy Ksawery Pruszyński Ignacy Zlotowski
SAUDI ARABIA:	
<i>Representatives</i>	H. R. H. Amir Faisal Al Saud Hafiz Wahba Asad Al Faqih Ebrahim Sulaiman
<i>Alternates</i>	Ali A. Alireza Ahmed A. Jabbar Ahmed Shara Abdul Rahman Helaissi

SIAM:	
<i>Representatives</i>	Arthakitti Banomyong Prince Wan Wathayakon Direck Jayanama Prince Subha Svasti Svastivat Suchit Hitanyapruk
<i>Alternates</i>	

SWEDEN:	
<i>Representatives</i>	Osten Undén Axel Gyores Rickard Sandler Gosta Bagge Gustaf H. Enksson Vilmar Ljungdahl John Bergvall Gunnar Hagglof Rolf Sohlman Mrs. Ulla Lindstrom
<i>Alternates</i>	

SYRIA:	
<i>Representatives</i>	Faris el-Khoury Emir Adel Arslan Fayez el-Khoury Najib Armanoz Farid Zeineddin Rafik Asha
<i>Alternates</i>	

TURKEY	
<i>Representatives</i>	Selim Sarper Zeki Polar

UKRAINIAN S.S.R.:	
<i>Representatives</i>	Dmitri Z. Manuilsky Alexei D. Voina Stephen P. Demchenko Vasili A. Tarasenko

UNION OF SOUTH AFRICA:	
<i>Representatives</i>	H. G. Lawrence H. T. Andrews J. Neser L. C. Steyn Seymour Jacklin J. R. Jordaan W. Dirkse-Van Schaikwyk L. H. Wessels A. H. Hamilton H. H. Woodward
<i>Alternates</i>	

U.S.S.R.:	
<i>Representatives</i>	Andrei Y. Vyshinsky Andrei A. Gromyko Valerian A. Zorin Konstantin K. Rodionov Semen K. Tsarapkin Boris E. Stein Vsevolod N. Durdenevsky Amazasp A. Arutiunian Alexei A. Roschin
<i>Alternates</i>	

UNITED KINGDOM:

<i>Representatives</i>	Ernest Bevin Hector McNeil Arthur Creech-Jones Sir Hartley Shawcross Sir Alexander Cadogan C. P. Mayhew A. G. Bottomley Kenneth G. Younger E. Davies Mrs. Florence Paton
<i>Alternates</i>	

UNITED STATES:

<i>Representatives</i>	George C. Marshall Warren R. Austin Herschel V. Johnson Mrs. Franklin D. Roosevelt John Foster Dulles Charles Fahy Willard L. Thorp Francis B. Sayre Adlai E. Stevenson Major-General John H. Hildring
<i>Alternates</i>	

URUGUAY:

<i>Representatives</i>	Juan Carlos Blanco Pedro Manini y Rios Felipe Ferreira Jaume Bayle Adolfo Tejera Enrique Rodriguez Fabregat Juan Carlos Arrosa
<i>Alternates</i>	

VENEZUELA:

<i>Representatives</i>	Carlos Eduardo Stolk Carlos D'Ascoli Pedro Zuloaga Gabriel Angel Lovera Lorenzo Mendoza Fleury Victor M. Perez Perozo Julio Pocaterra
<i>Alternates</i>	

YEMEN:

<i>Representatives</i>	Prince Seif El Islam Abdullah Hassan Ibrahim Mohammed El Amri
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YUGOSLAVIA:

<i>Representatives</i>	Stanoje Simic Sava Kosanovic Ales Bebler Ljubo Leontic Vladimir Popovic Vladislav Ribnikar Joza Vilfan Milan Bartos Josip Djerdja Leo Mattee
<i>Alternates</i>	

B. Second Special Session of the General Assembly**AFGHANISTAN:**

<i>Representative</i>	Abdul Hamid Aziz
<i>Alternates</i>	Abdul Kayoum Sultan Ahmed

ARGENTINA:

<i>Representative</i>	José Arce
<i>Alternate</i>	Rodolfo Muñoz

AUSTRALIA:

<i>Representative</i>	J. D. L. Hood
<i>Alternate</i>	W. D. Forsyth

BELGIUM:

Representatives Herman Vos
Pierre Ryckmans
Alternate Joseph Nisot

BOLIVIA:

Representative Eduardo Anze Matienzo

BRAZIL:

Representatives João Carlos Muniz
Gilberto Amado
Alternate Henrique de Souza Gomes

BURMA:

Representative U So Nyun
Alternate U Tin Maung

BYELORUSSIAN S.S.R.:

Representative Leonid I. Kaminsky

CANADA:

Representative General A. G. L. McNaughton
Alternates E. R. Hopkins
George Ignatieff

CHILE:

Representative Hernan Santa Cruz
Alternates Joaquin Larraín
Higinio Gonzalez
Enrique Bustos
Fernando Maquieira

CHINA:

Representative T. F. Tsiang
Alternates C. L. Hsia
Shuhsi Hsu

COLOMBIA:

Representatives Alfonso López
Gonzalo Restrepo-Jaramillo
Alberto González Fernández
Emilio Toro
Jorge Ortiz Rodríguez

COSTA RICA:

Representative Ricardo Fournier

CUBA:

Representatives Guillermo Belt
Carlos Blanco

CZECHOSLOVAKIA:

Representative Vladimír Houdek
Alternate Zdeněk Smetáček

DENMARK:

Representative William Borberg

DOMINICAN REPUBLIC:

Representative Max Henriquez-Ureña

ECUADOR:

Representative José A. Cotrea
Alternate Arturo Meneses Pallares

EGYPT:

Representatives Mahmoud Fawzi
Mohamed Amin Rostem

EL SALVADOR:

Representative Roberto Aguilar Trigueros

ETHIOPIA:

Representatives Ras H. S. Imru
Getahoun Tesemma

FRANCE:

Representative Alexandre Parodi
Alternates Roger Garreau
Guy de La Tournelle
Claude de Boisanger

GREECE:

Representative Alexis Kyrrou
Alternates John Kalergis
Alexis S. Liatis

GUATEMALA:

Representative Jorge García Granados
Alternate Carlos García Bauer

HAITI:

Representative Joseph D. Charles
Alternate Maudclair Zephurin

HONDURAS:

Representative Tiburcio Carías, Jr.

ICELAND:

Representative Thor Thors

INDIA:

Representatives Sir Girja Shankar Bajpai
P. P. Pillai
Alternate M. Gopala Menon

IRAN:

Representative Nasrollah Entezam
Alternates Khosrow Khosrovani
Khosrow Afshar

IRAQ:

Representatives Naji Al-Asul
Abdullah Bakr
Alternates Awni Khalidi
Baha Awni

LEBANON:

Representative Charles Malik
Alternate Edouard Ghorra

LIBERIA:

Representatives Benjamin G. Freeman
Nette Sie Brownell
Walter F. Walker

LUXEMBOURG:

Representative Hugues Le Gallais

MEXICO:

Representatives Luis Padilla Nervo
Rafael de la Colina
Alternate Octavio Barreda

NETHERLANDS:

Representative J. W. M. Snouck Hurgronje
Alternates J. G. de Beus
A. I. Spits

NEW ZEALAND:

Representatives Sir Carl August Berendsen
A. D. McIntosh
Alternate J. S. Reid

NICARAGUA:

Representative Guillermo Sevilla-Sacasa
Alternate Major Juan José Rodríguez S.

NORWAY:

Representative Finn Moe

PAKISTAN:

Representatives Sir M. Zafrulla Khan
M. A. H. Ispahani
Mohammad Ali
Colonel Majid Malik
Akhtar Husain

PANAMA:

Representative Manuel de J. Quijano
Alternate Roberto de la Guardia

PARAGUAY:

(no list submitted)

PERU:

Representative Carlos Holguin de Laval
Alternate Alberto Soto de la Jara

PHILIPPINES.

Representatives Brig-General Carlos P. Romulo
 Vicente J. Francisco
Alternates Salvador P. López
 José D. Ingles
 Renato Constantino
 Major Antonio Chanco
 Major Patricio R. Monzon

POLAND:

Representative Juliusz Katz-Suchy
Alternates Tadeusz Kassern
 Aleksander Rudzinski

SAUDI ARABIA

Representatives H. R. H. Amir Faisal Al Saud
 Hafiz Wahba
 Asad Al Faqih
 Ebrahim Sulaiman
 Ali A. Alutza

SIAM

Representative Prince Wan Waithayakon

SWEDEN

Representative Gunnar Hagglof
Alternate Sverker Astrom

SYRIA

Representative Faris el-Khoury
Alternate Rafik Asha

TURKEY

Representative Selim Sarper
Alternate Adnan Kural

UKRAINIAN S S R.

Representatives Vasili A. Tarasenko
 A. I. Galagan
 V. P. Kovalenko

UNION OF SOUTH AFRICA:

Representative H. T. Andrews
Alternate Seymour Jacklin

U.S.S.R.:

Representatives Andrei A. Gromyko
 Alexander S. Panyushkin
 Semen K. Tsarapkin

UNITED KINGDOM:

Representative Arthur Creech-Jones
Alternate Sir Alexander Cadogan

UNITED STATES:

Representatives Warren R. Austin
 Francis B. Sayre
 Philip C. Jessup
Alternates Dean Rusk
 John C. Ross

URUGUAY:

Representative Enrique Rodriguez Fabregat

VENEZUELA:

Representative Carlos Eduardo Stolk
Alternates Pedro Zuloaga
 Victor M. Perez Perozo

YEMEN:

Representatives Hassan Ibrahim
 Abdel Rahman Abdel Samad

YUGOSLAVIA:

Representative Joza Vilfan

ANNEX II

OFFICERS OF THE GENERAL ASSEMBLY

A. Second Regular Session of the General Assembly

President

Oswaldo Aranha (Brazil)

Vice Presidents

CHINA: Wang Shih-chieh
 CUBA: Guillermo Beltr
 FRANCE: Georges Bidault
 MEXICO: Jaime Torres Bodet
 U.S.S.R.: Andrei Y. Vyshinsky
 UNITED KINGDOM: Ernest Bevin
 UNITED STATES: George C. Marshall

General Committee

Chairman—The President of the General Assembly

Members—The Vice-Presidents of the General Assembly and the Chairmen of the Six Main Committees

First (Political and Security) Committee

Chairman—Joseph Bech (Luxembourg)
 Vice-Chairman—Adolfo Costa du Rels (Bolivia)
 Rapporteur—Per Federspiel (Denmark)
 Henrik Kauffmann (Denmark)

Second (Economic and Financial) Committee

Chairman—Hernan Santa Cruz (Chile)
 Vice-Chairman—C. L. Patijn (Netherlands)
 Rapporteur—Josef Hanc (Czechoslovakia)

Third (Social, Humanitarian and Cultural) Committee

Chairman—Oscar Lange (Poland)
 Vice-Chairman—A. Dash Wilson (Liberia)
 Rapporteur—Charles Malik (Lebanon)

Fourth (Trusteeship) Committee

Chairman—Sir Carl August Berendsen (New Zealand)
 Vice-Chairman—Kuzma V. Kiselev (Byelorussian S.S.R.)
 Rapporteur—Max H. Dorsinville (Haiti)

Fifth (Administrative and Budgetary) Committee

Chairman—Sir Fazl Ali (India)
 Vice-Chairman—Joza Vilfan (Yugoslavia)
 Rapporteur—Gosta Bagge (Sweden)
 Richard Bergstrom (Sweden)

Sixth (Legal) Committee

Chairman—Faris el-Khoury (Syria)
 Vice-Chairman—Max Henriquez-Ureña (Dominican Republic)
 Rapporteur—Georges Kaekenbeeck (Belgium)

Ad hoc Committee on the Palestinian Question

Chairman—H. V. Evatt (Australia)
 Vice-Chairman—Prince Subha Svasti Svastivat (Siam)
 Rapporteur—Thor Thors (Iceland)

Ad hoc Committee on Headquarters

Chairman—Warren R. Austin (United States)
 Vice-Chairman—Finn Moe (Norway)
 Rapporteur—Alexis Kyrou (Greece)

Credentials Committee

Representatives of Chile, Czechoslovakia, Honduras, Iran (Chairman), Netherlands, New Zealand, Norway, Siam and United Kingdom.

*B. Second Special Session of the General Assembly**President*

José Arce (Argentina)

Vice-Presidents

FRANCE: Alexandre Parodi
 PERU: Carlos Holguín de Laval
 SWEDEN: Gunnar Hägglöf
 TURKEY: Selim Sarper
 U.S.S.R.: Andrei A. Gromyko
 UNITED KINGDOM: Arthur Creech-Jones
 UNITED STATES: Warren R. Austin

General Committee

Chairman—The President of the General Assembly

Members—The Vice-Presidents of the General Assembly and the Chairmen of the Six Main Committees

First Committee

Chairman—T. F. Tsang (China)
 Vice-Chairman—Juliusz Katz-Suchy (Poland)
 Rapporteur—Finn Moe (Norway)

Second Committee²⁴⁶

Chairman—Eduardo Anze Matienzo (Bolivia)

Third Committee²⁴⁷

Chairman—Carlos García Bauer (Guatemala)

Fourth Committee²⁴⁸

Chairman—Sir Carl August Berendsen (New Zealand)

Fifth Committee²⁴⁹

Chairman—Joža Vilfan (Yugoslavia)

Sixth Committee²⁵⁰

Chairman—Nasrollah Entezam (Iran)

Credentials Committee

Representatives of Belgium (Chairman), Dominican Republic, Egypt, India, Mexico, Netherlands, Pakistan, Ukrainian S.S.R. and Uruguay.

Members elected for three years to Dec. 31, 1950:

André Ganem (France)
 Jan Papanek (Czechoslovakia)
 N. Sundaresan (India)

*B. Committee on Contributions**Chairman*

G. Martínez Cabañas (Mexico)

Members elected for two years to Dec. 31, 1947:

Henry de Baumont (France)
 Sir Cecil Kiich (United Kingdom)
 Nedim El-Pachachi (Iraq)

Members elected for three years to Dec. 31, 1948:

J. P. Brigden (Australia)
 G. Martínez Cabañas (Mexico)
 Seymour Jacklin (Union of South Africa)
 Nicolai V. Orlov (U.S.S.R.)

Members elected for three years to Dec. 31, 1949:

K. V. Dzung (China)
 Jan Papanek (Czechoslovakia)
 James E. Webb (United States)

Members elected for three years to Dec. 31, 1950:

Rafik Asha (Syria)
 H. Campion (United Kingdom)
 Miss M. Z. N. Witteveen (Netherlands)

*C. Board of Auditors**Served to June 30, 1948:*

V. Shishov (Ukrainian S.S.R.)

To serve to June 30, 1949:

Uno Brunsberg (Sweden)

To serve to June 30, 1950:

Robert Watson Sellar (Canada)

To serve to June 30, 1951:

Antonio Ordóñez Ceballos (Colombia)

*D. Interim Committee of the General Assembly**Chairman*

Luis Padilla Nervo (Mexico)

Vice-Chairman

Fernand van Langenhove (Belgium)

Rapporteur

Nasrollah Entezam (Iran)

ANNEX III

MEMBERSHIP OF SUBSIDIARY BODIES OF THE GENERAL ASSEMBLY²⁵⁷*A. Advisory Committee on Administrative and Budgetary Questions**Chairman*

Thanassis Aghnides (Greece)

Members elected for one year to Dec. 31, 1947:

G. Martínez Cabañas (Mexico)
 André Ganem (France)
 S. K. Kirpalani (India)

Members elected for two years to Dec. 31, 1948:

Thanassis Aghnides (Greece)
 C. L. Hsia (China)
 Valentin I. Kabushko (U.S.S.R.)

Members elected for three years to Dec. 31, 1949:

Olyntho Machado (Brazil)
 Sir William Matthews (United Kingdom)
 Donald C. Stone (United States)

AFGHANISTAN:

Representative Abdul Hamid Aziz

ARGENTINA:

Representative José Arce
 Alternate Guillermo Roque Spangenberg

AUSTRALIA:

Representative J. D. L. Hood
 Alternates W. D. Forsyth
 Ralph L. Harry

²⁴⁶The Second to Sixth Committees met only to elect chairmen so as to form the General Committee. No other officers of these Committees were therefore elected during this session.

²⁴⁷For membership of Special Committee to Examine Information Transmitted under Article 73 e of the Charter, see *Non-Self-Governing Territories*, Annex II, p. 724.

BELGIUM:

Representative Fernand van Langenhove
Alternate Joseph Nisot

BOLIVIA:

Representative Eduardo Aze Matienzo
Alternate Antonio Mogro Moreno

BRAZIL:

Representative João Carlos Muniz
Alternate Henrique de Souza Gomes

BURMA:

Representative U So Nyun

BYELORUSSIAN S S R.²⁸⁸

CANADA

Representative L. B. Pearson
Alternates George Ignatieff
 R. G. Riddell

CHILE:

Representative Hernan Santa Cruz
Alternate Joaquín Larrain

CHINA.

Representative T F Tsiang
Alternate Shushi Hsu

COLOMBIA

Representatives Alfonso López
 Roberto Urdaneta Arbelaez
Alternate Alberto González Fernández

COSTA RICA:

Representatives Ricardo Fournier
 Alberto F. Cañas
Alternates Arturo Morales
 Rodrigo Fournier

CUBA.

Representative Guillermo Belt
Alternate Carlos Blanco

CZECHOSLOVAKIA.²⁸⁹

DENMARK:

Representative William Borberg
Alternate Mrs. Nonny Wright

DOMINICAN REPUBLIC:

Representative Max Henríquez-Ureña
Alternate Enrique de Marchena

ECUADOR:

Representative Homero Viteri-Lafronte
Alternate José A. Correa

EGYPT:

Representative Mahmoud Fawzi

EL SALVADOR:

Representative Roberto Aguilar Trigueros

ETHIOPIA:

Representative Getahoun Tesemma

FRANCE:

Representative Alexandre Parodi
Alternate Guy de La Tournelle

GREECE:

Representative Alexis Kytou

GUATEMALA:

Representative Carlos García Bauer

HAITI:

Representatives Emile Saint-Lot
 Stephen Alexis

HONDURAS:

Representative Tiburcio Carías, Jr.

ICELAND:

Representative Thor Thors

INDIA:

Representative P. P. Pillai

IRAN:

Representative Nasrollah Entezam

IRAQ:

Representative Abdullah Bakr

LEBANON:

Representative Camille Chamoun
Alternates Edouard Ghorra
 Karim Azkoul

LIBERIA:

Representative Frederick A. Price

LUXEMBOURG:

Representative Pierre Elvinger
Alternate Hugues Le Gallais

MEXICO:

Representative Luis Padilla Nervo
Alternate Raul Noriega

NETHERLANDS:

Representative J W M Snouck Hurgronje
Alternate J. G. de Beus

NEW ZEALAND:

Representative Sir Carl August Berendsen

NICARAGUA:

Representative Guillermo Sevilla-Sacasa
Alternates Colonel Camilo González-Cervantes
 Major Juan José Rodríguez S.

NORWAY:

Representative Finn Moe
Alternates Finn Seyersted
and Advisers Einar Ansteensen
 Erik Nord

PAKISTAN:

Representative M. A. H. Ispahani
Alternate Laurie Shaffi

PANAMA:

Representatives Manuel de J. Quijano
 Mario de Diego
Alternate Roberto de la Guardia

PARAGUAY:

Representatives Guillermo Enciso Velloso
 Juan Félix Morales
Alternate César R. Acosta

PERU:

Representative Alberto Ulloa
Alternate Alberto Soto de la Jara

PHILIPPINES:

Representative Brig.-General Carlos P. Romulo
Alternates Salvador P. López
 José D. Ingles
 Renato Constantino

POLAND.²⁹⁰

SAUDI ARABIA:

Representative Asad Al Faqih

SIAM:

Representative Prince Wan Waithayakon

SWEDEN:

Representative Gunnar Hägglof

²⁸⁸The Governments of Byelorussian S.S.R., Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia declared in the General Assembly that they would not participate in the work of the Interim Committee.

SYRIA:

Representative Faris el-Khour
Alternate Fayez el-Khour

TURKEY:

Representative Selim Sarper

UKRAINIAN S.S.R.:²⁰⁸

UNION OF SOUTH AFRICA:

Representative H T Andrews
Alternate Seymour Jacklin

U.S.S.R.:²⁰⁹

UNITED KINGDOM:

Representative Sir Alexander Cadogan
Alternate V G. Lawford

UNITED STATES:

Representative Warren R. Austin
Alternates Philip C. Jessup
Joseph E. Johnson

URUGUAY

Representative Enrique Rodriguez Fabregat

VENEZUELA

Representative Carlos Eduardo Stolk
Alternates Pedro Zuloaga
Lorenzo Mendoza Fleury
Victor M. Perez Perozo

YEMEN:

Representative Rafik Asha

YUGOSLAVIA:²⁰⁹

F. United Nations Temporary Commission on Korea

AUSTRALIA:

Representative Lt.-Colonel S. H. Jackson

CANADA:

Representative George Sutton Patterson

CHINA:

Representative Liu Yu-wan

EL SALVADOR:

Representative Miguel Angel Pena Valle

FRANCE:

Representative Jean Paul-Boncour

INDIA:

Representatives K. P. S. Menon
I J Bahadur Singh

PHILIPPINES:

Representatives Melecio Arranz
R. Luna

SYRIA

Representatives Zaki Djabi
Y. Mughir

The Government of the Ukrainian S.S.R., which was also elected to membership of the Commission, declared that it could not participate in its work.

G. United Nations Commission on Palestine

BOLIVIA:

Representative Raul Diez de Medina
(*Vice-Chairman*)

CZECHOSLOVAKIA

Representative Karel Lisicky (*Chairman*)

DENMARK

Representative Per Federspiel

PANAMA:

Representative Eduardo Morgan

PHILIPPINES:

Representative Vicente J. Francisco

H. Headquarters Advisory Committee

AUSTRALIA:

Representative C V Kellway

BELGIUM:

Representative Roland Lebeau

BRAZIL

Representative Henrique de Souza Gomes

CANADA:

Representatives C. D. Howe
H. D. Scully

CHINA:

Representatives C. I. Hsia
Cheng Paonan

COLOMBIA:

Representative Edmundo de Holte-Castello

FRANCE:

Representative Guy de La Tournelle

GREECE:

Representative Alexis Kyrou

²⁰⁸The Governments of Byelorussian S.S.R., Czechoslovakia, Poland, Ukrainian S.S.R., U.S.S.R. and Yugoslavia declared in the General Assembly that they would not participate in the work of the Interim Committee.

E. United Nations Special Committee on the Balkans

AUSTRALIA:

Representative Lt.-Colonel W. R. Hodgson
Alternate Terence G. Glasheen

BRAZIL:

Representative Vasco T. L. da Cunha
Alternate Jorge de Oliveira Maia

CHINA

Representative Sih Kwang-tzien
Alternate Chao Tsun-hsin

FRANCE

Representative Emile Charveriat
Alternate Roger Monmayou

MEXICO:

Representative Francisco Castillo Nájera
Alternate General Tomás Sánchez Hernández

NETHERLANDS

Representative James Marnix de Booy
Alternate Colonel J. J. A. Keuchenius

PAKISTAN:

Representative Colonel Abdur Rahim Khan
Alternate Colonel R. S. Chhatari

UNITED KINGDOM:

Representative Sir Horace Seymour
Alternate Brigadier J. C. Saunders-Jacobs

UNITED STATES:

Representative Admiral Alan G. Kirk
Alternate Gerald A. Drew

Seats were held open for representatives of Poland and the U.S.S.R., which were also elected to membership of the Committee, but both Governments declared that they would not participate in the work of the Committee.

INDIA:

Representatives P. P. Pillai
S. Sen

NORWAY:

Representatives Finn Moe
Finn Seyersted
Erik Nord

POLAND

Representative Juliusz Katz-Suchy

SYRIA:

Representative Rafik Asha

U.S.S.R.

Representative V. I. Kabushko

UNITED KINGDOM:

Representative H. A. Cooper

UNITED STATES:

Representative Warten R. Austin (*Chairman*)

YUGOSLAVIA:

Representative Misa Levi

I. Advisory Committee on the Site of the Third Session of the General Assembly

Consisted of representatives of Australia, Byelorussian S.S.R., Ethiopia, India, Lebanon, Netherlands,²⁸⁰ Norway, Panama and Uruguay

J. United Nations Mediator on Palestine

Count Folke Bernadotte (Sweden) (*until September 17, 1948*)

Ralph J. Bunche (United Nations) (*Acting Mediator after September 17, 1948*)

K. Special Municipal Commissioner for Jerusalem (appointed by the Mandatory Power)

Harold Evans (United States)

L. Investments Committee

Term of office to expire on December 31, 1948:

Mattner S. Eccles, Chairman of the Board of Governors, Federal Reserve System of the United States

Term of office to expire on December 31, 1949:

Ivar Rooth, Managing Director of the Bank of Sweden

Term of office to expire on December 31, 1950:

Jacques Rueff, Honorary Governor of the Bank of France

M. United Nations Staff Benefit Committee

Members elected by the General Assembly:

Roland Lebeau, Belgium (*Chairman*)

Pavel M. Chernyshev, U.S.S.R.

Arthur J. Altmeyer, United States

Members appointed by the Secretary-General:

Miss Mary Smieton

Ralph J. Bunche

M. Perez Guerrero

Members elected by the Participants:

Marc Schreiber

Miss K. Petersen

Ansgar Rosenborg

ANNEX IV

RULES OF PROCEDURE OF THE GENERAL ASSEMBLY

In view of the extensive changes to the rules of procedure made at the second regular session of the General Assembly,²⁸⁰ the revised rules (A/520) are reproduced below *in extenso*.

Note: Rules 42, 75, 76, 77 and 135, which reproduce textually provisions of the Charter, are printed in *heavy type*. A footnote has been added in the case of other rules which, while based directly on provisions of the Charter, do not reproduce those provisions textually.

I. SESSIONS

Regular Sessions

Rule 1*

*Date of meeting.*²⁸¹—The General Assembly shall meet every year in regular session commencing on the third Tuesday in September.

Rule 2

Place of meeting.—Sessions shall be held at the headquarters of the United Nations unless convened elsewhere in pursuance of a decision of the General Assembly at a previous session or at the request of a majority of the Members of the United Nations.

Rule 3

Any Member of the United Nations may, at least one hundred and twenty days before the date fixed for the opening of a regular session, request that the session be held elsewhere than at the headquarters of the United Nations. The Secretary-General shall immediately communicate the request, together with his recommendations, to the other Members of the United Nations. If within thirty days of the date of the communication a majority of the Members concur in the request, the session shall be held accordingly.

Rule 4

Notification of session.—The Secretary-General shall notify the Members of the United Nations, at least sixty days in advance, of the opening of a regular session.

Rule 5

Adjournment of session.—The General Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date.

Special Sessions

Rule 6

Summoning by the General Assembly.—The General Assembly may fix a date for a special session.

*Rule based directly on a provision of the Charter.

²⁸⁰The Netherlands Government decided not to be represented on the Advisory Committee in view of the fact that a city of the Netherlands was being considered as one of the possible towns where the third session of the General Assembly might be held.

²⁸¹See pp. 35–37 and 45–47.

²⁸²See rule 151: The description of the rules in the explanatory notes shall be disregarded in the interpretation of the rules. (Where no explanatory note is given, the previous explanatory note applies.)

Rule 7

Summoning on request from the Security Council or Members.—Special sessions of the General Assembly shall be held within fifteen days of the receipt by the Secretary-General of a request for such a session from the Security Council, or of a request from a majority of the Members of the United Nations, or of the concurrence of a majority of Members as provided in Rule 8.

Rule 8

Request by Members.—Any Member of the United Nations may request the Secretary-General to summon a special session. The Secretary-General shall immediately inform the other Members of the United Nations of the request and inquire whether they concur in it. If within thirty days of the date of the communication of the Secretary-General a majority of the Members concur in the request, a special session of the General Assembly shall be summoned in accordance with rule 7.

Rule 9

Notification of meeting.—The Secretary-General shall notify the Members of the United Nations at least fourteen days in advance, of the opening of a special session summoned at the request of the Security Council, and, at least ten days in advance, in the case of a request by a majority of the Members or the concurrence of a majority in the request of any Member.

Regular and Special Sessions

Rule 10

Notification to other bodies.—Copies of the notice summoning each session shall be addressed to all other principal organs of the United Nations and to the specialized agencies referred to in Article 57, paragraph 2, of the Charter.

II. AGENDA

Regular Sessions

Rule 11

Provisional agenda.—The provisional agenda for a regular session shall be drawn up by the Secretary-General and communicated to the Members of the United Nations at least sixty days before the opening of the session.

Rule 12

The provisional agenda of a regular session shall include:

- (a) Report of the Secretary-General on the work of the Organization;
- (b) Reports from the Security Council,
the Economic and Social Council,
the Trusteeship Council,
the International Court of Justice,
the subsidiary organs of the General Assembly,
specialized agencies (where such reports are called for under agreements entered into);
- (c) All items the inclusion of which has been ordered by the General Assembly at a previous session;

(d) All items proposed by the other principal organs of the United Nations;

(e) All items proposed by any Member of the United Nations;

(f) All items pertaining to the budget for the next financial year and the report on the accounts for the last financial year;

(g) All items which the Secretary-General deems it necessary to put before the General Assembly; and

(h) All items proposed under Article 35, paragraph 2, of the Charter by States not Members of the United Nations.

Rule 13

Supplementary items.—Any Member or principal organ of the United Nations or the Secretary-General may, at least thirty days before the date fixed for the opening of a regular session, request the inclusion of supplementary items in the agenda. These items shall be placed on a supplementary list, which shall be communicated to the Members of the United Nations at least twenty days before the date fixed for the opening of the session.

Rule 14

Amendments, deletions and additional items.—During any regular session of the General Assembly items may be amended or deleted from the agenda, and additional items of an important and urgent character may be placed on the agenda, by a majority of the Members present and voting. Consideration of additional items shall be postponed until seven days after they have been placed on the agenda, unless the General Assembly, by a two-thirds majority of the Members present and voting, decides otherwise, and until a committee has reported upon them.

Special Sessions

Rule 15

Provisional agenda.—The provisional agenda of a special session, summoned at the request of the Security Council, shall be communicated to the Members of the United Nations at least fourteen days before the opening of the session. The provisional agenda of a special session summoned at the request of a majority of the Members, or the concurrence of a majority in the request of any Member, shall be communicated at least ten days before the opening of the session.

Rule 16

The provisional agenda for a special session shall consist only of those items proposed for consideration in the request for the holding of the session.

Rule 17

Supplementary items.—Any Member or principal organ of the United Nations or the Secretary-General may, at least four days before the date fixed for the opening of a special session, request the inclusion of supplementary items in the agenda. Such items shall be placed on a supplementary list which shall be communicated to the Members of the United Nations as soon as possible.

Rule 18

Additional items.—During a special session items on the supplementary list and additional items may be added to the agenda by a two-thirds majority of the Members present and voting.

Regular and Special Sessions

Rule 19

Approval of the agenda.—At each session the provisional agenda and the supplementary list, together with the report of the General Committee thereon, shall be submitted to the General Assembly for approval as soon as possible after the opening of the session.

Rule 20

Modification of the allocation of expenses.—No proposal for a modification of the allocation of expenses for the time being in force shall be placed on the agenda unless it has been communicated to the Members of the United Nations at least ninety days before the date fixed for the opening of the session.

III. DELEGATIONS

Rule 21*

Composition.—The delegation of a Member shall consist of not more than five representatives and five alternate representatives, and as many advisers, technical advisers, experts and persons of similar status as may be required by the delegation.

Rule 22

Alternates.—An alternate representative may act as a representative upon designation by the Chairman of the delegation.

IV. CREDENTIALS

Rule 23

Submission of credentials.—The credentials of representatives, and the names of members of a delegation shall be submitted to the Secretary-General if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of the State or Government or by the Minister of Foreign Affairs.

Rule 24

Credentials Committee.—A Credentials Committee shall be appointed at the beginning of each session. It shall consist of nine members, who shall be appointed by the General Assembly on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report without delay.

Rule 25

Provisional admission to a session.—Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives, until the Credentials Committee has reported and the General Assembly has given its decision.

V. PRESIDENT AND VICE-PRESIDENTS

Rule 26

Temporary President.—At the opening of each session of the General Assembly the Chairman of that delegation from which the President of the previous session was elected shall preside until the General Assembly has elected a President for the session.

Rule 27*

Elections.—The General Assembly shall elect a President and seven Vice-Presidents, who shall hold office until the close of the session at which they are elected. The Vice-Presidents shall be elected, after the election of the Chairmen of the six Main Committees referred to in rule 90, on the basis of ensuring the representative character of the General Committee.

Rule 28

Acting President.—If the President finds it necessary to be absent during a meeting or any part thereof, he shall appoint one of the Vice-Presidents to take his place.

Rule 29

A Vice-President acting as President shall have the same powers and duties as the President.

Rule 30

Replacement of the President.—If the President is unable to perform his functions, a new President shall be elected for the unexpired term.

Rule 31

General powers of the President.—In addition to exercising the powers which are conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the session, shall direct the discussions in plenary meeting, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order, and, subject to these rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat.

Rule 32

The President shall not vote.—The President, or Vice-President acting as President, shall not vote but shall appoint another member of his delegation to vote in his place.

VI. GENERAL COMMITTEE

Rule 33

Composition.—The General Committee shall consist of fourteen members no two of whom shall be members of the same delegation, and shall be so constituted as to ensure its representative character. It shall comprise the President of the General Assembly, who shall preside, the seven Vice-Presidents and the Chairmen of the six Main Committees.

Rule 34

Substitute members.—If a Vice-President of the General Assembly finds it necessary to be absent during a meeting of the General Committee he may designate a member of his delegation as his substitute. A Chairman of a Main Committee shall, in case of absence, designate the Vice-Chairman of the Committee as his substitute. A Vice-Chairman shall not have the right to vote if he is of the same delegation as another member of the Committee.

Rule 35

Functions.—The General Committee shall at the beginning of each session consider the provisional agenda, together with the supplementary list, and shall make a report thereon to the General Assembly. It shall consider

* Rule based directly on a provision of the Charter

requests for the inclusion of additional items in the agenda and shall report thereon to the General Assembly. It shall assist the President and the General Assembly in drawing up the agenda for each plenary meeting, in determining the priority of its items, and in the co-ordination of the proceedings of all committees of the General Assembly. Finally, it shall assist the President in the general conduct of the work of the General Assembly which falls within the competence of the President. It shall not, however, decide any political question.

Rule 36

Participation by representatives of Members requesting the inclusion of items in the agenda.—A Member of the General Assembly which has no representative on the General Committee, and which has requested the inclusion of an item in the agenda, shall be entitled to attend any meeting of the General Committee at which its request is discussed, and may participate, without vote, in the discussion of that item.

Rule 37

Formal revision of resolutions of the General Assembly.—The General Committee may revise the resolutions adopted by the General Assembly, changing their form but not their substance. Any such changes shall be reported to the General Assembly for its consideration.

VII. SECRETARIAT

Rule 38*

Duties of the Secretary-General.—The Secretary-General shall act in that capacity in all meetings of the General Assembly, its committees and sub-committees. He may designate a member of the staff to act in his place at these meetings.

Rule 39

The Secretary-General shall provide and direct the staff required by the General Assembly and any committees or subsidiary organs which it may establish.

Rule 40

Duties of the Secretariat.—The Secretariat shall receive, translate, print and distribute documents, reports and resolutions of the General Assembly, its committees and organs; interpret speeches made at the meetings; prepare, print and circulate the summary records of the session; have the custody and proper preservation of the documents in the archives of the General Assembly; publish the reports of the meetings; distribute all documents of the General Assembly to the Members of the United Nations, and, generally, perform all other work which the General Assembly may require.

Rule 41*

Annual report of the Secretary-General.—The Secretary-General shall make an annual report, and such supplementary reports as are required, to the General Assembly on the work of the Organization. He shall communicate the annual report to the Members of the United Nations at least forty-five days before the opening of the session.

Rule 42

Notification under Article 12 of the Charter.—The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each

session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council, and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Rule 43*

Regulations concerning the Secretariat.—The General Assembly shall establish regulations concerning the staff of the Secretariat.

VIII. LANGUAGES

Rule 44

Official and working languages.—Chinese, English, French, Russian and Spanish shall be the official languages of the General Assembly, its committees and sub-committees. English and French shall be the working languages.

Rule 45

Interpretation from a working language.—Speeches made in either of the working languages shall be interpreted into the other working language.

Rule 46

Interpretation from official languages.—Speeches made in any of the other three official languages shall be interpreted into both working languages.

Rule 47

Interpretation from other languages.—Any representative may make a speech in a language other than the official languages. In this case, he shall himself provide for interpretation into one of the working languages. Interpretation into the other working language by an interpreter of the Secretariat may be based on the interpretation given in the first working language.

Rule 48

Language of verbatim records.—Verbatim records shall be drawn up in the working languages. A translation of the whole or part of any verbatim record into any of the other official languages shall be furnished if requested by any delegation.

Rule 49

Language of summary records.—Summary records shall be drawn up as soon as possible in the official languages.

Rule 50

Language of Journal.—The Journal of the General Assembly shall be issued in the working languages.

Rule 51

Language of resolutions and important documents.—All resolutions and other important documents shall be made available in the official languages. Upon the request of any representative, any other document shall be made available in any or all of the official languages.

Rule 52

Publications in languages other than the official languages.—Documents of the General Assembly, its com-

*Rule based directly on a provision of the Charter.

mittees and sub-committees, shall, if the General Assembly so decides, be published in any languages other than the official languages.

IX. RECORDS

Rule 53

Verbatim records.—Verbatim records of all plenary meetings shall be drawn up by the Secretariat and submitted to the General Assembly after approval by the President. Verbatim records shall also be made of the proceedings of the Main Committees established by the General Assembly. Other committees or sub-committees may decide upon the form of their records.

Rule 54

Resolutions.—Resolutions adopted by the General Assembly shall be communicated by the Secretary-General to the Members of the United Nations within fifteen days after the termination of the session.

X. PUBLIC AND PRIVATE MEETINGS: PLENARY MEETINGS, MEETINGS OF COMMITTEES AND SUB-COMMITTEES

Rule 55

General principles.—The meetings of the General Assembly and its Main Committees shall be held in public unless the body concerned decides that exceptional circumstances require that the meeting be held in private. Meetings of other committees and sub-committees shall also be held in public unless the body concerned decides otherwise.

Rule 56

Private meetings.—All decisions of the General Assembly taken at a private meeting shall be announced at an early public meeting of the General Assembly. At the close of each private meeting of the Main Committees, other committees and sub-committees, the Chairman may issue a communiqué through the Secretary-General.

XI. PLENARY MEETINGS

Conduct of Business

Rule 57

Report of the Secretary-General.—Proposals to refer any portion of the report of the Secretary-General to one of the Main Committees without debate shall be decided upon by the General Assembly without previous reference to the General Committee.

Rule 58

Reference to Committees.—The General Assembly shall not, unless it decides otherwise, make a final decision upon any item on the agenda until it has received the report of a committee on that item.

Rule 59

Discussion of committee reports.—Discussion of a report of a Main Committee in a plenary meeting of the General Assembly shall take place if at least one-third of the Members present and voting at the plenary meeting consider such a discussion to be necessary.

Rule 60

Quorum.—A majority of the Members of the General Assembly shall constitute a quorum.

Rule 61

Speeches.—No representative may address the General Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 62

Precedence.—The Chairman and the Rapporteur of a committee may be accorded precedence for the purpose of explaining the conclusion arrived at by their committee.

Rule 63

Statements by the Secretariat.—The Secretary-General, or a member of the Secretariat designated by him as his representative, may at any time make either oral or written statements to the General Assembly concerning any question under consideration by it.

Rule 64

Points of order.—During the discussion of any matter, a representative may rise to a point of order and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall immediately be put to the vote, and the President's ruling shall stand unless overruled by a majority of the Members present and voting.

Rule 65

Time limit on speeches.—The General Assembly may limit the time to be allowed to each speaker.

Rule 66

Closing of list of speakers.—During the course of a debate the President may announce the list of speakers and, with the consent of the General Assembly, declare the list closed. He may, however, accord the right of reply to any Member if a speech delivered after he has declared the list closed makes this desirable.

Rule 67

Adjournment of debate.—During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote.

Rule 68

Closure of debate.—A representative may at any time move the closure of the debate on the item under discussion whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the General Assembly is in favour of the closure the President shall declare the closure of the debate.

Rule 69

Suspension or adjournment of the meeting.—During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

Rule 70

Order of procedural motions.—Subject to rule 64, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) For the closure of the debate on the item under discussion.

Rule 71

Proposals and amendments.—Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the General Assembly unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 72

Decisions on competence.—Subject to rule 70, any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote immediately before a vote is taken on the proposal in question.

Rule 73

Withdrawal of motions.—A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be introduced by any Member.

Rule 74

Reconsideration of proposals.—When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the General Assembly, by a two-thirds majority of the Members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Voting

Rule 75

Voting rights.—Each Member of the General Assembly shall have one vote.

Rule 76

Two-thirds majority.—Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the Members present and

voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 c of Article 86 of the Charter, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the Trusteeship System, and budgetary questions.

Rule 77

Simple majority.—Decisions of the General Assembly on questions other than those provided for in rule 76, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

Rule 78

Meaning of the expression "Members present and voting".—For the purpose of these rules, the phrase "Members present and voting" means Members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Rule 79

Method of Voting.—The General Assembly shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the Members, beginning with the Member whose name is drawn by lot by the President. The name of each Member shall be called in any roll-call and one of its representatives shall reply "Yes", "No" or "Abstention". The result of the voting shall be inserted in the record in the English alphabetical order of the names of the Members.

Rule 80

Conduct during voting.—After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. Explanations of their votes by Members may, however, be permitted by the President either before or after the voting.

Rule 81

Division of proposals.—Parts of a proposal shall be voted on separately if a representative requests that the proposal be divided. The resulting proposal shall then be put to a final vote in its entirety.

Rule 82

Voting on amendments.—When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the General Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 83

Voting on proposals.—If two or more proposals relate to the same question, the General Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The General Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 84

Elections.—All elections shall be held by secret ballot. There shall be no nominations.

Rule 85

When only one person or Member is to be elected and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, and a majority is required, the President shall decide between the candidates by drawing lots. If a two-thirds majority is required, the balloting shall be continued until one candidate secures two-thirds of the votes cast; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or Member. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the two candidates who obtained the greatest number of votes in the third of the unrestricted ballots, and the following three ballots thereafter shall be unrestricted, and so on until a person or Member is elected. These provisions shall not prejudice the application of rules 132, 133, 135 and 137.

Rule 86

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of persons or Members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or Member. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled. These provisions shall not prejudice the application of rules 132, 133, 135 and 137.

Rule 87

Equally divided votes.—If a vote is equally divided on matters other than elections, a second vote shall be taken at a subsequent meeting which shall be held within forty-eight hours of the first vote, and it shall be expressly mentioned in the agenda that a second vote will be taken on the matter in question. If this vote also results in equality, the proposal shall be regarded as rejected.

XII. COMMITTEES

Creation, Officers, etc.

Rule 88

Creation.—The General Assembly may set up such committees as it deems necessary for the performance of its functions.

Rule 89

Categories of subjects.—Items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects. Committees shall not introduce new items on their own initiative.

Rule 90

Main Committees.—The Main Committees of the General Assembly are:

- (1) Political and Security Committee (including the regulation of armaments);
- (2) Economic and Financial Committee;
- (3) Social, Humanitarian and Cultural Committee;
- (4) Trusteeship Committee (including Non-Self-Governing Territories);
- (5) Administrative and Budgetary Committee; and
- (6) Legal Committee.

Rule 91

Representation of Members.—Each Member may be represented by one person on each Main Committee and on any other committee that may be constituted upon which all Members have the right to be represented. It may also assign to these committees advisers, technical advisers, experts or persons of similar status.

Rule 92

Upon designation by the Chairman of the delegation, advisers, technical advisers, experts or persons of similar status may act as members of committees. Persons of this status shall not, however, unless designated as alternate representatives, be eligible for appointment as Chairmen, Vice-Chairmen or Rapporteurs of committees or for seats in the General Assembly.

Rule 93

Sub-committees.—Each committee may set up sub-committees, which shall elect their own officers.

Rule 94

Officers.—Each committee shall elect its own Chairman, Vice-Chairman and Rapporteur. These officers shall be elected on the basis of equitable geographical distribution, experience and personal competence. These elections shall be held by secret ballot.

Rule 95

The Chairman of a Main Committee shall not vote.—The Chairman of a Main Committee shall not vote but another member of his delegation may vote in his place.

Rule 96

Absence of officers.—If the Chairman finds it necessary to be absent during a meeting or any part thereof, the Vice-Chairman shall take his place. A Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman. If any officer of the committee is unable

to perform his functions, a new officer shall be elected for the unexpired term.

Rule 97

Functions of the Chairman.—The Chairman shall declare the opening and closing of each meeting of the committee, shall direct its discussions, ensure observance of these rules, accord the right to speak, put questions and announce decisions. He shall rule on points of order and, subject to these rules, shall have complete control of the proceedings of the committee and over the maintenance of order at its meetings.

Conduct of Business

Rule 98

Quorum.—A majority of the members of a committee shall constitute a quorum.

Rule 99

Speeches.—No representative may address the committee without having previously obtained the permission of the Chairman. The Chairman shall call upon speakers in the order in which they signify their desire to speak. The Chairman may call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 100

Precedence.—The Chairman and the Rapporteur of a committee or sub-committee may be accorded precedence for the purpose of explaining the conclusion arrived at by their committee or sub-committee.

Rule 101

Statements by the Secretariat.—The Secretary-General or a member of the Secretariat designated by him as his representative may, at any time, make oral or written statements to any committee or sub-committee concerning any question under consideration by it.

Rule 102

Points of order.—During the discussion of any matter, a representative may rise to a point of order and the point of order shall be immediately decided by the Chairman in accordance with the rules of procedure. A representative may appeal against the ruling of the Chairman. The appeal shall immediately be put to the vote, and the Chairman's ruling shall stand unless overruled by a majority of the members present and voting.

Rule 103

Time limit on speeches.—The committee may limit the time to be allowed to each speaker.

Rule 104

Closing of list of speakers.—During the course of a debate the Chairman may announce the list of speakers, and, with the consent of the committee, declare the list closed. He may, however, accord the right of reply to any member if a speech delivered after he has declared the list closed makes this desirable.

Rule 105

Adjournment of debate.—During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives may

speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote.

Rule 106

Closure of debate.—A representative may at any time move the closure of the debate on the item under discussion whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the committee is in favour of the closure the Chairman shall declare the closure of the debate.

Rule 107

Suspension or adjournment of the meeting.—During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote.

Rule 108

Order of procedural motions.—Subject to rule 102, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) For the closure of the debate on the item under discussion.

Rule 109

Proposals and amendments.—Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the committee unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The Chairman may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Rule 110

Decisions on competence.—Subject to rule 108, any motion calling for a decision on the competence of the General Assembly to adopt a proposal submitted to it shall be put to the vote immediately before a vote is taken on the proposal in question.

Rule 111

Withdrawal of motions.—A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be re-introduced by any member.

Rule 112

Reconsideration of proposals.—When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the committee, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be

accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Voting

Rule 113

Voting rights.—Each member of the committee shall have one vote.

Rule 114

Majority required.—Decisions in the committees of the General Assembly shall be taken by a majority of the members present and voting.

Rule 115

Meaning of the expression "Members present and voting".—For the purposes of these rules, the phrase "members present and voting" means members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.

Rule 116

Method of voting.—The committee shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the members, beginning with the member whose name is drawn by lot by the Chairman. The name of each member shall be called in any roll-call and he shall reply "Yes", "No" or "Abstention". The result of the voting shall be inserted in the record in the English alphabetical order of the names of the members.

Rule 117

Conduct during voting.—After the Chairman has announced the beginning of voting, no representative shall interrupt the vote except on a point of order in connexion with the actual conduct of the voting. Explanations of their votes by members may, however, be permitted by the Chairman either before or after the voting.

Rule 118

Division of proposals.—Parts of a proposal shall be voted on separately if a representative requests that the proposal be divided. The resulting proposal shall be put to a final vote in its entirety.

Rule 119

Voting on amendments.—When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 120

Voting on proposals.—If two or more proposals relate to the same question, a committee shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. A committee may, after

each vote on a proposal, decide whether to vote on the next proposal.

Rule 121

Elections.—When only one person or member is to be elected and no candidate obtains in the first ballot the majority required, a second ballot shall be taken, which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot, the votes are equally divided, and a majority is required, the Chairman shall decide between the candidates by drawing lots.

Rule 122

Equally divided votes.—If a vote is equally divided on matters other than elections the proposal shall be regarded as rejected.

XIII. ADMISSION OF NEW MEMBERS TO THE UNITED NATIONS

Rule 123

Applications.—Any State which desires to become a Member of the United Nations shall submit an application to the Secretary-General. This application shall contain a declaration, made in a formal instrument, that it accepts the obligations contained in the Charter.

Rule 124

Notification of applications.—The Secretary-General shall send for information a copy of the application to the General Assembly, or to the Members of the United Nations if the General Assembly is not in session.

Rule 125

Consideration and decision by the General Assembly.—If the Security Council recommends the applicant State for membership, the General Assembly shall consider whether the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and shall decide, by a two-thirds majority of the Members present and voting, upon its application for membership.

Rule 126

If the Security Council does not recommend the applicant State for membership or postpones the consideration of the application, the General Assembly may, after full consideration of the special report of the Security Council, send back the application to the Security Council, together with a full record of the discussion in the Assembly, for further consideration and recommendation or report.

Rule 127

Notification of decision and effective date of membership.—The Secretary-General shall inform the applicant State of the decision of the General Assembly. If the application is approved, membership will become effective on the date on which the General Assembly takes its decision on the application.

XIV. ELECTIONS TO PRINCIPAL ORGANS

General Provisions

Rule 128

Terms of office.—Except as provided in rule 136, the term of office of members of Councils shall begin on 1

January following their election by the General Assembly, and shall end on 31 December following the election of their successors.

Rule 129

By-elections.—Should a member cease to belong to a Council before his term of office expires, a by-election shall be held separately at the next session of the General Assembly to elect a member for the unexpired term.

Election of the Secretary-General

Rule 130

Election of the Secretary-General.—When the Security Council has submitted its recommendation on the appointment of the Secretary-General, the General Assembly shall consider the recommendation and vote upon it by secret ballot in private meeting.

The Security Council

Rule 131*

Annual elections.—The General Assembly shall each year, in the course of its regular session, elect three non-permanent members of the Security Council for a term of two years.

Rule 132*

Qualifications for membership.—In the election of non-permanent members of the Security Council, in accordance with Article 23, paragraph 1 of the Charter, due regard shall be specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

Rule 133†

Re-eligibility.—A retiring member of the Security Council shall not be eligible for immediate re-election.

The Economic and Social Council

Rule 134*

Annual elections.—The General Assembly shall each year, in the course of its regular session, elect six members of the Economic and Social Council for a term of three years.

Rule 135

Re-eligibility.—A retiring member of the Economic and Social Council shall be eligible for immediate re-election.

The Trusteeship Council

Rule 136

Occasions for elections.—When a Trusteeship Agreement has been approved and a Member of the United Nations has become an Administering Authority of a Trust Territory in accordance with Article 83 or 85 of the Charter, the General Assembly shall proceed to such election or elections to the Trusteeship Council as may

be necessary, in accordance with Article 86. A Member or Members elected at any such election at a regular session shall take office immediately upon their election and shall complete their terms in accordance with the provisions of rule 128, as if they had begun their terms of office on 1 January following their election.

Rule 137*

Term of office and re-eligibility.—A non-administering member of the Trusteeship Council shall be elected for a term of three years and shall be eligible for immediate re-election.

Rule 138

Vacancies.—At each session the General Assembly shall, in accordance with Article 86 of the Charter, elect members to fill any vacancies.

The International Court of Justice

Rule 139

Method of election.—The election of the members of the International Court of Justice shall take place in accordance with the Statute of the Court.

Rule 140

Any meeting of the General Assembly held in pursuance of the Statute of the International Court of Justice for the purpose of the election of members of the Court shall continue until as many candidates as are required for all the seats to be filled have obtained in one or more ballots an absolute majority of votes.

XV. ADMINISTRATIVE AND BUDGETARY QUESTIONS

Rule 141

Regulations for financial administration.—The General Assembly shall establish regulations for the financial administration of the United Nations.

Rule 142

Estimates of expenditure.—No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General. No resolution in respect of which expenditures are anticipated by the Secretary-General shall be voted by the General Assembly until the Administrative and Budgetary Committee has had an opportunity of stating the effect of the proposal upon the budget estimates of the United Nations.

Rule 143

Information on the cost of resolutions.—The Secretary-General shall keep all committees informed of the detailed estimated cost of all resolutions which have been recommended by the committees for approval by the General Assembly.

Rule 144

Advisory Committee on Administrative and Budgetary Questions.—The General Assembly shall appoint an

*Rule based directly on a provision of the Charter.

†Rule reproducing textually a provision of the Charter.

Advisory Committee on Administrative and Budgetary Questions (hereinafter called the "Advisory Committee"), with a membership of nine, including at least two financial experts of recognized standing.

Rule 145

Composition of the Advisory Committee.—The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The two financial experts shall not retire simultaneously. The General Assembly shall appoint the members of the Advisory Committee at the regular session immediately preceding the expiration of the term of office of the members, or, in the case of vacancies, at the next session.

Rule 146

Functions of the Advisory Committee.—The Advisory Committee shall be responsible for expert examination of the budget of the United Nations, and shall assist the Administrative and Budgetary Committee of the General Assembly. At the commencement of each regular session it shall submit to the General Assembly a detailed report on the budget for the next financial year and on the accounts of the last financial year. It shall also examine on behalf of the General Assembly the administrative budgets of specialized agencies and proposals for financial and budgetary arrangements with such agencies. It shall perform such other duties as may be assigned to it under the regulations for the financial administration of the United Nations.

Rule 147

Committee on Contributions.—The General Assembly shall appoint an expert Committee on Contributions, consisting of ten members.

Rule 148

Composition of the Committee on Contributions.—The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for a period of three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The General Assembly shall appoint the members of the Committee on Contributions at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session.

Rule 149

Functions of the Committee on Contributions.—The Committee on Contributions shall advise the General Assembly concerning the appointment, under Article 17, paragraph 2, of the Charter, of the expenses of the Organization among Members, broadly according to capacity to pay. The scale of assessments when once fixed by the General Assembly shall not be subject to a general revision for at least three years, unless it is clear that there have been substantial changes in relative capacities to pay. The Committee shall also advise the General Assembly on the assessments to be fixed for new Members, on appeals by Members for a change of assessments, and on the action to be taken with regard to the application of Article 19 of the Charter.

XVI. SUBSIDIARY ORGANS OF THE GENERAL ASSEMBLY

Rule 150†

Creation and rules of procedure.—The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions. The rules relating to the procedure of committees of the General Assembly, as well as rules 38 and 55, shall apply to the procedure of any subsidiary organ, unless the General Assembly or the subsidiary organ decides otherwise.

XVII. INTERPRETATION AND AMENDMENTS

Rule 151

Notes in italics.—The description of the rules in the table of contents and the notes in italics to these rules shall be disregarded in the interpretation of the rules.

Rule 152 *

Method of amendment.—These rules of procedure may be amended by a decision of the General Assembly taken by a majority of the Members present and voting, after a committee has reported on the proposed amendment.

Supplementary Rule of Procedure on the calling of international conferences by the Economic and Social Council

Pending the adoption under paragraph 4 of Article 62 of the Charter, of definite rules for the calling of international conferences, the Economic and Social Council may, after due consultation with Members of the United Nations, call international conferences in conformity with the spirit of Article 62 on any matter within the competence of the Council, including the following matters: international trade and employment; the equitable adjustment of prices on the international market, and health.

†Rule reproducing textually a provision of the Charter.

III. The Security Council

A. THE CHARTER AND THE SECURITY COUNCIL¹

The Charter provides that a Security Council shall be established as a principal organ of the United Nations consisting of eleven members, and that the Council, acting on behalf of all the Members of the United Nations shall have the primary responsibility for the maintenance of international peace and security.

1. Composition

China, France, the U.S.S.R., the United Kingdom and the United States are the permanent members of the Security Council. The General Assembly elects the non-permanent members of the Council, due regard being especially paid, in the first instance, to the contribution of Members of the United Nations to the maintenance of international peace and security and to other purposes of the United Nations and also to equitable geographical distribution.

The non-permanent members of the Security Council are elected for a term of two years. A retiring member is not eligible for immediate re-election.

Each member of the Security Council has one representative.

2. Functions and Powers

Broadly speaking, while the General Assembly may discuss any international disputes or situations, it is the Security Council which recommends appropriate procedures or methods of adjustment or terms of settlement for the pacific settlement of disputes and takes preventive or enforcement measures with respect to threats to the peace, breaches of the peace or acts of aggression.

In discharging its duties for the maintenance of peace and security, the Security Council is required to act in accordance with the Purposes and Principles of the United Nations as set forth in the United Nations Charter. The Members of

the United Nations have agreed on their part to carry out the decisions of the Council in accordance with the Charter.

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council has been made responsible for formulating plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

The Security Council is to submit annual and, when necessary, special reports to the General Assembly for its consideration.

The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security. Subject to the provisions of Article 12 of the Charter (which provides that while the Security Council is exercising its functions with regard to any dispute or situation, the General Assembly may not make recommendations with regard to that dispute or situation unless requested to do so by the Council), the Assembly may make recommendations to the Council on any questions relating to the maintenance of peace and security. Should action be required on any such question being considered by the General Assembly, it is to be referred to the Security Council either before or after discussion. Likewise the Secretary-General may bring to the attention of the Security Council any matter which in his opinion may

¹This section is a summary of the Charter provisions relating to the Security Council. The main provisions are to be found in Chapter V, Articles 23-32, which defines the composition, functions and powers, voting and procedure of the Council; Chapter VI, Articles 33-38, which deals with pacific settlement of disputes, Chapter VII, Articles 39-51, which treats of action with respect to threats to the peace, breaches of the peace and acts of aggression; Chapter VIII, Articles 52-54, which relates to regional arrangements; Chapter XII, Articles 76, 82-84, which relates to strategic areas in Trust Territories. Other provisions are to be found in Articles 1-2, 4-7, 10-12, 15, 18, 20, 65, 93-94, 96 and 106-9 of the Charter, and Articles 4, 7-8, 10, 12, 14, 35, 41, and 69 of the Statute of the Court.

threaten the maintenance of international peace and security.

The specific functions and powers of the Security Council fall into five categories: pacific settlement of disputes, preventive or enforcement action, regional arrangements, strategic areas in Trust Territories and organizational functions.

a. PACIFIC SETTLEMENT OF DISPUTES

The Security Council may recommend procedures or methods of adjustment or terms of settlement for the pacific settlement of disputes.

The parties to a dispute the continuance of which is likely to endanger the maintenance of international peace and security are, first of all, to seek a solution by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means of their own choice. When it deems it necessary, the Security Council is to call upon the parties to settle their dispute by such means.

The Security Council may investigate any dispute, or any situation which might give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Any Member of the United Nations may bring any such dispute or situation to the attention of the Security Council. A state which is not a Member of the United Nations may bring to the attention of the Security Council any dispute to which it is a party if it accepts in advance the obligations of pacific settlement provided in the Charter.

At any stage of a dispute the continuance of which is likely to endanger the maintenance of international peace and security the Security Council may recommend appropriate procedures or methods of adjustment. It is required to take into consideration any procedures which have already been adopted by the parties and, as a general rule, is to refer any legal dispute to the International Court of Justice.

If the Security Council deems that the continuance of a dispute is in fact likely to endanger the maintenance of international peace and security, it is to decide on such procedures or recommend such terms of settlement as it may consider appropriate.

b. PREVENTIVE OR ENFORCEMENT ACTION

The Security Council is to determine the existence of any threat to the peace, breach of the

peace or act of aggression, and is to make recommendations or decide to take enforcement measures in order to maintain or restore international peace and security.

Before making any recommendations or deciding to take any enforcement measures, the Security Council may call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable, and it is duty to take account of failure to comply with such provisional measures.

There are two categories of enforcement action the Security Council may take: "Measures not involving the use of armed force", and "action by air, sea or land forces". The Security Council may call upon the Members of the United Nations to apply such measures as the complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communication, and the severance of diplomatic relations. If it considers that these measures are, or have proved to be, inadequate, the Security Council may take such action by air, sea or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade and other operations by air, sea or land forces of Members of the United Nations.

All Members of the United Nations undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security. Such agreement or agreements are to govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided. The agreement or agreements are to be concluded between the Security Council and Members or groups of Members of the United Nations.

When the Security Council decides to use force it must, before calling upon a Member not represented on it to provide armed forces, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of the Member's armed forces.

A *Military Staff Committee* consisting of the Chiefs of Staff of the permanent members of the Security Council or their representatives is established to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of

international peace and security, the employment and command of forces at its disposal, the regulation of armaments and possible disarmament. The Committee is responsible under the Security Council for the strategic direction of any armed forces at the disposal of the Security Council.

The Military Staff Committee may invite any Member not permanently represented on it to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional sub-committees.

Nothing in the Charter, however, is to impair the inherent right of individual or collective self-defence, if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by any Member in self-defence are to be reported immediately to the Security Council, which is to take at any time such action as it deems necessary in order to maintain international peace and security.

c. REGIONAL ARRANGEMENTS

The establishment of the United Nations does not preclude the existence of such regional arrangements or regional agencies as are consistent with the Purposes and Principles of the United Nations.

The Security Council is to encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council. This provision, however, does not impair the functions and powers of the Security Council in dealing with any international dispute or situation which might endanger the maintenance of international peace and security.

The Security Council is to utilize, wherever appropriate, such regional arrangements or agencies for enforcement action under its authority. But no enforcement action may be undertaken under regional arrangements or by regional agencies without the authorization of the Security Council, except against the renewal of aggressive policy by the ex-enemy states of the Second World War.

The Security Council is at all times to be kept fully informed of activities undertaken or in contemplation under regional arrangements or by

regional agencies for the maintenance of international peace and security.

d. STRATEGIC AREAS IN TRUST TERRITORIES

All functions of the United Nations relating to strategic areas in Trust Territories, including the approval of the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the Security Council. The Security Council is to avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the Trusteeship System relating to political, economic, social and educational matters in the strategic areas. The Administering Authority of a Trust Territory may make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out the obligations toward the Security Council undertaken by the Authority.

e. ORGANIZATIONAL FUNCTIONS

The Security Council exercises certain functions and powers of an organizational or constitutional nature.

The Security Council may request the convening of special sessions of the General Assembly. It may ask the assistance of the Economic and Social Council with respect to economic and social information.

The Security Council and the General Assembly, voting independently, elect the judges of the International Court of Justice. Upon the recommendation of the Security Council, the General Assembly determines the conditions under which a state which is not a Member of the United Nations may become a party to the Statute of the Court, and the Security Council lays down the conditions under which the Court may be open to a state which is not a party to the Statute. If any party to a dispute fails to comply with a decision of the Court, the other party may have recourse to the Security Council, which may make recommendations or decide upon measures to be taken to give effect to the decision. The Security Council may request the Court to give an advisory opinion on any legal question.

The Secretary-General is appointed by the General Assembly upon the recommendation of the Security Council. The Secretary-General acts in that capacity in all meetings of the Security Council. He may assign a permanent staff to the Security Council, if required.

New Members are admitted to the United Nations by the General Assembly upon the rec-

ommendation of the Security Council. A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council. A Member of the United Nations which has persistently violated the Principles of the Charter may be expelled from the United Nations by the General Assembly upon the recommendation of the Security Council.

Any amendment to or any alteration of the Charter is to come into force when it is adopted by a two-thirds vote of the General Assembly or of the General Conference provided for in Article 109 of the Charter and ratified by two thirds of the Members of the United Nations, including the permanent members of the Security Council.

3. Voting and Procedure

The voting and procedure of the Security Council are defined as follows:

Each member of the Council is to have one vote. Decisions of the Council on procedural matters are to be made by an affirmative vote of seven members. Decisions on all other matters are to be made by an affirmative vote of seven members,

including the concurring votes of the permanent members, provided that a party to a dispute shall abstain from voting in decisions with respect to the pacific settlement of that dispute.

The Security Council is organized to function continuously. Each member of the Council is represented at all times at the seat of the United Nations. The Security Council may hold meetings at places other than the seat of the United Nations.

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

The Security Council adopts its own rules of procedure, including the method of selecting its President.

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, is to be invited to participate, without vote, in the discussion relating to the dispute. The Security Council is to lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

B. ORGANIZATION OF THE SECURITY COUNCIL

Under the Security Council there are a number of Committees and Commissions such as:

1. *The Committee of Experts* was created by the Security Council at its first meeting held in London on January 17, 1946, for the purpose of examining the Provisional Rules of Procedure of the Security Council and such matters as may be entrusted to it by the Security Council. It is composed of a representative of each of the eleven members of the Council.

2. *The Committee on the Admission of New Members* was set up by the Council at its 42nd meeting on May 17, 1946, for the purpose of examining applications for admission to membership in the United Nations which may be referred to it by the Security Council. It is composed of a representative of each of the members of the Security Council.

3. *The Military Staff Committee* was established in accordance with Article 47 of the Charter. It consists of the Chiefs of Staff of the permanent members of the Security Council or their representatives.

4. *The Atomic Energy Commission*, established by the General Assembly on January 24, 1946, deals with the problems raised by the discovery of atomic energy and other related matters. It reports to the Security Council and receives directions from the Security Council. The Commission consists of all members of the Security Council, and in addition Canada, when that State is not a member of the Council. It established a Working Committee which in its turn has three sub-committees.

5. *The Commission for Conventional Armaments* was established by the Security Council on

February 13, 1947. It consists of all members of the Security Council. Its function is to consider and to report to the Council on proposals for the general regulation and reduction of armaments and armed forces. It set up a Working Committee composed of representatives of all the members of the Commission.

The Security Council also establishes *ad hoc* committees and commissions which may be required from time to time for special purposes. During the period under review (July 1, 1947, to September 21, 1948), the Council established the following:

1. *Committee of Good Offices on the Indonesian Question*: established on August 25, 1947.
2. *United Nations Commission for India and Pakistan*: established on January 20, 1948.

3. *United Nations Truce Commission for Palestine*: established on April 23, 1948.

4. *Sub-Committee of three to collect information on Candidates for Governorship of Trieste*: established on July 10, 1947.

5. *Sub-Committee on the Greek Question*: established on August 6, 1947.

6. *Sub-Committee to examine the proposals of the United States of America [S/588] on the Indonesian Question and amendments to it*: established on October 31, 1947.

7. *Sub-Committee to confer with a Committee of the Trusteeship Council on the question of the respective functions of the two Councils in regard to Trusteeship of strategic areas*: established on June 18, 1948.

8. *Sub-Committee to examine the corrections of the drafted report of the Security Council to the third session of the General Assembly*: established on August 19, 1948.

C. MEMBERSHIP, SESSIONS AND PRESIDENTS

The following were members of the Security Council during the period under review (July 1, 1947, to September 21, 1948):

Permanent Members: China, France, U.S.S.R., United Kingdom, United States.

Non-Permanent Members:

To December 31, 1947:

Australia, Brazil, Poland.

To December 31, 1948:

Belgium, Colombia, Syria.

From January 1, 1948, to December 31, 1949:
Argentina, Canada, Ukrainian S.S.R.

During the period under review the Council held 208 meetings at Lake Success. From September 16 to September 21, 1948, it held three meetings in Paris.

The Presidency of the Council is held in turn by the member states in the English alphabetical order of their names. Each President holds office for one calendar month.

D. POLITICAL AND SECURITY QUESTIONS²

In fulfilling its primary responsibility for the maintenance of international peace and security, the Security Council from July 1, 1947, to September 21, 1948, considered the following major political and security questions:

The Greek Question

Appointment of a Governor for the Free Territory of Trieste

The Egyptian Question

The Indonesian Question

The India-Pakistan Question

The Palestine Question

The Czechoslovak Question

The Hyderabad Question

1. The Greek Question³

a. GREEK COMPLAINT OF DECEMBER 3, 1946

By letter of December 3, 1946, the Acting Chairman of the Greek delegation to the United

²For fuller accounts of these questions, see the Reports of the Security Council to the General Assembly (A/366 and A/620); for complete accounts, see Verbatim Records of the Security Council (docs. S/P.V. 150-359). More detailed accounts of the discussions of the Security Council during the period under review are also to be found in *The United Nations (Weekly) Bulletin*, Vol. III, Nos. 2-25; Vol. IV, Nos. 1-12; and Vol. V, Nos. 1-7.

³For a detailed account of the Greek Question up to June 30, 1947, see *Yearbook of the United Nations, 1946-47*, pp. 360-75. The present edition of the *Yearbook* deals primarily with the period after June 30, 1947.

Nations called the attention of the Security Council to the situation resulting from the aid allegedly provided by Greece's northern neighbors to guerrillas operating in northern Greece.

Albania, Bulgaria and Yugoslavia denied the charges and placed the responsibility for the situation on the Greek Government and its policies as well as on foreign intervention in the internal affairs of Greece.

b. ESTABLISHMENT OF A COMMISSION OF INVESTIGATION

At its 87th meeting, on December 19, 1946, the Security Council established a Commission of Investigation concerning Greek incidents, composed of one representative of each member of the Council for 1947 (Australia, Belgium, Brazil, China, Colombia, France, Poland, Syria, U.S.S.R., United Kingdom and United States).⁴

From January to April 1947 the Commission of Investigation carried on its investigation on the spot and then drew up its report in Geneva, Switzerland. The report (S/360) was made public on June 25, 1947.

c. THE COMMISSION'S REPORT

The majority of the Commission concluded (1) that Yugoslavia and, to a lesser extent, Albania and Bulgaria had supported the guerrilla warfare in Greece, (2) that Bulgaria and Yugoslavia were supporting the separatist movement among Slavo-Macedonians in Greece with a view to incorporating Macedonia in the Yugoslav Federation; (3) that frontier violations not connected with guerrilla activities were not deliberately provoked either by Greece or its northern neighbors and that the incidents themselves were no evidence of aggressive intentions on the part of any of the countries concerned but showed that strained relations existed between them; (4) that there was a general condition of unrest in Greece as a whole, which, though not amounting to a state of civil war, helped to explain the situation investigated by the Commission; and (5) that the continued reiteration of Greek territorial claims against Bulgaria and the latter's claims to Western Thrace as well as Greece's claims against Albania tended to increase the tension between the countries concerned.

The minority (U.S.S.R. and Poland) considered that the evidence cited by the majority was contradictory and inconclusive, and they challenged the reliability of the witnesses who had testified on behalf of Greece. They charged that these wit-

nesses included Fascist collaborators and criminals, and that threats, torture and blackmail had been used by the Greek authorities to obtain appropriate statements for the Commission.

The charges that Albania, Yugoslavia and Bulgaria supported Greek guerrillas were entirely unfounded, the minority concluded, as were the charges that Bulgaria and Yugoslavia supported separatist movements in Greek Macedonia. Disorders were taking place not only in the northern districts of Greece, but there was civil war also in the central and southern provinces. The cause of these disturbed conditions, in the minority's view, was the persecution and terrorism carried out by the Greek authorities against the democratic elements and the national minorities, as well as Greece's expansionist policies in relation to its northern neighbors.

The majority of the Commission of Investigation proposed that the Security Council should recommend to the Governments of Greece, on the one hand, and Albania, Bulgaria and Yugoslavia, on the other, to do their utmost to establish normal good neighborly relations and to abstain from all action, direct or indirect, which was likely to increase and maintain the tension and unrest in the border areas, and rigorously to refrain from any support, overt or covert, of elements in neighboring countries aiming at the overthrow of the lawful governments of those countries. Future cases of support of armed bands, formed on the territory of one state and crossing into the territory of another state, or of refusal of a government in spite of the demands of the state concerned to take all possible measures on its own territory to deprive such bands of any aid or protection, should be considered by the Security Council. The Commission of Investigation recommended, as a threat to the peace within the meaning of the Charter of the United Nations. The Commission recommended the conclusion of new frontier conventions among the four countries concerned along the lines of the Greco-Bulgarian convention of 1931.

For the purpose of restoring normal conditions along Greece's northern frontiers the majority of the Commission of Investigation recommended that the Council should appoint a small commission or a single commissioner to investigate any frontier violations which might occur, as well as to assist the Governments of Albania, Bulgaria, Greece and Yugoslavia in settling controversies arising from frontier violations, in the negotiation

⁴For terms of reference of the Commission see *Yearbook of the United Nations*, 1946-47, pp. 361-62.

of frontier conventions, and in the settlement of the refugee and minority problems.

The representatives of Poland and the U.S.S.R. objected to the majority recommendations on the ground that they did not proceed from the facts gathered by the Commission in the course of its investigation, but were based on the unfounded assertions of the Greek Government regarding aid to the guerrillas by the northern neighbors of Greece, and ignored the fact that the tense situation and disorders in Greece were due to internal causes. The establishment of a commission such as that proposed by the majority of the Commission of Investigation constituted an infringement upon the sovereignty of the states concerned. The proposed measure could not improve the situation, and by ignoring the real causes of the disturbed situation in Greece would aggravate further the existing difficulties. In particular, the proposals ignored foreign military intervention in the internal affairs of Greece represented by the presence of British troops and United States military aid.⁵

d. CONSIDERATION OF THE COMMISSION'S REPORT; UNITED STATES AND U.S.S.R. DRAFT RESOLUTIONS

Consideration of the report of the Commission of Investigation began at the 147th meeting of the Council on June 27, 1947. Two draft resolutions were submitted to the Council in connection with the Commission's report, one by the representative of the United States (S/391), presented at the 147th meeting of the Council on June 27, 1947, the other by the representative of the U.S.S.R. (S/404), presented at the Council's 153rd meeting on July 8, 1947.

The United States draft resolution proposed the adoption by the Council of the substance of the majority proposals of the Commission of Investigation.⁶

The text of the U.S.S.R. draft resolution follows:⁷

"Having considered the report of the Security Council Commission of Investigation concerning Greek Frontier Incidents,

"The Security Council considers it to be established:

"1. That the Greek authorities are to blame for the incidents which have occurred on the frontiers of Greece with Yugoslavia, Bulgaria and Albania. The investigation of the situation on the spot conducted by the Commission has confirmed the connexion between the incidents and the general hostile policy pursued by the present Greek Government towards Greece's neighbours;

"2. That the internal situation in Greece, as can be seen from the report, characterized as it is by an exacerbation of the conflict between the Greek people and the anti-democratic forces grouped around the present Greek

Government, is the fundamental factor responsible for the strained situation in the northern frontier areas of Greece also, of which Greek militarists have taken advantage to engage in provocative acts against Yugoslavia, Bulgaria and Albania. The present Greek Government has not only failed to check these acts but, on the contrary, has encouraged and justified them;

"3. That the state of affairs prevailing in Greece, including its northern areas, is to a considerable extent the result of foreign intervention in the internal affairs of Greece. This foreign intervention is exploited by anti-democratic circles in Greece, among which a prominent influence is exercised by elements previously compromised by collaboration with the fascist occupation forces, and it is one of the causes of the further aggravation of the Greek situation. That intervention complicates the possibility of establishing normal relations between Greece and the neighbouring countries.

"With a view to settling the relations between Greece, on the one hand, and Yugoslavia, Bulgaria and Albania, on the other,

"The Security Council recommends:

"1. That the Greek Government take steps to put an end to the frontier incidents on the borders with Yugoslavia, Bulgaria and Albania;

"2. That normal diplomatic relations be established between Greece, on the one hand, and Bulgaria and Albania, on the other, and that diplomatic relations between Greece and Yugoslavia be restored to normal,

"3. That the Governments of Greece, Yugoslavia, Bulgaria and Albania renew previously operative, or conclude new, bilateral frontier conventions, providing for the settlement of frontier incidents;

"4. That the Greek Government, on the one hand, and the Governments of Yugoslavia, Bulgaria, and Albania, on the other, settle the question of refugees in a spirit of mutual understanding with the desire to establish friendly relations between their countries,

"5. That the Greek Government put through the necessary measures guaranteeing the elimination of all discrimination against citizens belonging to the Macedonian and Albanian ethnic groups on Greek territory, the aim being to afford them facilities to use their native language and develop their national culture,

"6. That the Governments of Albania, Bulgaria, Yugoslavia and Greece report to the Security Council at the end of three months on the execution of the recommendations contained in the Council's present resolution.

"With a view to improving the internal political situation in Greece, creating conditions for the formation of an independent democratic Greek State and bettering relations between Greece and the neighbouring countries,

"The Security Council recommends:

"That foreign troops and foreign military personnel be recalled from Greece,

⁵For text of the Commission's recommendations and the minority's views, see *Yearbook of the United Nations*, 1946-47, pp. 370-73.

⁶For the text of the United States draft resolution, see *Yearbook of the United Nations*, 1946-47, pp. 373-74. For text of the United States draft resolution as revised as a result of the Council's discussion, see pp. 344-45.

⁷Revised translation as it appears in *Report of the Security Council to the General Assembly, covering the period from 16 July to 15 July 1948 (A/620)*, and *Security Council, Official Records, Second Year, No. 55*, pp. 1254-55.

"To ensure the proper use of the foreign economic assistance extended to Greece,

"The Security Council resolver:

"To set up a special commission which by appropriate supervision would ensure that such assistance is used only in the interests of the Greek people."

In introducing the draft resolution the representative of the U.S.S.R. stated that there was no proof of the charges that the northern neighbors of Greece were arming and giving military training to Greek refugees. Many thousands of Greek refugees who found themselves in the countries to the north of Greece were victims of persecution by the Greek Government. In granting asylum to these refugees the neighbors of Greece had, however, acted in accordance with well established and universally accepted principles of international law.

The representative of the U.S.S.R. stated that the conclusion was inescapable that the Greek Government was guilty of the provocation of frontier incidents. The Greek Government, moreover, was conducting propaganda against the territorial integrity of Albania and Bulgaria. Through these policies it sought to divert attention from the internal situation in Greece and to place the blame for the present situation upon its northern neighbors. The attention given by the Commission to the internal affairs of Greece was an admission that the frontier incidents could not be considered in isolation from that situation. It had a direct influence on relations between the Governments of Greece and of its northern neighbors. Greece was the only one of the liberated countries in which order had not yet been established and in which the interests of the majority of the people were ignored. Greece, the representative of the U.S.S.R. stated, was the scene of a terrible struggle between democratic and governmental forces, the latter including collaborators, Fascists and terrorist bands. The representative of the U.S.S.R. also charged that evidence had demonstrated that the Greek Government had instituted a policy of extermination against the national minorities.

The difficult internal situation in Greece, the representative of the U.S.S.R. stated, and its worsening relations with its neighbors were to a large extent the result of foreign intervention in its internal affairs, as that intervention made it difficult to establish a political order corresponding to the interests of the majority of the people. The proposal to establish a further commission was not a means of improving Balkan relations, but an effort to create a curtain to hide foreign interference in the internal affairs of

Greece. The outstanding questions between the Balkan countries could be settled by negotiation without a commission.

The delegation of the U.S.S.R. was therefore unable to support the proposal to create a commission. In particular the U.S.S.R. representative criticized the proposals which aimed at labelling future acts of Albania, Bulgaria and Yugoslavia as threats to the peace, without stating precisely what those acts were. The Council was not able to give any commission the right to decide whether there was a threat to peace or breach of peace without considering the actual concrete situation.

The Council discussed the Commission's report and the United States and U.S.S.R. proposals at its 148th meeting on June 27, its 151st meeting on July 1, its 152nd meeting on July 3, its 153rd meeting on July 8, its 156th meeting on July 11, and its 158th to 161st meetings from July 15 to 18. The general discussion, of which an outline is given below, was concluded at the 161st meeting of the Council on July 18.

Of the four countries directly involved in the dispute, the representative of Greece stated that the Commission's investigation had revealed serious violations of the Charter. The future of the United Nations and the prospects of international peace depended upon the determination with which the members of the Council faced the issue and adopted adequate measures to restore peace. The recommendations of the Commission, he thought, were good as far as they went. Greece favored their adoption and pledged itself to carry out its part in them fully and in good faith. The adequacy of their recommendations, however, the representative of Greece stated, was open to serious doubt.

The representative of Albania stated that the majority conclusions of the Commission did not correspond to the facts revealed by the inquiry. Charges made by the Greek Government against Albania were unfounded and constituted a provocation. Evidence submitted to the Commission demonstrated that Greece was fomenting armed provocations along the Albanian frontier and organizing war criminals for use against Albania. He stated that the evidence submitted to the Commission had further demonstrated that the true cause of the civil war in Greece was the terroristic policy of the Greek Government directed against members of the wartime resistance movement, the persecution of all democratic elements and the suppression of the democratic press and of national minorities. As to the proposed commission, the representative of Albania

considered that it violated the sovereignty of the countries concerned. He drew attention in particular to the aggressive territorial ambitions of Greece in claiming a part of Albania's territory and to the fact that Greece still persisted in the view that it was in a state of war with Albania.

The representative of Bulgaria stated that the conclusions of the Commission in regard to Bulgaria amounted to a vague assertion that Bulgaria, to a lesser degree than Yugoslavia, had assisted in actions against Greece. On the basis of the actual evidence, however, which had been submitted, it should have been found that Bulgaria was innocent and had in no way failed to observe its obligations under international law. The Commission's recommendation that certain actions should be regarded as a threat to the peace was contrary to the Charter, unnecessary and even dangerous. It seemed to spring from an assumption that Greece's northern neighbors were guilty. Most of the speakers had not even touched on the serious fact that the Commission had based its conclusions on witnesses whom it had not heard and without due consideration of the arguments advanced by Albania, Bulgaria and Yugoslavia. The Council had gone straight to the proposals of the report, as if the guilt of those countries had been established beyond doubt. Neither the Commission, nor the Council, however, had the right to assume that Albania, Bulgaria and Yugoslavia would in the future commit acts which might be considered a threat to the peace. Even if occasional crossings of the frontier had taken place, they were a result of the disturbances existing in Greece and were to be attributed to the fact that Greece was not in a position to guard her frontier. In any event, it should be noted that only six of eleven representatives had felt able to assert the responsibilities of Bulgaria.

The representative of Bulgaria opposed the establishment of a commission and considered that the United States draft resolution was not likely to provide a solution of the Greek problem. While under Chapter VII the Council could order measures to be taken without the consent of the parties, under Chapter VI the Council could merely make recommendations, which could be accepted or rejected by the parties concerned. The establishment of the proposed commission was more than a recommendation and involved a decision imposed regardless of the parties' consent. The proposed commission would put the states concerned under a kind of trusteeship. It would not only ascertain facts, but would resolve disputes, would have the right to demand reports from the

four governments, to cross frontiers without permission, to have direct access to governments and to maintain observers along the frontier.

In reply to the arguments raised by those who had tried to justify the limitations of sovereignty which the proposed commission would involve, he pointed out that Article 18 applied to "decisions" under Chapter VII and not to "recommendations" under Chapter VI.

The representative of Yugoslavia stated that the conclusions of the Commission were erroneous. Analyzing the evidence submitted in support of the assertion that Greek guerrillas were being supplied with arms in Yugoslavia, he concluded that it was unverified and insignificant, and that the Commission had shown a lack of logic and impartiality in basing important conclusions on such inadequate testimony. In drawing its conclusions the Commission, he declared, had chosen to rely on false witnesses and had refused to evaluate the evidence furnished by responsible and trustworthy organizations. The Commission had ignored the fact that civil war existed in Greece and all logical recommendations, such as withdrawal of foreign troops from Greece, the establishment of a democratic regime and the normalization of conditions for national minorities had been omitted from the report. The new commission which it was proposed to establish would, as could be judged from its predecessor, only aggravate the situation. The Security Council, acting under Chapter VI of the Charter, had no right to impose such a commission on the parties to a dispute against their will.

The representative of Belgium, replying to objections which had been raised against the Commission's report, stated that the recommendations made no distinction between the governments concerned and were addressed equally to all parties to the dispute, each being invited to order its conduct according to the same principles and to submit to the same limitations. In answer to the argument that the establishment of a frontier commission would limit the sovereign right of the states concerned freely to settle their relations, he stated that according to well established practices and principles the ability to accept international limitations was one of the essential attributes of sovereignty. It could not be presumed within the framework of the United Nations that means of conciliation, pursuant to Chapter VI, would be ineffectual, as had been objected. The Commission's recommendations, the representative of Belgium considered, were of the kind which the Council should normally make under Chapter

VI of the Charter. They spoke of inquiry, mediation, conciliation, good offices and procedures of adjustment and were addressed impartially to all the states concerned.

The representative of the United Kingdom considered that it was not surprising that the highly condensed summary of a large volume of evidence and counter evidence contained in the Commission's report had resulted in an element of confusion in the Council. The very object of sending a Commission to the spot had been that the Commission should sift and evaluate conflicting testimony. His Government had complete confidence in its representative on the Commission, and it was impossible for the Council to reopen the whole hearing in the absence of witnesses. It had been said that the conclusions had been endorsed by only six of the eleven members of the Commission. This was untrue, since eight members subscribed to the conclusions.

Eight members of the Commission had differed from the representatives of Poland and the U.S.S.R. in their objection that the accusations were "without foundation" owing to the insufficient and contradictory evidence, and that the "civil war" and "abnormal internal political situation" in Greece constituted the principal causes of the disorders in northern Greece. Those who emphasized the "state of civil war in Greece" gave the impression that they were seeking to justify interference, rather than to prove that it had not occurred. Concerning the allegations of "jingoistic" propaganda by Greece, he stated that "jingoism" took the form of presenting territorial claims in the proper form to the proper quarter.

It appeared from the report, however, that all members of the Commission recognized that the existing situation was unsatisfactory to the point of danger to the maintenance of international peace and security. Nine members of the Commission had made interesting and hopeful proposals which had been summarized in the United States draft resolution. These proposals, the representative of the United Kingdom considered, did not impute blame to any side, but were based on the admitted existence of a dangerous state of affairs. The representative of the U.S.S.R. had objected that the Commission had no grounds for proposals which admitted the possibility of further frontier incidents. Events had shown, however, that it could not be assumed that there would be no further frontier incidents. As to the objection concerning limitation of sovereign rights, many international conventions, including the Charter (e.g., Articles 25 and 36), limited national sov-

ereignty. The representative of Poland had objected that the proposals were ineffectual and could prejudice the prestige of the United Nations. However, the Council would not gain prestige by avoiding its plain duty. As to the argument concerning the absence of diplomatic relations, it was to be hoped that implementation of the Commission's recommendations would itself lead to the resumption of normal relations. The Council must attempt to implement these proposals, so that disaster might be averted and a better order of co-operation between the four countries instituted.

The representative of Brazil asserted that the criticism of the Commission's procedure and proposals was unsubstantiated. Even if that criticism were correct, however, there would still exist a dangerous situation imposing upon the Council the duty of making its contribution to a solution. The Commission's recommendations, he considered, were part of a process of conciliation and should be accepted as such by the states concerned. The recommendations did not detract from the sovereignty of these states and were capable of preventing new friction and gradually eliminating frontier disturbances.

The U.S.S.R. representative said that the recommendations of the Commission majority, repeated in the United States draft resolution, contained a number of proposals which were in contradiction with the provisions of the Charter and violated the sovereign rights of the states concerned. In the first place, neither the Commission nor the Council had authority to assume that some future unknown action would constitute a threat to the peace. The establishment of border observers on the territories of all four Balkan states was not justified by the actual situation on the frontier, and was contrary to the Charter. A proposal concerning the settlement of the problem of refugees suffered from the same defects.

There were, however, some outstanding problems requiring a settlement between Greece and its northern neighbors. A solution for these problems, the U.S.S.R. representative asserted, was provided for in the U.S.S.R. draft resolution (i.e., the resolution proposed on July 8; see above). This resolution provided for the withdrawal of foreign troops and military personnel from Greece and for the establishment of a commission to ensure that foreign economic help given to Greece was used solely for its economic reconstruction and not for military purposes. Other important measures included in the resolution provided for

the conclusion of frontier conventions, for a solution of the refugee problem and the question of minorities, and for the re-establishment of normal diplomatic relations between Greece and its northern neighbors. These measures were favored by the Governments of Albania, Bulgaria and Yugoslavia, but met with refusal on the part of the Greek Government. The Council, the U.S.S.R. representative concluded, should support these measures; substantial agreement existed on them and their importance for the improvement of the situation could not be over-estimated. Referring to the jurisdiction of the Council in this case, the representative of the U.S.S.R. stated that all decisions taken by the Council in this matter would be in the nature of recommendations and would have nothing in common with the provisions of Article 25.

The representative of Australia considered that the Commission's report showed that the continuation of the situation in the Balkans would endanger the maintenance of international peace and security. Under the Charter the Council had the duty to devise measures to rectify that situation. The Australian Government had given no instructions to its representative on the Commission, and the only duty of the latter had been to ascertain the facts in an impartial manner. Therefore it was a matter of serious concern to the Council that the representative of Yugoslavia should have alleged that the Commission's aim was to confuse the issue and to protect the Greek Government from the well-founded accusations of its neighbors, and that the report showed a lack of impartiality.

The Commission had incorrectly described its summary of facts as "conclusions". The section in question comprised conclusions as to the facts, not conclusions on the facts. The views of the representatives of U.S.S.R. and Poland were based not on facts but on evidence which they believed or disbelieved. In the opinion of his delegation, those two representatives had approached the question with preconceived ideas. He expressed confidence in the Commission's objectivity and stated that his delegation accepted the Commission's proposals. Contrasting the two resolutions before the Council, he noted that the United States proposal laid no blame on any state, contained no charges or accusations and was an impartial attempt to find a solution. The U.S.S.R. resolution, on the other hand, consisted of accusations and findings against Greece not based on facts or evidence.

The representative of France expressed the

view that the report showed the difficulties which had confronted the Commission of Investigation in evaluating conflicting testimony and considering its authenticity and independence. If he was convinced that assistance had been given by the neighboring countries to Greek partisans, he based this conviction less on the testimony, which was rather thin in content, but on a *a priori* reasoning founded on the mutual accusations concerning frontier incidents. This conviction, however, completely left open the question of the scale of assistance given to the partisans, and this assistance was only one of the elements of the difficult and complex situation. The Council, therefore, should not pronounce judgment on past events, but provide a remedy for the future. He considered it essential for the Council to set up some such organ as that proposed in the majority report. That organ should be equipped to assist the states concerned in the implementation of the Commission's recommendations, which would make for normal relations, regularize* frontier relationships and settle the refugee question.

The representative of China stated that his delegation, after a careful examination of the evidence, supported the majority conclusions of the Commission of Investigation. These, he stated, were practical and constructive, because they were based on the undeniable fact that relations between the countries concerned were very strained. His delegation supported the proposals and the United States draft resolution as an earnest endeavor to remedy the situation and to provide effective measures which did not infringe upon the national sovereignty of the states concerned, did not affect matters essentially within the domestic jurisdiction of those countries and were in strict conformity with the spirit and letter of the Charter.

The representative of Colombia stated that a solution of the Greek problem should emphasize the need for future co-operation among the Balkan countries, rather than the origin of their dispute. Although there was much contradictory evidence in the report, he considered that it left no doubt that the continuance of the situation would be likely to endanger the maintenance of international peace and security. The Colombian delegation concurred with the Commission's majority proposals. He suggested, however, that the proposed new commission should delegate the task of border observation and should itself be more concerned with the arrangements contemplated between Greece and its neighbors. He considered that the Commission's headquarters

should be established in a neutral country, preferably in Geneva.

Regarding the Commission's headquarters, the representative of the United States expressed the view that the presence in Salonika of a commission representing the Security Council would be of great value in deterring subversive elements in that region, inculcating a spirit of caution in the Governments concerned and facilitating conciliation.

The representative of Syria considered that the Commission's recommendations did not discriminate against, or assess the responsibility of, any of the countries concerned, and should therefore be accepted by those countries. He also favored adoption of the United States draft resolution.

The representative of Poland considered that the conclusions of the majority of the Commission showed a lack of factual analysis and critical examination of the evidence. The majority of the Commission had itself disposed of the main charge of the Greek Government that the northern neighbors of Greece had been provoking frontier incidents. It was clear, he considered, that the disturbed situation in Greece resulted from the internal situation. His delegation could not accept the conclusions of the majority nor its recommendation for the establishment of a commission, as this recommendation was linked with a declaration of the guilt of Greece's northern neighbors, which had never been established. The representative of Poland considered that the situation in Greece could be normalized by the restoration of democratic freedoms, including the formation of a truly representative Greek Government, cessation of the persecution of minorities and the complete withdrawal of all foreign troops and military personnel from Greece.

At its 162nd meeting on July 22, 1947, the Council began a paragraph by paragraph examination of the United States draft resolution. The representatives of the United Kingdom (S/429) and of France (S/430) submitted amendments, most of which the representative of the United States accepted. As a result of the Council's discussion, suggestions advanced by the representatives of Australia and Colombia were also incorporated in the revised text of the United States resolution (see S/P.V. 170)* which follows:

"The Security Council,

Having primary responsibility for the maintenance of international peace and security by virtue of Article 24 of the Charter, and having considered the report submitted by the Commission of Investigation established by the Council's resolution of 12 December 1946,

Finds that a dispute exists, the continuance of which

is likely to endanger the maintenance of international peace and security. The Security Council therefore, following the proposals made by the majority of the members of the Commission of Investigation,

"Resolves that:

"1. The Security Council recommends to the Governments of Greece, on the one hand, and Albania, Bulgaria and Yugoslavia on the other, to establish as soon as possible normal good-neighbourly relations, to abstain from all action, direct or indirect, which may be likely to increase or to maintain the tension and the unrest in the border areas, and rigorously to refrain from any support of elements in neighbouring countries aiming at the overthrow of the lawful Government of those countries.

"Giving support to armed bands formed in any of the four States concerned and crossing into the territory of another State, or refusal by any one of the four Governments in spite of the demands of the States concerned to take the necessary measures on its own territory to deprive such bands of any aid or protection, shall be avoided by the Governments of Albania, Bulgaria, Greece and Yugoslavia as a threat to the peace within the meaning of the Charter of the United Nations.

"2. The Security Council recommends that the Governments of Albania, Bulgaria, Greece and Yugoslavia establish, as soon as possible, normal diplomatic relations among themselves.

"3. The Security Council recommends to the Governments concerned that they enter into frontier conventions providing for effective machinery for the regulation and control of their common frontiers, and for the pacific settlement of frontier incidents and disputes.

"4. As the presence of refugees in any of the four countries is a disturbing factor, the Security Council recommends to the Governments of Albania, Bulgaria, Greece and Yugoslavia that they

"(1) Remove such refugees as far from the country from which they came as is practically possible,

"(2) Segregate them in camps or otherwise,

"(3) Take effective measures to prevent their participation in any political or military activity.

"The Security Council recommends that such camps be placed under the supervision of some international body authorized by the United Nations to undertake the task.

"In order to ensure that only genuine refugees return to their country of origin, repatriation shall not take place except after arrangements with the Government of the country of origin and after notification to the commission established under this resolution, or to the international body authorized for this task by the United Nations.

"5. The Security Council recommends to the Governments of Greece on the one hand and Albania, Bulgaria, and Yugoslavia on the other, that they study the practicability of concluding agreements for the voluntary transfer of minorities. Until such agreements come into force, individuals belonging to a given minority in any of the countries concerned desiring to emigrate, should be given all facilities to do so by the Government of the State in which they reside. The arrangements for any transfers under this paragraph should be supervised by the commission established under this resolution, which would act as a repatriation authority for any person desiring to emigrate.

"6. The Security Council, for the purpose of resuming

*See Security Council, *Official Records, Second Year*, No. 66, pp. 1602-11.

normal conditions along the frontiers between Greece on the one hand, and Albania, Bulgaria and Yugoslavia on the other, and thereby assisting these countries in carrying out the recommendations of this resolution, establishes a commission as a subsidiary organ,

"(a) The commission shall be composed of a representative of each of the nations members of the Security Council as they may be from time to time.

"(b) The functions of the commission shall be those of conciliation and investigation:

"(1) To use its good offices to assist the Governments concerned in the negotiation and conclusion of the frontier conventions recommended under this resolution,

"(2) To study and make recommendations to the Governments concerned with respect to such additional bilateral agreements between them for the pacific settlement of disputes relating to frontier incidents or conditions on the frontier, as the commission considers desirable;

"(3) To assist in the implementation of the recommendations made to the four Governments under this resolution with respect to refugees; to receive reports from the four Governments with respect to persons who may cross or have crossed from the territory of any one of such countries to any of the others, to maintain a register for its confidential use of all such persons and to assist in the repatriation of those who wish to return to their homes, and in connexion with these functions to act in concert with the appropriate agency of the United Nations,

"(4) To assist the Governments concerned in the negotiation and conclusion of arrangements for the transfer of minorities recommended to such Governments under this resolution, and in this connexion to supervise such transfers and to act as a registration authority for any persons desiring to emigrate,

"(5) To use its good offices for the settlement, by the means mentioned in Article 33 of the Charter, of

"(a) Controversies arising from frontier violations;

"(b) Controversies directly connected with the application of the frontier conventions recommended to the four Governments under this resolution;

"(c) Complaints regarding conditions on the border which may be brought to the attention of the commission by one Government against another.

(6) In order to keep the Security Council informed the commission shall:

"(a) Whenever it may deem it useful, investigate any alleged frontier violations;

"(b) Investigate complaints by any of the Governments concerned with respect to conditions on the border whenever, in its opinion, these conditions are likely to lead to a deterioration of the situation.

"Its authority with respect to investigation shall be identical to that vested in the Commission established under the resolution of the Security Council of 19 December 1946.

"(c) The commission shall have its headquarters in Salonika.

"(d) The commission shall be accredited, as

an organ of the Security Council, to the Governments of Albania, Bulgaria, Greece and Yugoslavia and shall have the right of direct access to them. The commission shall perform its tasks on either side of the border with the co-operation of the officials and nationals of the four Governments concerned.

"(e) The commission shall establish its own rules of procedure and methods of conducting its business.

"(f) The commission shall render regularly quarterly reports to the Security Council, or more frequently if it thinks fit.

"(g) The commission shall have the staff necessary to perform its functions and shall have authority to appoint suitable persons able to act as border observers and to report on the observance of the frontier conventions recommended under this resolution, the state of the frontier area, and cognate matters.

"(h) The commission shall commence its work as soon as practicable after 1 September 1947. It shall remain in existence until 31 August 1949. The establishment of the commission in Salonika will put an end to the Commission of Investigation established by the resolution of the Council of 19 December 1946 and to the Subsidiary Group thereof, established by the resolution of 18 April 1947.

"7. The Security Council, conscious of the gravity of the situation, appeals to the Governments of Albania, Bulgaria, Greece and Yugoslavia, calling upon them by their loyal co-operation in the measures proposed above to contribute to the extent of their ability to the re-establishment of peaceful conditions in the area concerned"

After completing its paragraph by paragraph examination of the United States draft resolution, the Council, at its 169th meeting on July 29, 1947, reverted to the question of the Commission's membership (see paragraph 6(a) of the revised United States draft resolution), which had been the subject of previous discussion in the course of the Council's consideration of the United States resolution. A number of suggestions had been advanced in this connection.

The representative of France had proposed that the commission should be composed of the six non-permanent members of the Security Council and a neutral country like Sweden as a seventh member. The representatives of Australia and Belgium favored a commission composed of the six non-permanent members of the Security Council. A smaller commission, they considered, could more effectively perform its functions of mediation and conciliation. The representative of Colombia suggested a commission composed of seven members, three permanent and four non-permanent members of the Security Council, which commission, in spite of its smaller size, would represent the will of the entire Council. The

representative of Syria recalled that the report of the Commission of Investigation contained a proposal for the appointment of a single commissioner, and he thought that this solution might be preferable to others.

The representative of the United States emphasized that a body representing the entire Council would have much greater moral and legal weight. In a small commission differences were likely to become sharper. The representatives of the United Kingdom, Brazil and China also thought that an eleven-member commission composed of governmental representatives would be preferable.

No formal amendment to paragraph 3(a) of the United States draft resolution (see paragraph 6(a) of the revised resolution) defining the commission's membership was submitted, and the Council therefore voted only on the original United States text which was adopted by 7 votes in favor, with 4 abstentions, at the 170th meeting of the Council on July 29, when the United States draft resolution was put to the vote paragraph by paragraph.

After the adoption of the separate paragraphs, the United States draft resolution as a whole was put to the vote. The result was 9 votes in favor and 2 votes against (Poland, U.S.S.R.). As one of the negative votes was cast by a permanent member of the Council, the resolution was not adopted.

The Council continued its consideration of the Greek question at its 174th meeting on August 4, 1947. At that meeting the representative of the U.S.S.R. stated that his draft resolution was intended to remove the causes of the existing situation in Greece and improve the strained relations between Greece and its neighbors. It provided for the withdrawal of foreign troops and military personnel from Greece, and for the establishment of a commission that would ensure that foreign economic help given to Greece was used solely for its economic reconstruction and not for military purposes. Some members of the Council, however, especially the representative of the United States, seemed to overlook the necessity for these recommendations. Other important measures included in the proposal aimed at the normalization of relations between Greece and its neighbors, and provided for the conclusion of frontier conventions, for solution of the refugee problem and the question of minorities and for the re-establishment of normal diplomatic relations, all of which were favored by the Governments of Albania, Bulgaria and Yugoslavia but met with refusal on the part of the Greek Government. The

Council, he concluded, should support these measures, on which substantial agreement existed and the importance of which for the improvement of the situation could not be over-estimated.

The representatives of Albania, Bulgaria and Yugoslavia supported the U.S.S.R. draft resolution as likely to bring a solution of the problem.

On being put to the vote the U.S.S.R. draft resolution received 2 votes in favor (Poland, U.S.S.R.) and 9 against, and was, therefore, not adopted.

e. GREEK REQUEST FOR ACTION UNDER CHAPTER VII OF THE CHARTER

By letter of July 31 (S/451) from the Foreign Minister of Greece to the Acting Secretary-General of the United Nations, the Greek Government asserted that the presently existing threat to world peace had become so serious that enforcement action under Chapter VII of the Charter was urgently required. The letter, after referring to a previous communication from the Greek Government (S/389) of June 26, in which the state of affairs in the Balkans had been described by Greece as "a definite and existing threat to the peace, breach of the peace or act of aggression", asserted that since that time the peace had been further threatened and broken by additional acts. Albania, Bulgaria and Yugoslavia, the letter charged, had continued their concerted activities of sending armed bands across the border of Greece in continuation of the attempt to overthrow the duly elected government and to set up a minority dictatorship responsive to alien control. Referring to the vote at the 170th meeting of the Council on July 29 on the United States draft resolution, the Greek Government expressed the view that the acts of aggression and defiance on the part of Greece's northern neighbors had been encouraged by a member of the Security Council which had used its special voting privileges in the Council to condone and protect violations of the Charter. Greece therefore requested that the Council first determine that there existed a threat to the peace, breach of the peace or act of aggression within the meaning of Article 39 of the Charter; and then take immediate provisional measures under Article 40 calling upon the parties to cease their attacks and comply with their obligations under the Charter.

The permanent representative of Greece in forwarding this letter to the Acting Secretary-General of the United Nations requested that the Council take up consideration of this, as well as

the previous Greek communication (S/389) referred to above, immediately following action on the U.S.S.R. resolution.

f. POLISH DRAFT RESOLUTION

After the defeat of the draft resolutions submitted by the United States and the U.S.S.R., the representative of Poland submitted the following draft resolution (S/464):

"The Security Council

"Having received and considered the report of the Commission of Investigation established by the resolution of the Council dated 19 December 1946

"Resolves that:

"1. The Security Council recommend to the Governments of Greece, on one hand, and Albania, Bulgaria, and Yugoslavia, on the other, to do their utmost to establish normal good-neighbourly relations. Should subjects of complaint arise, these should be referred either through diplomatic channels to the Governments concerned, or should this resource fail, to the appropriate organs of the United Nations.

"2. The Security Council recommend that diplomatic relations should be established between Greece on one hand, and Albania and Bulgaria on the other, and that diplomatic relations between Greece and Yugoslavia should be normalized.

"3. The Security Council recommend that the Governments of Greece, Albania, Bulgaria and Yugoslavia renew old or enter into new bilateral frontier conventions providing for a settlement of frontier incidents. These conventions may provide for bilateral frontier commissions.

"4. The Security Council recommend that the Government of Greece on one hand and the Governments of Albania, Bulgaria and Yugoslavia on the other settle the problem of refugees in the spirit of mutual understanding and friendly relations among those countries."

The representative of Poland explained that his draft resolution consisted only of the points which had been included in both the United States and U.S.S.R. draft resolutions and had received the general approval of the Council. The Council should therefore be able to reach a unanimous decision on the Polish proposal, despite its obvious shortcomings; the moral and political force of this proposal would compensate for some of its omissions and might lead to a solution of the problem.

The representative of Bulgaria supported the Polish proposal as being in harmony with the spirit of the Charter, which encouraged the parties to the dispute to reach a friendly agreement among themselves.

The representative of the United Kingdom opposed the Polish draft resolution as completely ineffective and contrary to the findings contained in the Commission's report.

The representative of the United States objected to the Polish proposal as harmful and ineffective.

It ignored completely, he considered, the report of the Commission of Investigation and the dangerous situation in the Balkans.

When the Polish resolution was put to the vote at the 177th meeting of the Council on August 6, it was rejected by 2 votes in favor (Poland, U.S.S.R.) to 0 against, with 9 abstentions.

g. ESTABLISHMENT OF A SUB-COMMITTEE

Also at the Council's 177th meeting, the representative of Colombia proposed the establishment of a sub-committee to attempt to find a solution acceptable to all. The Colombian representative stressed the importance of conciliation and compromise and insisted that a further attempt should be made to find a practical solution to the Greek problem. He also submitted a draft resolution (S/472) for the consideration of the sub-committee which, he stated, avoided apportioning blame to any of the parties to the dispute and called upon the parties to abstain from any action which would aggravate the situation. Like the United States draft resolution, the Colombian draft resolution provided for the establishment of a commission and recommended measures for the purpose of restoring normal conditions along the frontiers between Greece on the one hand, and Albania, Bulgaria and Yugoslavia on the other.

The Council adopted the proposal for the establishment of a sub-committee by a vote of 10 in favor, with 1 abstention (U.S.S.R.), after having adopted a United Kingdom amendment setting a time-limit within which the sub-committee should report its conclusions to the Council.

The text of the resolution (S/P.V.177, pp 41 and 61)^a adopted by the Security Council follows:

"The Security Council resolves

"To appoint a sub-committee of the representatives of the delegations which have submitted proposals on the Greek Question and amendments thereto, in order to ascertain the possibility of formulating a new draft resolution which the sub-committee can recommend for the approval of the Council. The sub-committee is requested to report its conclusions to the Security Council on 11 August."

Accordingly, the sub-committee was composed of the representatives of Australia, Colombia, France, the U.S.S.R., the United Kingdom and the United States.

After having met twice, the sub-committee reported at the 180th meeting of the Council on August 12, 1947, that it was unable to make any proposals. The representative of Colombia de-

^aSee Security Council, *Official Records, Second Year, No. 71*, pp. 1801 and 1806.

clared his intention of withdrawing his draft resolution (S/472) because in the light of the subcommittee's failure to reach agreement he thought that its consideration would no longer serve a useful purpose. The Australian resolution (S/471, see below) therefore remained before the Council for consideration.

b. AUSTRALIAN AND UNITED STATES DRAFT RESOLUTIONS

(1) *Submission of the Draft Resolutions*

At the 177th meeting of the Council, on August 6, the representative of Australia submitted the following draft resolution (S/471) calling for action by the Council under Chapter VII of the Charter

"The Security Council,

"Having received and considered the report of the Commission of Investigation established by the resolution of the Council dated 19 December 1946,

"1. Determines that the situation on the northern borders of Greece constitutes a threat to the peace under Article 39 of the Charter of the United Nations;

"2. Calls upon the parties involved, namely Greece, Albania, Yugoslavia and Bulgaria, to cease all acts of provocation;

"3. Directs, in accordance with Article 40 of the Charter of the United Nations, that Greece on the one hand, and Albania, Yugoslavia and Bulgaria on the other hand, should at once enter into direct negotiation in an endeavour to relieve the tension at present existing and with a view to the resumption of normal and peaceful diplomatic relations,

"4. Calls upon the Governments concerned to report before 6 September 1947 the steps taken to give effect to this resolution.

"To ensure that this decision is put into effect there shall be appointed observers with the duty of reporting direct to the Security Council."

The representative of Australia urged that the Council, confronted with its present deadlock, must not declare itself impotent to solve the Greek question. All members of the Council, including the U.S.S.R., had already agreed, either directly or by implication, that the existing situation in the Balkans was a threat to the peace. Consequently the Council should determine, under Article 39, the existence of a threat to the peace and then call upon all parties to comply with certain provisional measures leading to the removal of the threat. The Australian draft resolution involved no condemnation of any party and no implication of guilt. It would be binding on the parties and any violation of it would compel the Council to take further measures.

The representative of the United States supported the Australian draft resolution. He submitted two amendments (S/471/Add.1) to the

draft resolution, which the representative of Australia subsequently accepted. The amendments read as follows:

"1. To be added at the end of paragraph number 2: 'and frontier violations along the borders of Greece on the one hand and Yugoslavia, Bulgaria and Albania on the other.'

"2. To be added at the end of paragraph number 4. 'Pending the appointment of such observers by the Council and their arrival on the spot, the Subsidiary Group of the Investigating Commission is directed to report to the Council regarding the compliance of the parties with this decision.'"

The representative of the United States considered that the action of Albania, Bulgaria and Yugoslavia in supporting the guerrilla warfare waged against the Greek Government constituted a threat to the independence and territorial integrity of Greece. The further deterioration of the situation and the new request of the Greek Government, he stated, obligated the Council to seek positive measures, now that it had failed because of the use of the "veto" to solve the Greek question by the processes of pacific settlement. Even if the new measures were to be prevented by another "veto", the Council would still have the duty of demonstrating its determination to prevent aggression. Such an attitude would provide a foundation for effective future action by the General Assembly under the Charter. The United States delegation would submit a new draft resolution (S/486), if the Australian draft resolution was not adopted.

This new draft resolution (S/486) was submitted by the United States, on August 12, 1947, for the consideration of the Council. It read as follows:

"The Security Council,

"Having considered the report of the Commission of Investigation established by resolution of the Council of 19 December 1946, and having considered the information supplied by the Subsidiary Group of the Commission of Investigation and the oral and written statements made to the Council by Albania, Bulgaria, Greece and Yugoslavia;

"Finds that Albania, Bulgaria, and Yugoslavia have given assistance and support to the guerrillas fighting against the Greek Government and have continued to do so in submission to the period covered by the report of the Commission of Investigation,

"Determines that such assistance and support to the guerrillas by Albania, Bulgaria and Yugoslavia constitutes a threat to the peace within the meaning of Chapter VII of the Charter;

"Calls upon Albania, Bulgaria and Yugoslavia to cease and desist from rendering any further assistance or support in any form to the guerrillas fighting against the Greek Government;

"Directs the Subsidiary Group to report to the Security

Council on the compliance of Albania, Bulgaria and Yugoslavia with this order;

"Calls upon Albania, Bulgaria and Yugoslavia to co-operate with Greece in the settlement of their disputes by peaceful means and to keep the Security Council informed of the progress of the settlement;

"The Security Council remains seized of the question and will take such further action in connexion with the enforcement of its order and the settlement of the dispute as may from time to time be necessary."

The representative of Colombia proposed that the Australian proposal be submitted first to the sub-committee which had been established earlier during the Council's 177th meeting (see above). He suggested that all proposals should be examined first by the sub-committee, and, if it reached agreement, a new draft resolution should be prepared, and should have precedence in the Council.

The President accepted the procedure suggested by the Colombian representative and added that since the Australian resolution introduced the question of Article 39, the letter from the Greek representative (S/451) was now before the Council. The discussion continued at the 178th meeting of the Council on August 7.

(2) Discussion of Letter from Greek Representative

The representative of Greece recalled that the Greek Government in its letter of June 26, 1947 (S/389), had already requested the Council to determine that the present state of affairs constituted a threat to the peace. A majority of the Council members, having concluded consideration of the Commission's report, wished to establish a commission which would assist the parties in the solution of this question. The "veto" of the representative of the U.S.S.R. had prevented the Council from adopting this decision. The present request of the Greek Government to the Council for action under Chapter VII of the Charter was intended to overcome the obstacles to action by the Council under Chapter VI. The repeated acts of arming bands and sending them across borders had been recognized by the majority of the Commission and by nine members of the Security Council as an action which constituted a threat to the peace within the meaning of Article 39 of the Charter. Once the Council had determined that a threat to the peace existed, it should consider what measures it should adopt in order to maintain international peace and security.

The representative of Yugoslavia said that it was for the Greek Government to prove that the situation in the Balkans had changed completely since a vote was taken on the United States draft resolution, and that a threat to the peace did in fact exist. The attitude of the majority of the

Council and of the Commission, he charged, encouraged the Greek Government to pursue its present tactics. It persisted in making new demands which were out of all proportion to the facts. Now, an artificial attempt was being made to define the situation in Greece as a threat to the peace. This method was employed in order to justify the military and political interference of the United States in the internal affairs of Greece and to shift the responsibility for the civil war to Greece's northern neighbors.

The representative of Bulgaria considered that the necessary facts were lacking for a determination by the Council of the existence of a threat to the peace. Even the recommendations of the majority of the Commission, which were unfounded, did not go beyond the provisions of Chapter VI of the Charter.

The representative of Albania observed that for a long period, the Greek Government had been accusing its neighbors of committing various acts of aggression, and when these accusations had been found untrue, it proceeded to make new ones. In supporting its new charge the Greek Government brought to the attention of the Council new incidents of a recent date allegedly confirmed by the Subsidiary Group of the Commission of Investigation.¹⁰

(3) Discussion of Australian and United States Draft Resolutions

Speaking at the 183rd meeting of the Council on August 14, the representative of the U.S.S.R. stated that the new United States draft resolution (S/486), which fully supported the Greek demand, was totally unacceptable. Two weeks ago, he stated, the representative of the United States had based his proposals on Chapter VI of the Charter and had attempted to prove that they did not involve any judgment as to guilt of the parties, or that the situation in Greece constituted a threat to the peace, but in the new United States resolution an attempt was being made to prove the opposite. Such an attitude could result only in further deterioration of the political atmosphere in and outside the Council.

The Australian draft resolution, the representative of the U.S.S.R. considered, did not differ in essence from the second United States proposal and involved the use of Article 40 of the Charter, although the Council had not determined the existence of a threat to the peace. The Australian draft resolution also proposed the appointment

¹⁰Concerning the establishment of the Subsidiary Group, see *Yearbook of the United Nations*, 1946-47, pp. 363-64.

of border observers, which was contrary to the sovereignty of the states concerned.

The representative of Albania said that despite the common knowledge that the United States was interfering in the internal affairs of Greece, an attempt was being made to prove that the northern neighbors of Greece were responsible for the existing situation there. The Australian and the new United States proposals were unacceptable because no situation existed which could justify the adoption of measures under Chapter VII of the Charter.

The representative of Poland considered the Australian resolution entirely unacceptable and stated that during the several months of discussion no member of the Council had previously attempted to define the situation in the Balkans as a threat to the peace. The present United States resolution, he stated further, encouraged the undemocratic policy of the Greek Government. The Greek Government, which was not interested in the maintenance of peace or in the reconstruction of its country, was soliciting foreign military intervention in order to maintain itself in power.

The representative of Yugoslavia stated that the purpose of the Australian and the United States draft resolutions was to exercise pressure on the Council and the countries directly concerned. It was said that if the Council did not adopt the present proposal, the case would be transferred to the General Assembly, thus bypassing the Security Council, or that measures would be taken under Article 51 which would exclude the Security Council and the General Assembly as well. Such unilateral action would undermine the authority of the United Nations.

The representative of Greece stated that he regretted the fact that certain delegations found it necessary to abuse his Government. He accepted the Australian draft resolution, although the United States proposal would, in his view, be preferable.

The representative of Bulgaria said that the United States proposal was based on Chapter VII of the Charter, although the Council had not established whether there was a judicial reason for the application of that Chapter. The facts submitted by the Commission of Investigation or by the Subsidiary Group could not justify such a finding and it was difficult to understand how the United States delegation, which had previously claimed that it avoided apportioning blame to any parties to a dispute, in its own resolution singled out three countries as guilty.

The representative of Australia stated that an equitable solution of the problem was made im-

possible because of the use of the "veto". He would support the United States proposal in order to make it clear who should be blamed for the present situation.

At the 188th meeting of the Council on August 19 the Australian draft resolution amended by the United States (S/471/Add.1) and the United States draft resolution (S/436) were put to the vote. Both received 9 votes in favor and 2 against (Poland, U.S.S.R.). Since in each case one of the votes was cast by a permanent member the resolutions were not adopted.

i. QUESTION OF THE EXISTENCE OF THE COMMISSION OF INVESTIGATION

After the voting on the Australian and United States draft resolutions the President declared that since the Council was unable to reach agreement or to adopt a resolution, no further meetings on the subject would be held unless requested by any member of the Council. He considered that all elements of inquiry remained in force and that the Commission of Investigation and its Subsidiary Group would continue to function until a new decision was taken by the Council.

The representative of the U.S.S.R. stated that the Commission of Investigation and its Subsidiary Group, having exhausted their task, should be considered non-existent.

The representative of the United Kingdom said that these two bodies could be terminated only by an affirmative decision of the Council.

The representative of Poland recalled that, when the Subsidiary Group had been established, a definite statement had been made by the United States representative to the effect that the Subsidiary Group would cease to exist automatically when the Council had received a report from the Commission.

The representative of the United States replied that his previous statement had been made in the anticipation that the Council, upon receipt of the Commission's report, would decide on a definite course of action. Since, however, the Council was unable to take any action on the report, he concurred with the President's statement that the Commission and the Subsidiary Group should remain in existence until the Council made a new decision.

j. REMOVAL OF THE GREEK QUESTION FROM THE AGENDA OF THE SECURITY COUNCIL

By letter of September 11, 1947 (S/550), the representative of the United States to the

United Nations requested that the Greek question be placed on the provisional agenda of the next meeting of the Security Council. The question was accordingly placed on the agenda of the 202nd meeting of the Council on September 15, 1947.

At that meeting the representative of the United States declared that since the Greek question had been placed on the agenda of the General Assembly¹¹ the Council should assist the Assembly and allow it full consideration of this question by making an appropriate request to the General Assembly in accordance with Article 12 of the Charter. This procedure would permit the Subsidiary Group to function in the area without interruption. To that end, he proposed the following resolution (S/552).

"The Security Council, pursuant to Article 12 of the Charter,

"(a) Requests the General Assembly to consider the dispute between Greece on the one hand, and Albania, Yugoslavia and Bulgaria on the other, and to make any recommendations with regard to that dispute which it deems appropriate under the circumstances;

"(b) Instructs the Secretary-General to place all records and documents in the case at the disposal of the General Assembly."

The representative of Yugoslavia did not consider the question raised by the representative of the United States to be one of procedure, since the adoption of this proposal would prejudice the role of the Security Council in preserving international peace and security.

The representative of Australia considered that the question before the Council had nothing to do with the merits of the Greek dispute and was limited to the simple procedural issue of granting the General Assembly full freedom of discussion of the Greek question. The Council would still be seized of the dispute and the Subsidiary Group would continue to function.

The representative of Brazil stated that the United States proposal in no way affected the primary responsibility of the Council and should be regarded as purely procedural.

The President considered the United States proposal to be one of substance. Speaking as the representative of the U.S.S.R., he said that the Council was unable to reach a solution of this question because of the interference of certain states in the internal affairs of Greece. Removal of this question from the Council's agenda would amount to an admission that the Council was unable to solve it. The Greek question, however, could be solved if all members were guided in

their actions by the interests of the United Nations as a whole.

The representative of the United States said that the competence and the authority of the Council would not be affected if the General Assembly were asked to co-operate in the solution of this problem.

The representative of Poland considered that the United States proposal would compel the Security Council to relinquish its responsibilities with regard to this question. He considered the question one of substance, since it involved the jurisdiction of two organs of the United Nations.

The representative of Bulgaria stated that the proposal would amount to an admission of the Council's impotence. The basis for a solution still existed, if the Council would make a thorough and objective study of the Commission's report.

The representative of Yugoslavia considered that the Council would be precluded, for a period of at least two months, from discussing the Greek question, whereas the situation was such that it required a decision and solution by the Council.

The representative of France could not see any contradiction in the fact that the General Assembly and the Security Council would be seized of the Greek question simultaneously. Such a procedure might produce closer co-ordination in the work of the two organs. Should a need arise for action by the Council, the General Assembly would hold the matter in abeyance.

The representative of Syria stated that the United States proposal would permit the General Assembly, if it so desired, to make recommendations to the Security Council on this matter.

The representative of Albania stated that the Council should once again try to find a solution to this problem. There was no reason why it should abandon its work and refer it to the General Assembly.

When the United States resolution was put to the vote it received 9 votes in favor and 2 against (Poland, U.S.S.R.).

The President considering the United States proposal to be one of substance, ruled that the resolution was rejected, one of the permanent members of the Council having voted against it.

The representative of the United States disagreed with the President's ruling and requested the submission of the matter to the Council for a decision.

The President therefore put the question to the vote as to whether the United States proposal was procedural. The result of the vote was 9

¹¹See pp. 63-64.

in favor and 2 against (Poland, U.S.S.R.). The President declared that the proposal was rejected since one of the permanent members had voted against it.

The representative of the United States said that the President had been within his technical right in deciding that this matter was not a question of procedure. He objected, however, to the use by the representative of the U.S.S.R. of his power in this case. He submitted a draft resolution (S/555) which, he stated, was definitely one of procedure, but which would necessitate the termination of the Subsidiary Group of the Commission of Investigation.

"The Security Council

"(a) Resolves that the dispute between Greece on the one hand, and Albania, Yugoslavia and Bulgaria on the other, be taken off the list of matters of which the Council is seized, and

"(b) Requests that the Secretary-General be instructed to place all records and documents in the case at the disposal of the General Assembly."

The new United States draft resolution received 9 votes in favor and 2 against (Poland, U.S.S.R.).

The President declared that the resolution had been adopted and that the Greek question had accordingly been removed from the agenda of the Security Council.

2. *The Free Territory of Trieste*

a. *APPOINTMENT OF A GOVERNOR*

At its 91st meeting, on January 10, 1947, the Security Council approved the Instrument for the Provisional Regime of the Free Territory of Trieste and the Permanent Statute for the Free Territory of Trieste, and accepted the responsibilities devolving upon it under these documents, which had been submitted to the Security Council by the Council of Foreign Ministers (S/224 and Rev.1).¹²

The representative of the United Kingdom, in a letter dated June 13, 1947 (S/374), requested that the Security Council consider the question of the appointment of a Governor for the Free Territory of Trieste, in accordance with article 11, paragraph 1, of the Permanent Statute. The Security Council, after having discussed the matter at the 143rd meeting, decided, at the 155th meeting on July 10, to establish a sub-committee composed of the representatives of Australia, Colombia and Poland to collect additional information about candidates already suggested as well as about other

possible candidates and to report to the Security Council.

The sub-committee, on September 10, submitted a report to the Security Council containing information on the candidates who had been proposed up to that date and recommending certain of these names for the consideration of the Council. An additional candidate was later proposed by the representative of China.

The Security Council, at its 203rd meeting on September 24, considered the report of the sub-committee, following a request (S/560) by the representative of Australia that the Council should fulfil its responsibility to appoint a Governor to assume office in the Free Territory at the earliest possible moment after the coming into force of the Peace Treaty with Italy. After a discussion, the Council decided to ask its permanent members to hold an informal consultation on the subject.

The Security Council, at the 223rd meeting, on December 18, 1947, heard a report on the results of the informal consultation of the permanent members, which indicated that no agreement had been reached. Resuming its consideration of the matter, the Council decided to request the Governments of Yugoslavia and Italy to consult with each other in an effort to agree on a candidate for Governor of the Free Territory of Trieste and to report to the Council not later than January 5, 1948.

The Italian observer to the United Nations in letters dated January 12 and 15, 1948 (S/644 and S/647), and addressed to the Secretary-General, informed the latter that direct conversations between the Governments of Italy and Yugoslavia had not achieved any practical results.

The permanent representative of Yugoslavia, in a letter dated January 15, 1948 (S/646) to the Secretary-General, transmitted a reply from his Government stating that the effort of the Government of Yugoslavia to achieve agreement with the Government of Italy on the selection of a Governor for the Free Territory of Trieste had met with no success.

The Security Council, at the 233rd meeting, on January 23, 1948, discussed the replies from the Governments of Italy and Yugoslavia to the Security Council's request of December 19, 1947.

The representative of the U.S.S.R. suggested that the members of the Council should express their opinion about the new names put forward in the letters from the Governments of Italy and

¹²For details, see *Yearbook of the United Nations*, 1946-47, pp. 381-92.

Yugoslavia. He said he considered favorably certain names contained therein.

Some permanent members of the Council, however, declared that they were not yet in a position to discuss these new names.

The representative of the U.S.S.R. said he was prepared to engage in consultations on this matter at any time.

The Council decided, at the suggestion of the representative of Syria, to request the permanent members to hold another consultation on the matter. The proposed consultation of the permanent members did not take place.

The Security Council, at the 265th meeting on March 9, 1948, resumed its consideration of the question. After some discussion, the Council agreed to postpone its consideration, and to take up the question again at the request of any member of the Council.

4b. YUGOSLAV CHARGES OF VIOLATION OF ITALIAN PEACE TREATY

In a note (S/927), dated July 28, 1948, and addressed to the President of the Security Council, the Government of the Federal People's Republic of Yugoslavia charged that the Governments of the United States and of the United Kingdom, through the Allied Military Command in Trieste, were violating clauses of the Peace Treaty with Italy bearing on the Free Territory of Trieste and were jeopardizing the independence of the Territory.

Specifically, the Yugoslav note declared that a series of financial, economic and postal agreements entered into on March 9 and May 6, 1948, between the Allied Military Command and the Government of Italy, did, in effect, wipe out the monetary frontier between the Free Territory and Italy; place the Territory, from a monetary point of view, under the sovereignty of Italy; and subordinate the Anglo-American Zone of Trieste to Italy as regards foreign trade, thus handing over to Italy control of the most important foreign relations of that zone. Furthermore, the Yugoslav note charged, the Allied Military Command by its day-to-day decisions was preparing the way for the incorporation of Trieste into Italy, for example, by proclaiming June 2, the anniversary of the founding of the Italian Republic, as an official holiday of Trieste.

All these matters, the Yugoslav note stated, were in clear violation of the Italian Peace Treaty and of the integrity of the Free Territory of Trieste and were part of a plan of the United States and United Kingdom Governments "to impose on

the Security Council, as well as on the states which signed the Peace Treaty with Italy, the *fait accompli* of the incorporation of the Anglo-American Zone of the Free Territory of Trieste into Italy".

Yugoslavia requested that the Security Council, "as the appointed guardian of the integrity and independence of the Free Territory of Trieste", should declare the agreements in question as violations of the relevant sections of the Italian Peace Treaty, undertake the measures necessary for nullifying these agreements, and assure the respect by the United States and the United Kingdom of their international obligations, thus guaranteeing the independence of the Free Territory of Trieste.

The Yugoslav charges were considered by the Security Council at its 344th meeting on August 4, its 345th meeting on August 10, its 346th meeting on August 12, its 348th meeting on August 13, its 350th meeting on August 16, and its 353rd and 354th meetings on August 19, 1948.

Elaborating upon the charges, the representative of Yugoslavia stated that his Government had submitted other notes on this question (S/598, S/600, S/944) and cited several clauses of the Italian Peace Treaty which, he held, had been violated by the controversial agreements between the Allied Military Command and the Italian Government. He further charged that, in contravention of their obligations under the Peace Treaty, the United States and the United Kingdom Governments, through their Allied Military Command, were supporting pro-Italian irredentist elements and groups in Trieste, fostering the segregation of the Trieste Zones of Occupation, reducing the Allied Zone to a "parasitic" dependence on United States subsidies, encouraging anti-Yugoslav discrimination in a number of ways and blocking normal trade and commerce between their Zone of Trieste and Yugoslavia.

The representative of the United States referred to the Yugoslav note as a "flimsy document" whose charges were utterly devoid of substance. He contrasted the practice of the United States and United Kingdom of submitting periodically reports on the administration of their Zones of Occupation in Trieste (S/679 and S/781) with that of Yugoslavia, which had never submitted any such reports. He asked for a postponement of the consideration of the Yugoslav charges until his delegation would have gathered the material for a detailed reply. He also suggested that when the substance of the question was being considered, the Council might wish to look at the administration of Trieste as a whole, including

that of the Yugoslav Zone. The representative of the United Kingdom expressed himself in similar terms.

The representative of France felt that Yugoslavia might take advantage of the delay necessary for the United States and United Kingdom to prepare detailed answers, to submit a report on its Zone for the Council's information.

The representative of Yugoslavia held that there was no reason to delay consideration of the question; all that the Council had to do was to pronounce itself on the issue of whether the agreements to which his Government had objected were in conformity with the Italian Peace Treaty. Yugoslavia, he said, had not submitted reports on its Zone because it had hoped that the Governor envisaged in the Peace Treaty would be appointed promptly; the fact that the United Kingdom and United States had submitted such reports might indicate, he held, that they did not share this Yugoslav hope. Yugoslavia would immediately submit a report, if requested to do so by the Council.

The representatives of the Ukrainian S.S.R. and of the U.S.S.R. felt that the issue of reports of the occupying Powers had been raised solely to divert the Council's attention from the main point, namely, the specific Yugoslav charges.

Subsequently, the representative of the United States presented a lengthy legal analysis in support of his thesis that the Peace Treaty had not been violated by the Allied Military Command and that the Yugoslav charges were without foundation. He wondered whether in preferring the charges Yugoslavia had not been inspired by a desire to cover up its own possible plans for annexing Trieste, thus simply charging others with its own real or proposed misdeeds. In effect, he stated, Yugoslavia was objecting, not to the agreements entered into by the Allied Military Command, but to the relevant clauses of the Italian Peace Treaty. He added that while the United States would like to see the Peace Treaty modified as regards Trieste, by making that city Italian once more, it would loyally abide by the provisions of the existing Treaty.

The representative of the United Kingdom, supporting the views of the United States representative, emphasized that the measures taken by the Allied Military Command were of a provisional character, i.e., could be abrogated by the Governor once he was appointed. He also accused Yugoslavia of violating certain provisions of the Peace Treaty in its Zone, particularly provisions relating to civil rights and political freedoms, and

charged that Yugoslavia was attempting to enforce its own domestic political credo in its Zone of the Free Territory.

The representative of the U.S.S.R. regarded the appointment of a Governor as one of the key factors of a solution of the Trieste question. He accused the Governments of France, the United Kingdom and the United States of methodically sabotaging an early appointment of a Trieste Governor, adding that the three Governments, having themselves caused this difficulty, then turned around and asserted that the non-appointment of a Governor was one of the reasons which had led them, on March 20, 1948, to suggest a revision of the Trieste clauses of the Italian Peace Treaty. The representative of the U.S.S.R. regarded the Yugoslav charges as well-founded, adding that the Council should give Yugoslavia satisfaction and that it should also promptly appoint a Governor. Similar views were expressed by the representative of the Ukrainian S.S.R.

The Soviet assertions that the Governments of the United Kingdom, United States and France had been responsible for the delay in appointing a Governor for Trieste were challenged by the representative of the United Kingdom who ascribed the primary responsibility for the non-appointment of a Governor to the U.S.S.R. On the other hand, the representative of Yugoslavia, upholding the Soviet view of this matter, intimated that the Yugoslav and Italian Governments might easily have reached agreement on a Governor but for the influences brought to bear upon the Government of Italy by the United States and United Kingdom.

The representative of France declared that the specific charges of Yugoslavia had been fully and precisely refuted by the representatives of the United Kingdom and the United States. He deprecated any attempt to widen the discussion into a consideration of the general political situation surrounding the Trieste issue.

The representatives of Syria and China declared that the principal dispute between Yugoslavia and the United States and United Kingdom appeared to be clearly of a legal, juridical character, concerning as it did the interpretation of a treaty. It would therefore have been preferable, they felt, had the matter been referred to the International Court of Justice rather than to the Security Council, as had been suggested by the United States representative.

Two draft resolutions were submitted in the course of the Council's consideration of the Yugoslav complaint: one by Yugoslavia (S/968), the

other by the representative of the Ukrainian S.S.R. (S/980).

The operative part of the Yugoslav proposal read as follows:

"The Security Council,

"Having considered the accusations of the Government of the Federated Peoples' Republic of Yugoslavia brought before the Security Council regarding a series of agreements of 9 March 1948 and 16 April 1948 concluded between the Allied Military Command and the Republic of Italy,

"Determines that the above mentioned agreements are in complete contradiction with the obligations undertaken by the Allied and Associated Powers and Italy in respect of Article 21 of the Treaty of Peace with Italy and in respect to regulations in the annexes which are part of the Peace Treaty, and consequently

"Declares the agreements of 9 March 1948 concluded between the Allied Military Command and the Republic of Italy, and of 16 April 1948 relative to the fulfilment of the agreements made on 9 March 1948, and the postal agreement, incompatible with the status of the Free Territory of Trieste and, therefore, renders them null and void;

"Calls upon the Governments of the United Kingdom and of the United States of America to take note of this resolution and to avoid any action in the future which is contrary to the provisions of the Peace Treaty."

The draft resolution proposed by the representative of the Ukrainian S.S.R. (S/980) read as follows:

"Having considered the note of the Government of the Federal Peoples' Republic of Yugoslavia and

"Considering that the question of the appointment of a governor of the Free Territory of Trieste has not yet been settled, and that the delay is making it difficult to implement other provisions of the Peace Treaty with Italy and decisions of the Council of Ministers of Foreign Affairs of 22 April 1947,

"The Security Council

"Considers that it is urgently necessary to settle the question of the appointment of a governor of the Free Territory of Trieste."

The representative of the United States declared that the Ukrainian draft resolution had been improperly submitted, not being relevant to the Yugoslav complaint. The representative of the United Kingdom, sharing the misgivings of the representative of the United States as to the propriety of the submission of the Ukrainian proposal, announced that he would refuse to participate in a vote thereon.

The representative of the Ukrainian S.S.R. replied that his proposal was not only directly related to the question under consideration, but that its adoption would offer one of the best ways towards a solution of the whole problem. He also announced his support of the Yugoslav draft resolution (which, without the support of

any Council member, could not have been submitted to a vote).

The representatives of China and Syria, conceding the relevancy of the Ukrainian proposal, doubted its usefulness in the absence of agreement among the Great Powers upon the choice of a Governor. Nevertheless, they stated, they would vote for it.

The representative of France thought that the Ukrainian proposal should not be put to the vote since, in his opinion, it concerned a matter not then on the agenda of the Council.

The representative of the United States, replying to the remarks of the representatives of China and Syria, held that, whether relevant or not, the Ukrainian proposal should not be adopted; its entire context and manner of introduction, he stated, might be construed as a sort of secondary support for the position of Yugoslavia and for the Soviet contention that the Governments of the United Kingdom and the United States were responsible for the non-appointment to date of a Trieste Governor.

The representative of the U.S.S.R., on the contrary, saw in the Ukrainian proposal a means of dealing with the core of the problem without accusing anyone.

Both draft resolutions failed of adoption at the 354th meeting on August 19. The vote on the Yugoslav proposal was 2 in favor (U.S.S.R., Ukrainian S.S.R.), 0 against, and 9 abstentions, while the Ukrainian proposal received 4 supporting votes (China, Syria, Ukrainian S.S.R., U.S.S.R.), 0 in opposition, and 6 abstentions, the representative of the United Kingdom being recorded as not participating in the vote.

After the vote, the representative of the Ukrainian S.S.R. declared that, from the political point of view, the vote showed that a considerable proportion of the Security Council members, in support of the United Kingdom-United States standpoint, was reluctant to observe the Treaty with Italy in respect of the Free Territory of Trieste. Furthermore, the United Kingdom and the United States had shown "clearly and unequivocally" that they had no intention of abiding by Article 5, Annex VII, of the Treaty, which had fixed the number of troops to be stationed in Trieste and stipulated their withdrawal three months after the assumption of office of the Governor. He also noted that "the United Kingdom-United States military authorities are ruling without a Council of Government or a popular Assembly and are thus violating the Treaty".

The representative of the U.S.S.R. made a statement stressing that "the Governments of the United States of America, the United Kingdom and France and their delegations to the Security Council are violating the provisions of the Peace Treaty with Italy and the agreed decisions relating to Trieste, and sabotaging their implementation". He again insisted on the fact that the United States, United Kingdom and French delegations had delayed the appointment of a Governor and then deliberately avoided discussing that question. The attitude of the United States and United Kingdom delegations to the Ukrainian draft resolution showed that these countries "are refusing to fulfil the obligations assumed by their Governments under the Peace Treaty and the agreed decisions of the Council of Foreign Ministers of 12 December 1946 on the appointment of a Governor of the Free Territory of Trieste".

3. *The Egyptian Question*

a. COMMUNICATION DATED JULY 8, 1947, FROM THE PRIME MINISTER AND FOREIGN MINISTER OF EGYPT

In a letter dated July 8, 1947, to the Secretary General (S/410), the Prime Minister and Minister of Foreign Affairs of Egypt stated that British troops were maintained in Egypt against the unanimous will of the people, contrary to the Charter and to the General Assembly's resolution (41 I.) of December 14, 1946, on the principles governing the general regulation and reduction of armaments and armed forces.¹³ He also complained of British policy in relation to the Sudan and stated that the facts set out had given rise to a dispute between Egypt and the United Kingdom, the continuance of which was likely to endanger the maintenance of international peace and security. Negotiations attempted pursuant to Article 33 of the Charter had failed; consequently, Egypt was bringing this dispute to the Security Council under Articles 35 and 37 of the Charter, and requested the Council to direct:

1. the total and immediate evacuation of British troops from Egypt, including the Sudan;
2. the termination of the present administrative regime in the Sudan.

b. ADMISSION TO THE AGENDA

At its 159th meeting on July 17, 1947, the Security Council included the Egyptian application in its agenda. Consideration of the matter was postponed to August 5, 1947.

c. STATEMENTS BY THE REPRESENTATIVES OF THE TWO GOVERNMENTS CONCERNED

At the 175th meeting on August 5, the representative of Egypt was invited to the Council table and stated his Government's position on the issues raised in the Egyptian letter of July 8.

He emphasized that the persistent British occupation of Egyptian territory and the consequent British interference in matters which were essentially within Egypt's domestic jurisdiction were not merely sources of recurring conflicts between the two Governments; they also created a constant state of friction between the population and the occupying forces. This in itself, the representative of Egypt asserted, was a menace to peace. The possible repercussions throughout the Middle East of tense Anglo-Egyptian relations, moreover, he considered, were a potential peril to peace and security in that part of the world.

With public feeling on the point of eruption and the entire nation clamoring for the complete and unconditional evacuation of foreign forces from Egyptian soil, the Egyptian Government had approached the Government of the United Kingdom with a view to re-orienting Anglo-Egyptian relations in the light of the principles enunciated in the Charter. These negotiations, which started in 1946, had proved futile, according to the Egyptian representative, because the United Kingdom Government tried as a price of Egypt's natural right to evacuation not only to force Egypt into an onerous alliance, but also to secure the maintenance in the Sudan of the administrative regime started in 1899, under cover of which Britain held all authority in violation of Egypt's sovereign rights. The Egyptian Government, therefore, decided to appeal to the Security Council.

The representative of Egypt commented at length on the Anglo-Egyptian Treaty of 1936 defining relations between the two countries. He asserted that the Treaty had been concluded under special circumstances and that, had it not been for Egyptian fear of Nazi and Fascist aggression, Egypt would not have consented to the following conditions embodied in the Treaty:

- (a) the stationing of British armed forces of specified size on Egyptian territory for a period of at least ten years;
- (b) an alliance to continue indefinitely, even after other parts of the Treaty had been reconsidered.

As the Treaty had been concluded solely with a view to the impending war emergency which

¹³See *Yearbook of the United Nations, 1946-47*, pp. 142-43.

matured within three years of its signature, no one could seriously claim, the representative of Egypt argued, that the restrictions on Egyptian sovereignty embodied in the Treaty were intended to continue after the war. The Treaty had therefore outlived its purpose.

Commenting further upon the 1936 Treaty in relation to the Charter of the United Nations, the representative of Egypt maintained that the continued occupation of Egyptian territory by British forces was contrary to the principle of the sovereign equality of nations and to the system of collective security established by the Charter. The representative of Egypt also stated that the presence of British troops in Egypt was contrary to the General Assembly's resolution of December 14, 1946, which, *inter alia*, recommends Member States to undertake "the withdrawal without delay of the forces stationed in the territories of Members without their consent freely and publicly expressed in treaties or agreements consistent with the Charter and not contradicting international agreements". The representative of Egypt stated (1) that the Treaty of 1936 did not express the free consent of Egypt because at the time of the conclusion of the Treaty, Egyptian territory was occupied by British troops and the British Government exerted pressure upon the Egyptian Government to bring about acceptance of the Treaty; (2) that the Treaty contradicted international agreements, as it sought to make Great Britain the sole guardian of the Suez Canal, while the international agreement signed at Constantinople in 1888 provided that the Suez Canal should be open to all nations in times of war and peace and that primary responsibility for its defence should fall upon Egypt; and (3) that the Treaty, as indicated above, was not consistent with the Charter and in accordance with Article 103 of the Charter the latter's provisions must prevail in cases of conflict with other international obligations.

Regarding the situation in the Sudan, he stated that the United Kingdom, disregarding the legitimate rights and interests of Egypt and the Sudan, had consistently taken advantage of circumstances and had developed an administrative regime in the Sudan appropriate to its own purposes. Nature had made the valley of the Nile an entity; it formed a unit physically, economically and racially. The merger of Egypt and the Sudan early in the nineteenth century had been the natural result of intimate relations during centuries of common interest, common language and common culture; this merger had been to the advantage of both

parties. The unity had been internationally recognized in treaties and affirmed by the Egyptian laws of 1879 and 1882.

He concluded that the United Kingdom had no legal or political claims whatsoever with respect to the Sudan. By virtue of force, the United Kingdom had administered the Sudan for more than fifty years entirely for British benefit, closing the area from the rest of the world and especially from Egypt, of which the Sudan formed an integral part. When it had become clear that the population of the Sudan would not let this intolerable situation continue, the United Kingdom had, in order to keep its influence in the Sudan, tried to split it into two parts and promised South Sudan that it should at an unknown time in the future receive independence.

At the 176th meeting of the Council on August 5, the representative of the United Kingdom stated that neither the original letter from the Prime Minister of Egypt nor the statement made by the representative of Egypt offered any proof that international peace and security were endangered. Consequently, Articles 35 and 37 of the Charter were not applicable.

Both Egyptian requests for action by the Security Council related to matters provided for by the 1936 Treaty. Article 8 of the Treaty provided for the stationing of a limited number of British forces in Egypt; Article 11, provided for continuance of the present administrative regime in the Sudan.

The Treaty of 1936 had, in accordance with its Article 16, a period of over nine years more to run before one of the parties had any right to demand its revision. Negotiations regarding its revision could, however, take place after ten years, i.e., in December 1946, if both parties agreed thereto. To meet the wishes of the Egyptian Government, His Majesty's Government, without any legal obligations, had begun negotiations for revision of the Treaty some months before this ten-year period had elapsed. These negotiations had led to the drawing up of a new Treaty of Mutual Assistance accompanied by two protocols; one related to the evacuation of British forces and the other to the Sudan. The Treaty and the two protocols had been initialled in October 1946 by the Egyptian Prime Minister and the Foreign Secretary of the United Kingdom.

The only provision in the Treaty and the protocols which had led to their rejection by the Egyptian Government was the recognition of the right of the Sudanese themselves to choose the future status of their country. Egypt was, in other

words, not prepared to accord to the Sudan the freedom Egypt had itself received from the United Kingdom. This was the only point on which agreement had not been reached. The United Kingdom, considering that the right of the Sudanese to choose their future status was in accordance with the spirit of the Charter, especially Article 1, paragraph 2, would continue to maintain its policy in this respect. The British Foreign Secretary, in order to avoid a breakdown of the negotiations, had offered to sign separately the Mutual Assistance Treaty and the Evacuation Protocol, reserving the question of the Sudan for a later conference at which the Sudan Government would be represented. This offer, however, had been ignored, and the negotiations had broken down. Consequently, the Treaty of 1936 was valid and would, according to its own letter, remain in force until December 1956. Since the Treaty contained provisions for both claims made by the Government of Egypt, he submitted that the Security Council could do nothing in respect to these claims.

In conclusion, he submitted that the Security Council, in view of its duty to settle disputes in accordance with international law, and mindful of the principle *pacta sunt servanda*, should find that the Egyptian Government had failed to make its case.

The Council heard further statements by the Egyptian and United Kingdom representatives at its 179th and 182nd meetings on August 11 and 13. The representative of Egypt stated that the Council could not evade its responsibility for the maintenance of peace and security on grounds of legal arguments. British interference in Egypt, he asserted, created a situation which could not be tolerated any longer. Aroused public feeling in Egypt, in recent months, had led to bloodshed and loss of life. He urged the Security Council to rectify the situation without delay (1) by ordering the British forces to withdraw from Egypt; and (2) by terminating British administration in the Sudan.

The representative of the United Kingdom stated that the Egyptian argument that the Council should not consider itself bound by international law had very dangerous consequences, and would render it possible for any state to rid itself of treaty obligations on the grounds that it disliked them sufficiently to be prepared to endanger peace rather than accept them.

He again emphasized that all outstanding questions between Egypt and the United Kingdom except that of the future status of the Sudan had

been settled by the negotiations in 1946. He submitted that Egypt had not made any case at all and that, consequently, its request should simply be rejected by the Council.

d. GENERAL DISCUSSION

The Council began its discussion of the Egyptian question at the 182nd meeting on August 13 with a statement by the representative of Poland, who maintained that the Treaty of 1936 had outlived its purpose and was interfering with the sovereignty of a Member State. On that basis, the Security Council had the right to demand the withdrawal of British troops; the Polish delegation would support the Egyptian request to that effect.

The question of the status of the Sudan, the representative of Poland stated, should be considered apart from the withdrawal of British forces. It was not a question between the United Kingdom and Egypt only; the wishes of the Sudanese had also to be taken into account. If the Sudanese desired unity with Egypt, they would have the support of the Polish delegation.

It was then decided to postpone further discussion until August 20. The Council continued its consideration of the Egyptian question at its 189th meeting on August 20, its 193rd meeting on August 22, its 196th meeting on August 26, its 198th and 199th meetings on August 28 and its 200th meeting on August 29.

e. BRAZILIAN DRAFT RESOLUTION

The representative of Brazil, at the 189th meeting on August 20, stated that intervention of the Security Council in any dispute or situation should take place only after the parties had applied Article 33 of the Charter, providing for direct negotiation and other traditional methods of adjustment, but had shown themselves to be incapable of arriving at a satisfactory settlement. He expressed the hope that direct negotiations between the parties concerned might still lead to a satisfactory solution of the problem. Without passing upon the merits of the case, therefore, he submitted the following draft resolution (S/507):

"The Security Council,
 "Having considered the dispute between the United Kingdom and Egypt, brought to its attention by the letter of the Prime Minister of Egypt dated 8 July 1947,
 "Noting that the methods of adjustment provided for by Article 33 of the Charter have not been exhausted, and believing that the settlement of the dispute may best be attained, under present circumstances, through recourse to those methods,

"*Recommends* to the Governments of the United Kingdom and Egypt:

"(a) To resume direct negotiations and, should such negotiations fail, to seek a solution of the dispute by other peaceful means of their own choice;

"(b) To keep the Security Council informed of the progress of these negotiations."

The representative of the U.S.S.R. submitted that the question raised by Egypt was a dispute within the meaning of Chapter VI of the Charter and therefore deserved serious consideration by the Council. He expressed sympathy with the point of view of the Egyptians who felt that the continued presence of foreign troops on their territory was incompatible with their national interests as a sovereign state and with the principles of the United Nations. Referring to Article 103 of the Charter (which provides that in the event of a conflict between the obligations of Members under the Charter and under other international agreements, their obligations under the Charter are to prevail) and to the General Assembly's resolution of December 14, 1946, on the principles of the general regulation and reduction of armaments, he concluded that Egypt's demand for the immediate withdrawal of all British troops from the territory of Egypt and the Sudan was justified. The Soviet delegation therefore supported this demand.

Regarding the future status of the Sudan, he was of the opinion that the Security Council could take no decision at the present stage inasmuch as it did not know the wishes and aspirations of the Sudanese people.

The representative of China submitted that the question of the withdrawal of British troops could be settled directly by the two parties concerned. The merits of the question were so obvious, he stated, that he desired that the Brazilian draft resolution should be re-enforced by the insertion of the following phrase ((S/507/Add.1) as the third paragraph of the resolution:

"*Noting* that the Government of the United Kingdom has already partially withdrawn its troops from Egypt and is ready to negotiate on the completion of the evacuation."

Regarding the future of the Sudan, he submitted that the desire of the Egyptian Government to maintain the unity of the Nile Valley seemed most natural. On the other hand, before a decision was taken, the Sudanese people should be granted the fullest and freest right of self-determination.

The representative of Belgium submitted an amendment (S/507/Add.1) to the Brazilian draft resolution to add to sub-paragraph (a) the

following: "including the reference to the International Court of Justice of disputes concerning the validity of the Treaty of 1936".

The representative of France stated that he would vote in favor of the Brazilian draft resolution and the Chinese and Belgian amendments thereto.

The representative of Egypt, at the 193rd meeting, on August 22, stated that the Brazilian draft resolution placed limitations upon the Security Council which were not embodied in the Charter and that the resolution, in consequence, would serve no useful purpose. Acceptance of the Brazilian draft resolution would constitute an evasion of the primary responsibilities of the Council. He welcomed the Chinese amendment but considered the Belgian amendment superfluous since Article 33 of the Charter itself mentioned judicial settlement.

He regretted that the Brazilian draft resolution contained no specific reference to termination of the British administration in the Sudan despite the fact that a number of members of the Council had expressed sympathy for the Egyptian request that British troops be withdrawn from the Sudan.

The representative of Australia introduced the following amendments (S/516) to the Brazilian draft resolution: in the second paragraph, the word "noting" to read "considering"; in the third paragraph, the words "recommends to" to read "invites"; and in sub-paragraph (a), after "to resume direct negotiations", the words "which, in so far as they affect the future of the Sudan, should include consultation with the Sudanese" to be added.

The representative of Syria stated that, in his opinion, Egypt had acted strictly in accordance with the Charter and that the case was properly the concern of the Security Council.

As regards the 1936 Treaty, he stated that circumstances no longer justified that the sole responsibility for the defence of the Suez Canal should be entrusted to the United Kingdom. After the assumption of the duty of collective security by the United Nations, the United Kingdom was automatically discharged of this responsibility. Under the Treaty itself, the British forces were to be withdrawn when their presence no longer appeared necessary for the defence of the Suez Canal. This condition had now been fulfilled.

Referring to the proposed further negotiations, he recalled that the United Kingdom had already agreed to withdraw its forces. It had been said that the United Kingdom wanted to re-establish an alliance with Egypt before such withdrawal. He understood, however, that Egypt, being satisfied

with the security offered under the Charter of the United Nations, did not want such an alliance.

With regard to the Belgian amendment (S/507/Add.1), he submitted that the matter at issue could not be considered as a legal dispute under paragraph 3 of Article 36 of the Charter.

The representative of Egypt maintained his previous objections to the Brazilian draft resolution and stated that the situation would be aggravated if the Australian amendments were incorporated in that draft.

The representative of Poland stated that the Brazilian draft resolution was neither justified by the terms of the Charter nor by the facts as they had been presented by the two parties concerned. He submitted that the main purpose of that resolution was to avoid any settlement of the question and to strike this unpleasant case from the Council agenda.

The representative of the U.S.S.R., at the 198th meeting on August 28, stated that he considered the Brazilian draft resolution to be unsatisfactory. Only when it was self-evident that the parties had not exhausted the possibilities of direct negotiations should such a procedure be recommended by the Council. He thought it inadvisable to recommend negotiations between the two parties, when one party to the dispute was still occupying the territory of the other. Adoption of the Brazilian resolution would in fact mean that the Security Council, as far as the substance of the question was concerned, was voluntarily evading its responsibility.

The representative of Colombia said that he was in full agreement with the spirit of the Brazilian draft resolution. He believed, however, that the terms were both too broad and too vague. If direct negotiations should again fail, the Security Council should have the opportunity of making a new recommendation regarding the means of settlement of the dispute. If the Brazilian draft resolution was not adopted, he would submit a draft resolution clearly stating the object of the negotiations.

The representative of the United States stated that he would support the Brazilian draft resolution and the Chinese and Australian amendments, except the one proposed for the paragraph dealing with the Sudan. The Brazilian draft resolution, he considered, was very wisely drafted and, if conscientiously carried out by the two parties, would almost certainly lead to a solution of the question. He would vote for that resolution on the understanding that paragraph (b) of the resolution

meant that the Security Council remained seized of the question.

The representative of the United Kingdom stated that he had never raised any objection to the last part of the Brazilian draft resolution providing that the parties should keep the Security Council informed of the progress of their negotiations; he felt confident that his Government would accept that clause. If, however, such a provision were adopted, he could see no reason why the Council should remain seized of the question.

The representative of China, in view of the discussion which had developed regarding the retention of the matter on the Council's agenda, proposed to add at the end of the Brazilian draft resolution the following: "and to report thereon to the Council in the first instance not later than 1 January 1948".

At its 198th meeting on August 26 the Council proceeded to vote on the Brazilian resolution and the various amendments thereto.

The representative of Brazil accepted the amendments which the representative of China (S/507/Add.1) had submitted in the course of the Council's discussion. He also accepted the first of the Australian amendments (S/516). The other two Australian amendments were put to the vote and rejected, receiving 4 and 2 votes in favor, respectively, the other members of the Council abstaining. The Belgian amendment (S/507/Add.1) was likewise rejected by a vote of 4 in favor, with 6 abstentions.

The amended draft resolution received 6 votes in favor, 1 against (Poland), with 3 abstentions (Colombia, Syria, U.S.S.R.), and was not adopted.

In accordance with Article 27, paragraph 3, of the Charter, the representative of the United Kingdom did not take part in the voting.

f. COLOMBIAN DRAFT RESOLUTION

The representative of Colombia, after the defeat of the Brazilian draft resolution, introduced the following draft resolution (S/530):

"The Security Council,

"Having considered the dispute between the United Kingdom and Egypt brought to its attention by the letter of the Prime Minister of Egypt dated 8 July 1947,

"Calls upon the Governments of the United Kingdom and Egypt:

"(a) To resume direct negotiations with a view:

"(i) To completing at the earliest possible date the evacuation of all British military, naval and air forces from Egyptian territory, mutual assistance being provided in order to safeguard in time of war or imminent threat of war the liberty and security of navigation of the Suez Canal; and

"(ii) To terminating the joint administration of

the Sudan with due regard to the principle of self-determination of peoples and their right to self-government;

"(b) To keep the Security Council readily informed of the progress of their negotiations."

The representative of Brazil, at the 199th meeting on August 28, stated that, although he would have preferred that negotiations be recommended in a more general and flexible manner, he would vote for the Colombian draft resolution.

The representative of Egypt objected to the Colombian draft because it made the evacuation of British troops conditional on a treaty and because it would have the effect of not making Egypt solely responsible for the defence of its territory. He agreed that the present administration of the Sudan could be terminated only after negotiations. He was afraid, however, that paragraph (a) (ii) implied that negotiations should be taken up with the United Kingdom regarding the future of the Sudan, which was a domestic issue. He welcomed the provision that the Sudan should be given an opportunity to express its views.

The President, speaking as the representative of Syria, stated that, under the 1936 Treaty, the United Kingdom had no obligation to maintain troops in the vicinity of the Suez Canal, but had only been authorized by Egypt to do so. This authorization had been granted under special circumstances which no longer existed. Continued maintenance of these troops would constitute a threat to peace.

The representative of the United States said that he had no particular objection to the Colombian draft resolution; however, he could see no reason why the phrase referring to the defence of the Suez Canal should be included. If that phrase were omitted, the draft would be acceptable to his delegation.

The representative of China thought that, in view of the objections raised by the representative of Egypt to the Colombian draft resolution, it might be advisable to revert to the approach to the problem made by the Brazilian draft resolution.

As objections had been raised to the second part of paragraph (a) (i) of his draft resolution concerning the Suez Canal, the representative of Colombia, at the 200th meeting, on August 29, requested that the resolution be voted on paragraph by paragraph, and that paragraph (a) (i) be divided into two parts.

If paragraph (a) (ii) were rejected, the Anglo-Egyptian Treaty of 1936 would remain in full force. His draft resolution took into account not

only existing treaty rights and conditions, but also the advisability of opening new areas for the new negotiations.

The representative of the U.S.S.R. stated that he considered the Colombian draft resolution to be entirely unacceptable. Adoption of such a proposal would make the evacuation of British forces dependent on the conclusion of a new agreement on the Suez Canal.

The representative of the United Kingdom objected strongly to the proposal to vote on paragraph (a) (i) in two parts. These two parts together represented a certain balance; he was instructed by his Government to inform the Council that it would be totally unsatisfactory to his Government if the first part of the paragraph were adopted and the second part rejected. If paragraph (a) (ii) of the Colombian draft resolution should be adopted as it stood, he would take it to mean that the subject of the negotiations would be to provide measures for accelerating the process of making the Sudanese capable of self-government.

The representative of France considered that the Council was not in any way justified in imposing upon the two parties any precise terms of reference to their negotiations. He was therefore not able to support the Colombian resolution.

The representative of Belgium stated that he could not vote in favor of the Colombian draft, because it touched upon the substance of the whole dispute and did not remain within the framework of Article 33 of the Charter. The statements by the two parties concerned had also made it abundantly clear that the Colombian draft resolution did not have their support.

The representative of Poland stated that the Colombian draft resolution went even further than the original British demands. It confirmed the *status quo* and laid down limits for the negotiations, at the same time imposing certain conditions on both parties. He doubted whether any negotiations would be successful unless the British troops were withdrawn first. It was consequently the primary duty of the Council, before taking any other steps, to adopt a resolution recommending the withdrawal of the British troops.

The representative of Australia considered that the Colombian draft resolution, as compared with the Brazilian draft resolution, appeared to be prejudicial to the request of Egypt.

At the 200th meeting, on August 29, the Colombian draft resolution was put to the vote, paragraph by paragraph, and paragraph (a) (i) was voted on in two parts. No paragraph of the resolution

obtained the required number of affirmative votes, and it was not adopted.

In accordance with Article 27, paragraph 3, of the Charter, the representative of the United Kingdom did not take part in the voting.

g. CHINESE DRAFT RESOLUTION

The Council resumed consideration of the Egyptian question at its 201st meeting, on September 10.

The representative of China introduced the following draft resolution (S/547):

"The Security Council,

"Having considered the dispute between the United Kingdom and Egypt brought to its attention by the letter of the Prime Minister of Egypt dated 8 July 1947;

"Recognizing the natural and reasonable desire of the Egyptian Government for the early and complete evacuation of British armed forces from Egypt;

"Noting that the Government of the United Kingdom has already evacuated its armed forces from certain parts of Egypt;

"Having confidence that the re establishment of direct contact between the parties will result in early evacuation of remaining British armed forces,

"Recommends that the parties

"(a) Resume negotiations, and

"(b) Keep the Security Council informed of the progress of these negotiations and report thereon to the Council in the first instance not later than 1 January 1948."

The representative of Egypt stated that he appreciated the sincere attempts made by the representative of China to find an agreeable solution. However, as long as British forces remained on Egyptian territory, he could see no prospect of fruitful negotiations between his Government and the Government of the United Kingdom.

The representative of the U.S.S.R. stated that he could see no real difference between the Chinese and the Brazilian draft resolutions. He referred to his previous statement concerning the latter draft.

The representative of Australia stated that the real issue was the question of the validity of the 1936 Treaty. It seemed, he stated, that the search for a compromise acceptable to both parties had led to an evasion of the real issue and, in the long run, would not prove satisfactory to either party. To the last paragraph of the preamble of the Chinese draft resolution he submitted the following formal amendment (S/549):

"Having confidence that the renewal of negotiations between the parties will result in the early evacuation of British troops from Egypt and also in the settlement of the other issues in dispute between the parties."

The representative of the United Kingdom,

commenting upon the Chinese draft resolution, stated that although its operative part was the same as that of the Brazilian proposal, a number of provisions had been introduced in the preamble which, he considered, took into account only the desire of the Egyptian Government for the complete evacuation of British troops. There was no reference to other questions which had been brought up. He thought that it would help to balance the draft resolution if a provision was incorporated indicating that the Council had not accepted the allegation that the 1936 Treaty was no longer valid. He also regretted that there was no reference to consultations with the Sudanese regarding the future of the Sudan.

The representative of Poland was of the opinion that the main issue was the withdrawal of British troops from Egypt and the Sudan; unless the Security Council provided for that withdrawal, no solution of the dispute could be expected. His delegation could support neither the Chinese draft resolution nor the amendment thereto.

At the 201st meeting, on September 10, both the Australian amendment and the Chinese draft resolution were put to the vote and were not adopted. The Australian amendment received 4 votes in favor (Australia, Brazil, France, United States), with 6 abstentions, while the resolution received 2 votes in favor (China, Colombia), with 8 abstentions.

4. The Indonesian Question

a. COMMUNICATIONS DATED JULY 30, 1947, FROM THE AUSTRALIAN AND INDIAN GOVERNMENTS

By letter dated July 30, 1947, addressed to the Secretary-General (S/449), the acting representative of Australia brought to the attention of the Security Council the hostilities in progress in Java and Sumatra between armed forces of the Netherlands and the Republic of Indonesia. The Australian Government considered that these hostilities constituted a breach of the peace under Article 39 of the Charter and urged that the Council take immediate action to restore international peace and security.

By a letter dated July 30, 1947, to the Secretary-General (S/447), the permanent liaison officer of the Indian Government with the United Nations drew the attention of the Council, under Article 35, paragraph 1, to the situation in Indonesia. He noted the large-scale military action which Dutch forces had launched against the Indonesian people

without warning. In the opinion of the Indian Government, this situation endangered the maintenance of international peace and security, and was covered by Article 34. He requested the Security Council to take the necessary measures provided by the Charter to put an end to the present situation.

b. RESOLUTION OF AUGUST 1, 1947, CALLING FOR CESSATION OF HOSTILITIES

The above-mentioned communications were included in the Council's agenda at its 171st meeting, on July 31, the President having ruled that this action would not prejudice the Council's competence or any of the merits of the case. The question was further discussed at the Council's 172nd and 173rd meetings on August 1.

On the motion of the representative of Belgium, the representatives of the Netherlands and India were invited to participate in the Council's discussions and took their seats at the Council table.

The representative of Australia said that, his Government had invoked Article 39 only after the failure of negotiations held in consultation with other governments in accordance with Article 33. Describing the hostilities, he argued that they constituted not mere "police action", but armed conflict between two states according to international law, with far-reaching effects in Australia and other neighboring countries. He urged speedy adoption of the following draft resolution (S/454), which, he stated, did not prejudice the issue or make any condemnation:

"The Security Council,

"Noting with concern the hostilities in progress between the armed forces of the Netherlands and of the Republic of Indonesia, and

"Having determined that such hostilities constitute a breach of the peace under Article 39 of the Charter of the United Nations,

"Calls upon the Governments of the Netherlands and of the Republic of Indonesia, under Article 40 of the Charter of the United Nations, to comply with the following measures, such measures to be without prejudice to the rights, claims, or position of either party:

"(a) To cease hostilities forthwith; and

"(b) To settle their disputes by arbitration in accordance with article 17 of the Linggadjadi Agreement, signed at Batavia on 25 March 1947."

(The Linggadjadi agreement was entered into by the Governments of the Netherlands and the Republic of Indonesia. It provided for the *de facto* recognition of the Indonesian Republic in Java, Madura and Sumatra; the establishment of a sovereign, democratic, federal United States of Indonesia, composed of the Republic and at least two other states to be formed in Borneo and the eastern

islands; and the linking of the United States of Indonesia to the Netherlands in a Netherlands-Indonesian Union.)

The representative of Syria urged immediate acceptance of the Australian resolution.

The representative of Colombia also stressed the necessity for speedy action.

The representative of China supported the Australian draft resolution and suggested the addition of the words "or by other peaceful means" at the end of sub-paragraph (b).

The representative of Australia accepted this amendment.

The representative of France felt that it would be dangerous to adopt a resolution without information and without debate on the substance of the question.

The representatives of the USSR and India agreed that an immediate decision should be taken to bring about a cessation of hostilities, but felt that the question of arbitration required further study. The Council could not adopt a resolution for arbitration without hearing a representative of the Republic.

The representative of the Netherlands reviewed the reasons for the military action and criticized Republican policy in relation to hostages, the conclusion of international agreements, hostilities against Netherlands forces and the food blockade. Since the Republican Government had failed to fulfil the Linggadjadi Agreement, there was no obligation for the Netherlands to arbitrate. He described the circumstances in which negotiations could be continued. He argued that the Netherlands was sovereign in the region concerned and that, since the Charter operated between sovereign states, it was not applicable, this matter was solely within the domestic jurisdiction of the Netherlands. However, his Government would invite a number of other governments to send representatives to the Republic, East Indonesia and Borneo, with the request that they report their findings to the world.

The representative of the United States said that his Government viewed the hostilities with concern and had tendered its good offices in the situation. The representative of the Netherlands later welcomed this offer on behalf of his Government.

At the 172nd meeting, on August 1, 1947, the representative of Belgium analyzed the problems of jurisdiction, and concluded that the Council's competence had to be verified. Furthermore, the Council could hardly take the proposed action without careful consideration of the facts.

The representative of the United Kingdom said

that, although no convincing arguments had been adduced, that there was a war between sovereign states, he felt that the situation might endanger international peace and security. Accordingly, Articles 34 and 35 were applicable, rather than Article 39. The Council should take note of the United States offer and leave the question on its agenda pending an early report on all developments.

The representative of the United States expressed no views on the complex legal issues, but felt that the Council must take cognizance of fighting on such a scale and in such conditions as to endanger the peace of the region. Without prejudice to the rights of any party or to the position which any member of the Council might take on the jurisdictional issues, he offered an amendment to the Australian draft resolution, deleting the second paragraph referring to Article 39 of the Charter and further deleting mention of Article 40 in paragraph 3. The United States text simply called upon the parties to cease hostilities forthwith and to settle their disputes by arbitration or by other peaceful means.

The representative of the U.S.S.R. said that large-scale military operations were being conducted by the Netherlands against the Indonesian Republic. The Security Council should qualify the actions of the Netherlands as a breach of the peace. The Netherlands had violated the obligations assumed under the Linggadjati Agreement; even if some of the incidents adduced in the speech of the Netherlands representative had taken place, they could not constitute the slightest justification for Netherlands aggression in Indonesia. The Soviet representative submitted the following amendment (see S/P.V. 172) to the Australian draft resolution, which resolution, he stated, was acceptable to the U.S.S.R. delegation:

"The Security Council considers it necessary that the troops of both sides—the Netherlands and the Indonesian Republic—should be immediately withdrawn to the previous positions which they occupied before the beginning of military operations."

The representative of Belgium considered that the United States-Netherlands agreement on good offices would provide the fastest and most constructive solution of the initial difficulties.

The representative of Poland urged that the Council immediately decide the question of its competence and recommend cessation of hostilities.

The representative of the United States said that his amendment would lead to cessation of hostilities without prejudging the legal issues. Inter-

minable arguments would be avoided if the parties were asked, without reasons being given, to stop hostilities.

At the 173rd meeting, on August 1, the representative of Australia accepted the United States amendment, because it avoided technical debates and further delays and retained the two objectives of the Australian draft resolution.

The representative of Poland suggested that the United States text should further provide that the Council be kept informed of the progress of the settlement. He also supported the U.S.S.R. amendment.

The Council voted paragraph by paragraph on the United States amendment and the Polish amendment thereto, and adopted the following resolution (S/459):

"The Security Council,

"Noting with concern the hostilities in progress between the armed forces of the Netherlands and the Republic of Indonesia,

"Calls upon the parties

"(a) to cease hostilities forthwith, and

"(b) to settle their disputes by arbitration or by other peaceful means and keep the Security Council informed about the progress of the settlement."

The U.S.S.R. amendment was rejected, there being 2 votes in favor (Poland and U.S.S.R.) and 9 abstentions.

On August 1, 1947, the President of the Security Council cabled the above resolution to the Prime Minister of the Republic of Indonesia (S/465).

By a letter dated August 1 (S/466) the President of the Security Council communicated the above resolution to the Netherlands representative for transmission to his Government.

In his reply dated August 3 (S/466), the representative of the Netherlands stated that his Government, although persisting in its denial of the Council's jurisdiction in this matter, fully understood the Council's desire to see the use of arms come to an end. Accordingly, it had instructed the Lieutenant-Governor-General of the Netherlands Indies to enter into contact with the Republican authorities to arrive at a cessation of hostile action on both sides.

On August 5, the Vice-Premier of the Republic of Indonesia informed the Council by cable (S/469) that the resolution of August 1 had not been handed to the Republican Government until August 4. The Republican Government had decided to order all Republican armed forces to cease hostilities on that same day.

c. PARTICIPATION BY NON-MEMBERS OF THE COUNCIL

(1) *Philippine Request*

At the 178th meeting, on August 7, the Council rejected the request of the Philippines (S/458) to participate in the discussion of the Indonesian question. There were six votes in favor and five abstentions (Belgium, France, Poland, United Kingdom, U.S.S.R.). By a letter, dated August 8, 1947 (S/485), the Philippine Government asked for reconsideration of the Council's decision. As several members who had failed to vote in favor of the Philippine request at the 178th meeting had stated that they had done so merely because they considered that the request was not backed by sufficient evidence, the Philippine Government submitted a memorandum (S/485) detailing the reasons why it considered that the Philippines was especially affected by the situation in Indonesia and therefore felt entitled to representation under Article 31 of the Charter. The memorandum stressed the factor of geographic proximity, the close economic relations between Indonesia and the Philippines and historical and cultural associations. The memorandum also referred to the fact that the Philippines had been invited to participate in the discussion of the Trusteeship Agreement for the former Japanese Mandated islands submitted by the United States, although the Philippines had not requested such participation. In view of this precedent, the memorandum concluded, it would be difficult to understand why the Philippines should not be invited to take part in the discussion of a matter involving the maintenance of actual peace and security in its immediate vicinity.

The Council considered the Philippine request at its 184th meeting on August 14 and decided by 9 votes in favor, with 2 abstentions, to invite the representative of the Philippines to participate in the discussion.

(2) *Request of the Republic of Indonesia*

At the 171st meeting of the Council on July 31, when the Council invited the representatives of the Netherlands and India to participate in the discussion of the Indonesian question, the representatives of Australia and the U.S.S.R. proposed that a similar invitation should be sent to the Government of the Republic of Indonesia, the representative of Australia considering that this should be done pursuant to Article 32 of the Charter. The representative of the Netherlands opposed this proposal, arguing that the Republic was not a sovereign state, that it was to be affiliated with two

other states as part of a federation and that it had received *de facto* recognition only as such. No decision on the question of Indonesian representation was taken at that time, pending adoption of the "cease fire" resolution of August 1.

A request from the Indonesian Republic itself to participate without a vote in the Council's discussions was communicated to the President of the Security Council by a letter from the representative of the Republic dated August 12 (S/487). The letter stated that the Republic of Indonesia accepted in advance for the purposes of the dispute the obligations of a Member of the United Nations.

The Council considered the Indonesian request at its 181st meeting on August 12. The representative of the Netherlands, supported by the representatives of the United Kingdom, Belgium and France, reiterated his argument that the Republic of Indonesia could not be admitted to participate in the discussion under Article 32 of the Charter, as it was not a sovereign and independent state generally recognized as such. Of the representatives supporting the Indonesian request, those of India, Colombia, Poland, Australia and the U.S.S.R. expressed the view that a decision to invite a representative of the Republic of Indonesia to participate in the Council's discussion could properly be justified under Article 32 of the Charter. It was pointed out that the Netherlands itself had extended *de facto* recognition to the Republican Government and that a number of other states likewise had extended such recognition. It was contended that even if not fully sovereign and independent, the Republic was a state within the meaning of international law, and the Council, in dealing with the question had recognized it as an international matter involving relations between two states. The representatives of the United States and China, although reserving their position on the legal question of the status of the Republic, urged that for practical reasons of justice and equity the Council should invite a representative of the Republic of Indonesia to participate in the Council's discussion.

By a vote of 8 to 3 (Belgium, France, United Kingdom), the Council decided in favor of such an invitation.

After discussion at the 181st and 184th meetings on August 12 and 14, the Council rejected a draft resolution to invite the representatives of East Indonesia and Borneo to participate in its work. There were 4 votes in favor (Belgium, France, United Kingdom, United States) and 7 abstentions. The representative of Belgium had urged that in fairness East Indonesia and Borneo should

receive the same treatment as the Republic of Indonesia. Representatives opposing the Belgian proposal expressed the view that East Indonesia and Borneo were not parties to the dispute under consideration by the Council, that they had received *de facto* recognition by the Netherlands Government alone, while the Republic of Indonesia had also been recognized by other states, and that their international status was not comparable to that of the Republic; and finally that the anti-Republican attitude of these states might only lead to hostile discussions among the representatives concerned and hamper the Council's efforts to settle the Indonesian dispute. After further discussion at the 193rd meeting, on August 22, the Council rejected by the same vote (4 in favor, with 7 abstentions) a draft resolution to invite the representatives of East Indonesia and Borneo to participate in its work on the same basis as the representative of the Republic of Indonesia.

d. ESTABLISHMENT OF CONSULAR COMMISSION AND COMMITTEE OF GOOD OFFICES

At the 178th meeting on August 7, several representatives pointed out that each party claimed that the other had continued hostilities after the cease-fire order was supposed to have become effective. Also at the 178th meeting and at the 181st meeting on August 12, the 184th meeting on August 14, the 185th meeting on August 15, the 187th meeting on August 19, and the 192nd and 193rd meetings on August 22, the Council discussed the question of its jurisdiction, the short-term measures to be taken to implement the cease-fire order of August 1 and the long-term problems of arbitration and mediation.

The representative of Australia said it was clear that the situation remained unstable and that the Council had the short-term problem of ensuring that its decision was fully observed. He submitted a draft resolution (S/488) calling for the establishment of a commission, consisting of the representatives of countries to be determined by the Council, which would report directly to the Council on the situation in the Republic of Indonesia following the resolution of August 1, 1947. As to the long-term problem, his Government wished negotiations to start as soon as possible and would be prepared to act jointly with the United States Government in the capacity of mediator and arbitrator.

The representative of the Republic of Indonesia urged withdrawal of Netherlands troops to the

positions allocated by the truce agreement of October 1946, and asked the Council to appoint a commission to proceed immediately to Indonesia to supervise implementation of the resolution of August 1, 1947. He suggested further that the Council should appoint a second commission to arbitrate all points of dispute between the parties, and announced that his Government accepted the United States offer of good offices and Australia's mediation or arbitration as a constructive step in the setting up of such a commission. The Republican Government would accept any impartial arbitration.

The representative of India supported the proposals of the Indonesian representative.

The representative of the Netherlands said that the Australian draft resolution was open to objection since it implied that the Council had jurisdiction. His Government was prepared to propose to the Republic that each should designate one state, and that the two states so designated should appoint a third completely impartial state, which would send a number of its nationals to inquire into the situation and supervise the cease-fire. If the Republic did not accept unequivocally the United States good offices, this impartial state could also be empowered by the parties to bring about an immediate resumption of discussions. The Netherlands Government further proposed that the career consuls in Batavia should immediately draw up a report on the situation in Java, Sumatra and Madura.

The representative of Poland said that the Council's previous action had recognized its competence. He rejected the Netherlands proposals and, in principle, supported the Australian draft resolution, subject to his amendments (S/488/Add.1). These provided that the proposed body should be a commission of the Security Council, and also provided for the establishment of a second commission of the Council to act on its behalf as mediator and arbitrator.

The representative of the Philippines supported the Australian proposal and welcomed the Indonesian Republic's acceptance of impartial arbitration in contrast to the Netherlands attitude.

The representative of Belgium contested the Council's competence and reserved his position.

The representative of the U.S.S.R. urged speedy action on the Indonesian request for the creation of two commissions of the Council. He said that there seemed to be a tendency to force certain good offices on the Republic and to by-pass the United Nations.

The representative of China submitted an

amendment (S/488/Add.2) to the Australian draft resolution. This amendment deleted the provision for appointment of a commission and provided that the Netherlands suggestion for consular report and impartial inquiry and supervision be accepted by the Council as steps in the right direction, and that the consular body and the impartial state be requested to forward copies of their reports to the Council, which would consider the matter further if the situation required. If it were necessary to settle the question of competence, he would prefer reference to the International Court of Justice but his amendment was designed to avoid delay.

The representative of the United States supported this amendment (S/488/Add.2) and pointed out that if arbitration were to succeed it must be entirely acceptable to both parties.

The representative of Australia opposed the Chinese amendment since it took the question outside the Council. He was prepared to incorporate in his draft resolution the proposal concerning the consuls and he could, in general, support the Polish amendment (S/488/Add.1).

The representative of the Republic of Indonesia said that the Netherlands military action aimed at the destruction of the Republic, which must base its hope on action by the Council and not on direct negotiations with the Netherlands. The United States and Australian offers of good offices could contribute to a stable solution only if they formed a continuing part of the action already taken by the Council. He rejected the Netherlands suggestions.

The representative of India opposed the Chinese amendment since it virtually removed the question from the Council's hands. It was undesirable, he considered, to involve consular officers in such a question. He supported the Australian draft resolution (S/488), subject to the Polish amendment.

The representative of Colombia said that the Council should shoulder the obligations logically following from its cease-fire order. It should first decide whether to ask the parties to revert to their original military positions, and should next decide whether to appoint a commission or follow the Netherlands proposals.

At the 193rd meeting on August 22, the representative of Australia submitted jointly with the representative of China a draft resolution (S/513) on the short-term problem to take the place of the previous Australian resolution (S/488) and the Chinese amendment thereto (S/488/Add.2). The joint resolution provided that the career consuls in Batavia representing members of the Coun-

cil should report to the Council on the situation following the resolution of August 1; and that the Council should consider the matter further if the situation so required. As to the long-term problem, the representative of Australia submitted a further draft resolution (S/512) requesting the parties to submit all matters in dispute to arbitration by a commission, for which each party would select one arbitrator and the Security Council would select a third.

The representative of the United States noted that the Republic had rejected the United States offer and said that his Government would support the joint Australian-Chinese draft resolution (S/513). As to the long-term problem, considering the doubts as to jurisdiction and the undesirability of imposing a particular method of peaceful settlement upon the parties, he submitted a draft resolution (S/514) under which the Council tendered its good offices to the parties in accordance with paragraph (b) of the resolution of August 1. The resolution provided that, if the parties so requested, they would be assisted in the settlement by a three-member committee of the Council, each party selecting one member and the third to be designated by the two so selected.

The representative of the U.S.S.R. said that it was necessary to create a commission or commissions comprising members of the Council. It was not correct to by-pass the Council by leaving further decisions in the hands of one, two or three states.

The representative of Poland also considered that the Council itself must decide the composition of any commission, which must be entirely within the framework of the Council.

The representative of the Republic of Indonesia said that any commission should be impartial; most of the career consuls in Batavia, however, regarded the situation from the Netherlands point of view.

At the 193rd meeting on August 22, the representative of Belgium submitted a draft resolution (S/517) requesting the International Court of Justice, under Article 96, to give an advisory opinion whether the Council was competent to deal with the question.

At its 194th and 195th meetings on August 25 and 26, the Council took its decisions on the resolutions before it, considering first the joint Australian-Chinese draft resolution (S/513) providing for the establishment of a Consular Commission.

The representative of the U.S.S.R. submitted an amendment to this resolution providing for the

establishment of a commission composed of the States members of the Council to supervise the fulfilment of the decision of August 1, and deciding to keep the Indonesian question on the Council's agenda.

This amendment received 7 votes in favor, 2 against (France, Belgium) and 2 abstentions (China, United Kingdom). As one of the negative votes was cast by a permanent member of the Council (France), the amendment was not adopted.

The joint Australian-Chinese resolution was then adopted, with 7 votes in favor, and 4 abstentions (Colombia, Poland, United Kingdom, U.S.S.R.). The text of the resolution (S/525, I) follows:

"Whereas the Security Council on 1 August 1947 called upon the Netherlands and the Republic of Indonesia to cease hostilities forthwith,

"And whereas communications have been received from the Governments of the Netherlands and of the Republic of Indonesia advising that orders have been given for the cessation of hostilities,

"And whereas it is desirable that steps should be taken to avoid disputes and friction relating to the observance of the cease-fire orders, and to create conditions which will facilitate agreement between the parties,

"The Security Council

"1. Notes with satisfaction the steps taken by the parties to comply with the resolution of 1 August 1947,

"2. Notes with satisfaction the statement issued by the Netherlands Government on 11 August, in which it affirms its intention to organize a sovereign, democratic United States of Indonesia in accordance with the purposes of the Linggadjati Agreement,

"3. Notes that the Netherlands Government intends immediately to request the career consuls stationed in Batavia jointly to report on the present situation in the Republic of Indonesia;

"4. Notes that the Government of the Republic of Indonesia has requested appointment by the Security Council of a commission of observers;

"5. Requests the Governments members of the Council who have career consular representatives in Batavia to instruct them to prepare jointly for the information and guidance of the Security Council reports on the situation in the Republic of Indonesia following the resolution of the Council of 1 August 1947, such reports to cover the observance of the cease-fire orders and the conditions prevailing in areas under military occupation or from which armed forces now in occupation may be withdrawn by agreement between the parties;

"6. Requests the Governments of the Netherlands and of the Republic of Indonesia to grant to the representatives referred to in paragraph 5, all facilities necessary for the effective fulfilment of their mission;

"7. Resolves to consider the matter further should the situation require."

The Council next took up the Australian resolution (S/512) providing for the establishment of a three-member arbitration commission.

In place of his amendment to the original Aus-

tralian resolution (S/488), which was no longer before the Council for consideration, the representative of Poland submitted the same amendment (S/488/Add.1) to the Australian draft resolution (S/512) providing for a Security Council commission consisting of its eleven members to act on its behalf as mediator and arbitrator.

The representative of the United States said that he could not accept the Polish amendment since the Charter did not authorize the Council to force a particular method of arbitration upon the parties.

The representative of the U.S.S.R. supported the Polish amendment. He said that other proposals would have submitted the question of arbitration to one or two countries rather than to the Council.

The representative of Australia opposed the Polish amendment since it sought to force arbitrators upon the parties. He pointed out that, under the Australian draft resolution, the Council retained a large measure of control.

The representative of Colombia did not consider that the United States or Australian proposals by-passed the United Nations; as a last resort, he would support either, although he had favored a more positive solution.

The Polish amendment (S/488/Add.1) to the Australian draft resolution was rejected. There were 3 votes in favor (Poland, Syria, U.S.S.R.), 4 against (Belgium, France, United Kingdom, United States) and 4 abstentions.

The Australian draft resolution (S/512) was likewise rejected. There were 3 votes in favor (Australia, Colombia, Syria) and 8 abstentions.

The Council next voted on the United States draft resolution (S/514) for the establishment of a Committee of Good Offices. This resolution was adopted by 8 votes in favor, with 3 abstentions (Poland, Syria, U.S.S.R.). The text of the resolution (S/525, II) follows:

"The Security Council

"Resolves to tender its good offices to the parties in order to assist in the pacific settlement of their dispute in accordance with paragraph (b) of the resolution of the Council of 1 August 1947. The Council expresses its readiness, if the parties so request, to assist in the settlement through a committee of the Council consisting of three members of the Council, each party selecting one, and the third to be designated by the two so selected."

The Belgian resolution (S/517) requesting an advisory opinion from the International Court of Justice was put to the vote last and was rejected by 4 votes in favor (Belgium, France, United Kingdom, United States), 1 against (Poland) and 6 abstentions.

After the Council had voted on the four resolutions above, the representative of Poland submitted a draft resolution (S/521) reminding the parties of the resolution of August 1, 1947, and calling upon them to adhere strictly to it. He stated that full-scale war was still being waged; it was necessary that complete order should be restored before negotiations could take place. To obtain, if possible, a unanimous vote, he had not provided for the withdrawal of forces.

The representative of China explained the situation arising from the mistreatment of Chinese civilians.

The representative of the U.S.S.R. said that failure to adopt the Polish draft resolution would endanger the decision of August 1, 1947.

The representative of the Netherlands said that, if the Polish draft were adopted, the Netherlands authorities would do their utmost to comply with it. However, a difficult situation would arise if Republican troops and marauding bands continued their murder, destruction, sabotage and subversive action at the instigation of their commanders and Government. The primary significance of the Polish draft resolution would be that the Council would request the Republic to refrain from subversive actions.

The representative of the United States supported the Polish proposal, since there was no doubt that hostilities were continuing.

The Council adopted the Polish draft resolution by 10 votes in favor and 1 abstention (United Kingdom). The text of the resolution (S/525, III) follows:

"The Security Council,

"Taking into consideration that military operations are being continued on the territory of the Indonesian Republic:

"1. Reminds the Government of the Netherlands and the Government of the Indonesian Republic of its resolution of 1 August 1947, concerning the cease-fire order and peaceful settlement of their dispute;

"2. Calls upon the Government of the Netherlands and the Government of the Indonesian Republic to adhere strictly to the recommendation of the Security Council of 1 August 1947."

After the Council had adopted the Polish resolution, the President announced that he considered the discussion of the Indonesian question closed for the present stage, but that the question would remain on the list of matters with which the Security Council was seized.

The representative of the Netherlands, in a letter of September 3, 1947, to the Secretary-General (S/537), stated that his Government maintained its position as to the Council's jurisdiction,

but believed that the tendency of the resolutions of August 25 and 26 was acceptable. This statement was based on the premise that the Indonesian Republic would cease all hostile action, in word and deed.

e. REPORT OF THE CONSULAR COMMISSION

(1) *Interim Report*

By a letter dated September 24, 1947 (S/573), the representative of the United States submitted the interim report of the Consular Commission to the Secretary-General. This report noted that advances by Netherlands troops were in the nature of spearheads between which remained considerable numbers of Republican troops. On August 29, the Netherlands Indies Government had declared its intention of completing the restoration of law and order within a demarcation line covering advanced Dutch positions. The Republic did not accept this demarcation line, and the Commission found that the cease-fire order was not fully effective. Casualties and damage continued; and this state of affairs was due in the main to the above situation.

The Council discussed the interim report at its 207th meeting on October 3, its 208th meeting on October 7, its 209th meeting on October 9 and its 211th meeting on October 14.

The representative of Australia said that fighting between and behind the spearheads was not in accordance with the Council's order. Contrary to the apparent impression of certain of the consuls, the matter was most urgent. He submitted a draft resolution (S/574—see below) requesting the Committee of Good Offices to exercise its functions with the utmost dispatch.

The representative of the U.S.S.R. said it was clear that the Netherlands Government had not taken any action to comply with the Council's resolution. He criticized the thesis maintained in the Commission's report that the order for the cessation of military activities could not be carried out while the present situation continued, and did not think that the report, which tended to condemn the Indonesian people, could be considered objective. This situation, he stated, existed only because the Security Council had not at the proper time adopted the Soviet proposal for the immediate withdrawal by both sides to the positions held by them before military operations began.¹⁴ He therefore submitted a draft resolution (S/575) calling for the immediate withdrawal of all armed forces to their *ante bellum* positions.

¹⁴See above, p. 364.

The representative of the Netherlands noted that the Consular Commission's report stated that the Indonesians still practised violence to person and property. The word "spearheads", he stated, was perhaps used loosely, since Netherlands occupation had broadened to control firmly internal communications in the area concerned. The Republican troops in the area on the other hand, he maintained, controlled little more than the ground on which they stood. He gave instances of the alleged inadequacy and corruption of the Republican administration, violations of the cease-fire order and the continued detention and mistreatment of hostages. He quoted threats of violence and terror against Chinese residents and said that the proposed withdrawal of troops would lead to most terrible acts of retaliation.

The representative of India said that, although the establishment of spearheads was not the same as effective occupation, the Netherlands Government had established a demarcation line covering its advanced positions. Quite naturally, the Government of the Republic had looked upon the so-called restoration of law and order within this area as a continuation of hostilities. Probably the fighting could not be stopped until the armies withdrew to their *ante bellum* positions. Without a cessation of hostilities, moreover, the Committee of Good Offices had little chance of achieving its objectives. Allegations of atrocities, the Indian representative said, could doubtless be made on both sides.

The representative of Poland stated that the report of the Consular Commission proved that the Council's action had been ineffective; he concluded that it was essential for the Council to order the immediate withdrawal of troops to the positions they had occupied before July 20, 1947. He pointed out that a scorched-earth policy was pre-eminently a device of a retreating force, not of an aggressor.

The representative of China said that the undoubted brutalities were due to the lack of time to organize a regular Republican army and to the nature of guerrilla warfare, and would be regretted by the Republican leaders. He considered that the Committee of Good Offices should regard its main task as one of assisting the parties to achieve their common objective, which was set forth in the Linggadjati Agreement.

The representative of the Indonesian Republic quoted from official Netherlands statements to explain the arbitrary determination of the demarcation line by the Netherlands and its continuation of hostilities after the cease-fire order. The Coun-

cil should direct withdrawal of Dutch troops to their positions under the truce agreement of October 14, 1946. He assured the Council that his Government would be able to establish law and order in any area it might occupy. He further expressed appreciation of the Council's good offices, and said that, in view of the frequent unilateral actions of the Netherlands, the Indonesians wanted a guarantee that any solution would be binding on both parties. He also replied to statements made by the Netherlands representative concerning atrocities, the maintenance of law and order in Republican territory, etc.

The representative of the United States said that he assumed that the U.S.S.R. proposal was made under Article 40, which stated that provisional measures should be without prejudice to the rights, claims or position of the parties concerned. He did not think the Council had adequate evidence whether the proposed action would not affect the rights, claims or position of the parties, or evidence that a withdrawal of troops was necessary. A withdrawal would have serious consequences and would be a finding of fact vital to military, political and other issues. The parties, therefore, should seek agreement with the aid of the Committee of Good Offices, which was about to commence its work.

The representative of the Philippines said that it was agreed that there had been a breach of the cease-fire order. It must be recognized that there was some danger of chaos and reprisals following troop withdrawals, but he felt that these risks had been exaggerated. If the Republican authorities were willing to accept the resultant responsibilities, he suggested that the Council should ask the Committee of Good Offices to study the problem of troop withdrawal and make the necessary recommendations to the Council. He also suggested that the Council appeal to both sides to desist from inflammatory propaganda, provocation and retaliation, to release hostages and in other ways promote an atmosphere favorable to conciliation.

The representatives of Belgium and Brazil suggested that the Council should not take any hasty action on the basis of an incomplete report.

The representative of Australia disagreed with the United States contention that the Council had no power to order a withdrawal of troops. He considered, however, that the U.S.S.R. proposal was not practicable since it would involve further clashes and destruction. Accordingly he submitted a draft resolution (S/579) calling upon the parties to withdraw their forces at least five kilometres behind the positions held on August 1. The Coun-

sular Commission could assist in the implementation of such a resolution.

The representative of the United Kingdom opposed the U.S.S.R. draft resolution because it would leave areas to be occupied by the Republican forces. He considered that, with the best possible will, in existing circumstances, they would find it difficult to exercise the necessary authority to restore order. The Australian proposal, he stated further, was hardly practicable since it would be difficult to determine the line held on August 1. He submitted a draft resolution (S/578) stating that, to ensure observance of the cease-fire order, the first step would be to establish a provisional demarcation line; and requesting the Committee of Good Offices to make this its first objective and to instruct the Consular Commission to make early proposals to that end.

The representative of France noted the fears which had been expressed that withdrawal of troops would lead to further disturbances and stated that he could not support the U.S.S.R. proposal. The Australian proposal could not be effective, in view of the fluid military positions. He supported the United Kingdom proposal, and placed his hope in the Committee of Good Offices and the co-operation of the parties.

The representative of Belgium said that it was not clear whether the Republican Government could exercise effective authority in the areas which it was proposed that the Netherlands forces should evacuate, and the Australian proposal could not be supported until these questions were clarified. He agreed with the suggestions made by the representative of the Philippines and, subject to certain amendments, supported the United Kingdom resolution.

The representative of Australia opposed the United Kingdom draft resolution since, in his view, it would lead to delay.

In opposing the Australian proposal, the representative of the Netherlands described the complications which had arisen from the armistice of October 14, 1946, providing for demarcation lines and a demilitarized zone. If there was to be any withdrawal of troops, a reasonable degree of observance could be obtained only if very careful arrangements were made beforehand. In principle, he supported the United Kingdom draft resolution (S/578).

The representative of Poland opposed the United Kingdom proposal, on the ground that it constituted a recognition of the authority and control of the Netherlands Government and forces in the territory they occupied.

The representative of the U.S.S.R. opposed the Australian draft resolution as not being of any value to the Indonesians or to the Security Council. A zone of five to ten kilometres was not certain to break contact between the armies. The United Kingdom proposal, he stated, was not acceptable since it would enable Netherlands forces to maintain their domination of occupied territory.

The representative of Colombia observed that the resolution calling for a cease-fire had not been complied with and, in the interest of its authority and effectiveness, the Council should not adopt any further resolutions before ascertaining the possibility of their being implemented. He suggested an amendment to either the Australian or U.S.S.R. proposals providing that the Council should call upon the parties to make contact in order to agree upon a cessation of hostile actions.

The representative of Syria noted that there had been different interpretations of the cease-fire order and that it had not been very practical. The United Kingdom proposal was open to objection since it would be very difficult to fix a demarcation line without considerable delay, and the Australian draft resolution involved serious practical difficulties. He expressed general support of the U.S.S.R. draft resolution suggesting the release of hostages, a general amnesty of political crimes, with appropriate guarantees, and a withdrawal of troops to their previous positions.

The representative of China said that the cease-fire order had not been observed because of the mutual lack of confidence, the mopping-up operations of the Netherlands Army in violation of the Charter and the Council's resolution, and the banditry of irregular forces. He would gladly support the U.S.S.R. proposal if there were any assurance that it would not be followed by a worsening of conditions. He considered, however, that notwithstanding the sincerity of the Indonesian authorities, this could not be assured. He agreed with the criticisms of the Australian resolution, and felt that no further action should be taken pending a detailed report from the Consular Commission.

In a letter dated October 15, 1947 (S/583), the Government of the Republic of Indonesia urged the Council to direct the withdrawal of Dutch troops in Republican territory to *ante bellum* positions. The Republican Government, the letter stated, guaranteed safety, peace and order in all areas evacuated by Dutch troops and accepted supervision as well as co-operation from the Security Council or any other international body set up for that purpose.

(2) *Full Report of the Commission*

On October 21, the Council received the full report (S/586) of the Consular Commission on the observance of the cease-fire and the conditions prevailing in Java and Sumatra. The report stated that cease-fire orders had been issued; but there had been no confidence by either party that the other would carry them out, and no attempts had been made to agree on means of carrying out the orders. The Republican Government had ordered its troops to remain in their positions and cease hostilities; the Netherlands Indies Government had proceeded with the restoration of law and order within the limits of the lines it had laid down. The Dutch advance had by-passed certain Republican forces, which were subject to mopping-up operations in accordance with the Dutch interpretation of the order. The Republican Government had directed its forces to defend themselves and to oppose movements within Dutch-held territory. The different interpretations of the cease-fire thus made it impossible for the order to be observed.

The Council discussed the Commission's report at its 213th meeting on October 22, its 214th meeting on October 27, its 215th meeting on October 29 and its 216th and 217th meetings on October 31.

At the 213th meeting, on October 22, the representative of the Philippines cited illustrations of the inclination of the Consular Commission to favor the Netherlands. He said that this tendency made the more striking the Commission's statement that, while the Indonesian Government had ordered its troops to remain in their posts and cease hostilities, the other party had proceeded with mopping-up operations, within lines it had unilaterally determined. The Council should express its great regret at the failure to observe the cease-fire order, and make clear that it was prepared to take the necessary measures under the Charter to compel obedience to its decisions. He suggested that the Council should consider requesting the Military Staff Committee to assist the Committee of Good Offices in arriving at a practical decision.

The representative of the United States noted that the report of the Consular Commission stated that no attempt had been made by either side to come to an agreement with the other about means of giving effect to the cease-fire order. He therefore urged that this should become the first matter for consideration by the Committee of Good Offices; he had no doubt that the Committee could find a way to surmount the difficulty without prejudice to the rights, claims or position of the parties. In the view of his Government, the cease-fire or-

der could not be interpreted to permit the use of the armed forces of either party to alter substantially by military action the area under its control, although action by one party might be justified under special circumstances. He submitted a draft resolution (S/585) calling upon the parties to consult with each other regarding the means to be employed to give effect to the cease-fire resolution, and, pending agreement, to cease any activities which directly or indirectly contravened that resolution; requesting the Committee of Good Offices to assist the parties in reaching agreement on this question, and requesting the Consular Commission, together with its military assistants, to make its services available to the Committee of Good Offices.

The representative of the Netherlands said that the Netherlands had complied with the spirit of the Council's wishes and had not used its armed forces to alter substantially the area under control on August 4. He cited instances when a literal observance of the resolution would have meant death, danger or misery to large groups of people for whose security the Netherlands felt responsible. He considered that certain sections of the United States draft resolution did not conform to the realities of the situation, because of the hostile attitude of the Republican authorities and because it stated that there should be no deviations from the cease-fire resolution in any circumstances.

The representative of the U.S.S.R. thought that the Commission's members had shown a tendentious and non-objective attitude. He opposed the United States proposal since it dealt with questions of secondary importance and diverted the Council's attention from the main questions. It attempted to change the functions of the Committee of Good Offices and would cause confusion and mislead the public. It would leave the way open for further Netherlands operations which would be described as police activities.

At the 214th meeting on October 27, the representative of India analyzed the report of the Consular Commission and concluded that the cease-fire resolution had been accepted and obeyed by the Republic and disregarded and circumvented by the Netherlands. The report also contained a refutation of the allegations that the Indonesian forces consisted mainly of guerrilla bands and could not be regarded as a real army. He stressed that before taking any further steps, the Council must insist on full compliance with the cease-fire resolution. It was not appropriate to involve the Committee of Good Offices in this matter, and the Consular Commission was *functus officio*. Withdrawal of

troops to their previous positions was necessary, not only to obtain cessation of hostilities, but also to promote a just and durable political settlement.

The representative of the Republic of Indonesia said that the facts contained in the consular report revealed the analogy between the Indonesian resistance to Netherlands occupation and the European resistance to German occupation. Both parties were guilty of destruction, corruption, atrocities, etc., in the Dutch-occupied areas, but such acts always accompanied war. The responsibility lay in the first place with the party which had created the situation; it was clear that the Netherlands Government had ordered its troops into Republican territory. The report also showed, he stated, that there had been law and order within Republican territory before the Dutch invasion. He expressed confidence that the Council would find means to deal with the unilateral Dutch interpretation of its resolution and asked that the process of arbitration be applied, since the Indonesians could not be optimistic about the possibility of a voluntary agreement being reached.

The representative of the United States said that the apparent complexity of the problem impressed him more than ever with the inadvisability of attempting to reach a decision in the Security Council. The best chance of success would be to place the matter in the hands of the Committee of Good Offices. However, the Council should clarify its resolution of August 1. Since, as had been pointed out, it might be necessary on special occasions to take action which would appear to be a technical violation of the cease-fire order, he submitted a revision (S/588) of his draft resolution (S/585) which would delete the words "directly or indirectly" as regards the agreement to cease activities contrary to the cease-fire resolution. The revision further provided that the resolution of August 1 should be interpreted as not permitting the use of the armed forces of either party in military action to alter substantially the territory under its control on August 4, 1947. In using the phrase "territory under its control", the representative of the United States stated, he excluded the use of force to obtain control of areas between spearheads which had not been occupied on August 4.

At the 215th meeting, on October 29, the representative of the United Kingdom withdrew his draft resolution in favor of the United States draft resolution.

The representative of Poland objected to the United States proposal as recognizing gains by force and giving a wide field to further misinterpretation. He submitted a draft resolution (S/589)

finding that Netherlands forces had failed to comply with the resolutions of August 1 and 26; calling upon the Government of the Netherlands to withdraw all armed forces and civil administration from the territory of the Republic; instructing the Consular Commission to supervise compliance by the parties with the Council's resolutions and report thereon to the Council; requesting the Committee of Good Offices to take into consideration, under Article 40 of the Charter, the fact that the Netherlands Government had not complied with the resolutions of August 1 and 26, and calling the attention of the Netherlands Government to the fact that failure to comply with the provisional measures should be taken into account by the Council under Article 40 of the Charter and that it created a situation which, under the Charter, might lead to the necessity of applying enforcement measures.

The representative of Belgium said that the consular report indicated scrupulous conscientiousness and objectivity and showed that the consuls had not exceeded their functions. The report did not indicate, as had been alleged, that whereas the Netherlands were said to have contravened the cease-fire resolution, the Republic of Indonesia had observed it faithfully. He considered that the United Kingdom (S/578) and the United States (S/588) draft resolutions were best suited to the situation, and agreed to the United States revision, pointing out, however, that it would be a mistake to make a rigid interpretation of the expression "the territory under its control on 4 August 1947". The Committee of Good Offices should ascertain, on the spot, the exact meaning of this expression.

The representative of Australia regretted the prolonged delays in this question. He reviewed the events following the cease-fire order and noted that mopping-up operations were still continuing. The Council could not permit these continued violations of its order, and he was convinced that the correct and practical solution was for the forces to be withdrawn to the positions they had occupied on July 20, in accordance with the U.S.S.R. proposal. If this were not acceptable to the Council, he would ask that the alternative Australian proposal (S/579)¹² be put to the vote.

By a letter dated October 28, 1947 (S/590), the delegation of the Republic of Indonesia submitted a statement from its Government again urging complete withdrawal of Dutch forces from Republican territories occupied after July 21, 1947,¹³ and setting forth facts to prove that security could

¹²See p. 370.

¹³See p. 371 for letter of October 15, 1947 (S/583).

be established in territories evacuated by Dutch forces. The Republican Government therefore called upon the Council to appoint an international commission composed of representatives of the Council to observe conditions in and to supervise territories returned to Republican control.

At the 216th meeting on October 31, the representative of the Netherlands replied to the allegations of Netherlands colonialism and said that his Government still stood by the main principles on which the Linggadjati Agreement had been based. He stated that the U.S.S.R., Australian and Polish proposals were not acceptable and the United States draft resolution was also open to objections. This proposal, to attack the cause of failure of the cease-fire resolution, should request the parties to refrain from inflammatory exhortations and take appropriate measures for safeguarding life and property. Furthermore, since feeling was still running high, provision should be made for consultations to be resumed, not directly, but through the Committee of Good Offices. The final paragraph should refer not only to the use of armed forces, but also other forms of violence and incitement thereto; and it should be made clear that the last paragraph was not to have a retroactive effect.

The representative of China supported the United States draft resolution subject to certain amendments (S/591), (1) providing that the consultations should be either direct or through the Committee of Good Offices, (2) calling upon the parties further to cease incitement to activities contravening the cease-fire resolution and to take appropriate measures for safeguarding life and property; and (3) amending the final paragraph to meet the point raised by the representative of the Netherlands.

The representative of Belgium submitted an amendment (S/592) to the United States draft resolution changing the last paragraph to provide that the cease-fire resolution should be interpreted to mean that any substantial alteration of the territory occupied by the parties on August 4 would be inconsistent with the cease-fire resolution.

At the 217th meeting on October 31, the representative of Brazil said that the Consular Commission's report confirmed the impracticability and, perhaps, harmfulness of attempting to supervise the implementation of the cease-fire order without direct contact with the situation as it developed in Indonesia. He opposed the U.S.S.R., Australian and Polish proposals, considering that they adopted a theoretical approach; it was not to be supposed that irregular troops would retreat to a line determined in the Council. He supported the United

States draft resolution and considered that the proposed functions were within the competence of the Committee of Good Offices.

The representative of the United Kingdom opposed the U.S.S.R. and Polish draft resolutions in view of the risk of serious disorders which could result from a withdrawal of troops. The Australian draft resolution was not practicable, since there were pockets of Republican forces well behind any line which could be drawn in the territory held by Netherlands troops. In general, he supported the United States draft resolution, and thought it might be improved by the Belgian and Chinese amendments.

At the 217th meeting, on October 31, 1947, the Council proceeded to vote on the resolutions before it. The U.S.S.R. draft resolution (S/575) was put to the vote first and was rejected, there being 4 votes in favor (Australia, Colombia, Poland, U.S.S.R.), 4 votes against (Belgium, France, United Kingdom, United States) and 3 abstentions.

Before a vote was taken on the Australian draft resolution (S/579) the representative of the U.S.S.R. proposed that it should be amended by substituting the distance of twenty-five kilometres for the originally specified distance of five kilometres.

The representative of Australia accepted this amendment.

The Council, however, rejected the resolution as amended (S/579/Rev.1), by 5 votes in favor (Australia, Colombia, Poland, Syria, U.S.S.R.), 1 vote against (Belgium) and 5 abstentions.

The representative of Australia then stated that the final paragraph of the United States draft was open to objection since it ignored the fact that there had already been a very substantial alteration in territory under Netherlands control. This paragraph also used the phrase "under its control", which had been interpreted by the Netherlands against the intentions of the Council's original resolution. Furthermore, control could be extended by other means than "military action". To replace the last paragraph of the United States draft resolution, he submitted an amendment (S/593) stating that any consolidation, control or acquisition of territory not occupied on August 4, 1947, would not be in conformity with the Council's resolution of August 1.

The representative of the United States proposed that a sub-committee should be set up to consider the United States draft resolution and the Chinese (S/591), Belgian (S/592) and Australian (S/593) amendments thereto, with a view to reconciling the different texts.

The Council adopted the United States proposal by 7 votes in favor, 0 against and 4 abstentions (Australia, Poland, Syria, U.S.S.R.) and agreed that the sub-committee should comprise the representatives of the United States, Australia, Belgium and China.

By a vote of 5 in favor to 2 (Belgium, United States), with 4 abstentions (Brazil, China, France, Syria), the Council, however, rejected a proposal by the President that the sub-committee's terms of reference should be broadened so that the United States and Polish draft resolutions could be examined on an equal footing.

At the 218th meeting, on November 1, 1947, the sub-committee presented the following draft resolution (S/594):

"The Security Council,

"Having received and taken note of the report of the Consular Commission dated 14 October 1947, indicating that the Council's resolution of 1 August 1947, relating to the cessation of hostilities, had not been fully effective;

"Having taken note that, according to the report, no attempt was made by either side to come to an agreement with the other about the means of giving effect to that resolution,

"Calls upon the parties concerned forthwith to consult with each other, either directly or through the Committee of Good Offices, as to the means to be employed in order to give effect to the cease-fire resolution, and, pending agreement, to cease any activities or incitement to activities which contravene that resolution, and to take appropriate measures for safeguarding life and property;

"Requests the Committee of Good Offices to assist the parties in reaching agreement on an arrangement which will ensure the observance of the cease-fire resolution;

"Requests the Consular Commission, together with its military assistants, to make its services available to the Committee of Good Offices;

"Advise the parties concerned, the Committee of Good Offices, and the Consular Commission, that its resolution of 1 August should be interpreted as meaning that the use of the armed forces of either party by hostile action to extend its control over territory not occupied by it on 4 August 1947 is inconsistent with the Council resolution of 1 August, and

"Should it appear that some withdrawals of armed forces be necessary, invites the parties to conclude between them as soon as possible the agreements referred to in its resolution of 25 August 1947."

The President announced that all proposals previously submitted by the representatives of Australia, Belgium, China and the United States had been withdrawn in favor of the above draft.

The representative of China supported the sub-committee draft as a continuation of the previous measures of moderation and conciliation and as the course of action that would best serve the causes of peace and Indonesian independence.

The representative of India said that the sub-committee's proposal held out a reasonable promise

of hastening a peaceful settlement, but fell short of the requirements of the situation because it ignored the Netherlands responsibility for the continuation of hostilities, did not provide for the removal of invading forces and did not fulfil the Indonesian request for an international commission. The Council should see to it that the final paragraph was implemented and that troops were withdrawn.

The representative of the U.S.S.R. said that the sub-committee's draft resolution did not provide for any withdrawal of forces and could not give satisfactory results. He considered that it contained all of the defects of the original United States draft and the amendments thereto except for a certain improvement in the last paragraph; even this was based on the incorrect assumption that agreement between the parties was possible. The penultimate paragraph legalized Netherlands control of areas occupied prior to August 4. He reaffirmed his support of the Polish draft resolution.

The representative of Australia said that his delegation had been disappointed at the Council's failure to accept the U.S.S.R. and Australian proposals, and had attempted to bring the United States draft resolution closer to the Australian position. A compromise had been attained, however, in the true spirit of United Nations co-operation. He suggested that the sub-committee's text should be cable to the parties, the Committee of Good Offices and the Consular Commission. He also considered it essential that the Council should continue to receive reports on this question, either from the Consular Commission or from the Committee of Good Offices.

The representative of Colombia said that it would be a very serious matter for the Council to be content to note the fact that its resolution of August 1 had been disregarded and would, by implication, bear out the arguments against the Council's competence. At the 219th meeting, on November 1, he submitted an amendment (S/595) to the text proposed by the sub-committee deleting the references in the first two paragraphs to the failure of the parties to implement the resolution of August 1, 1947; and adding to the penultimate paragraph a provision that the Council expected to see the resolution of August 1 fully and faithfully complied with by the two Governments.

The representative of Poland also considered it inconsistent with the authority of the Council to set forth in the first paragraph of the sub-committee's text that a previous resolution had not been complied with. Adoption of such a resolution would weaken the Indonesians' faith in the United Nations.

The Council rejected the Colombian amendment by a vote of 5 in favor (Australia, Brazil, China, Colombia, Syria) and 6 abstentions.

The draft resolution proposed by the sub-committee (S/594) was then adopted by 7 votes in favor, 1 against (Poland) and 3 abstentions (Colombia, Syria, U.S.S.R.).

The Polish draft resolution (S/589) finally was rejected, there being 2 votes in favor (Poland, U.S.S.R.), 4 against (Belgium, France, United Kingdom, United States) and 5 abstentions.

f. THE COMMITTEE OF GOOD OFFICES

(1) *Composition of the Committee*

By a letter dated September 4 (S/545) the representative of the Netherlands informed the Secretary-General that his Government had selected the Belgian Government as its representative on the Committee of Good Offices.

By a letter dated September 18 (S/564), the President of the Council was informed that the Government of the Republic of Indonesia had selected the Australian Government as its representative on the Committee.

By a letter dated September 18 (S/558), the Foreign Ministers of Australia and Belgium informed the President of the Council that they had selected the United States Government as the third member of the Committee.

After discussion at the 222nd and 224th meetings, held on December 9 and 19, 1947, the President stated as the Council's understanding that the membership of the Committee of Good Offices should continue unchanged, notwithstanding the expiration of Australia's term of office on the Council.

(2) *Resolution of October 3, 1947*

At the 207th meeting of the Council on October 3, the representative of Australia submitted the following draft resolution (S/574) which the Council adopted by 9 votes, with 2 abstentions (Poland, U.S.S.R.):

"The Security Council resolves

"That the Secretary-General be requested to act as convener of the Committee of Three and arrange for the organization of its work; and

"That the Committee of Three be requested to proceed to exercise its functions with the utmost dispatch."

(3) *First Interim Report of the Committee*

On January 17, 1948, the Chairman of the Committee of Good Offices informed the President of the Security Council by cable (S/650) that the parties would that day sign on the U.S.S. *Renville* a truce agreement and an agreement

on political principles as a basis for discussions for settlement of the dispute.

On February 10, 1948, the Committee of Good Offices submitted its first interim report (S/649), which reviewed its work, the proceedings of the special committee established to implement the resolution of November 1 (S/594) and the negotiations leading up to the Truce Agreement and the acceptance of political principles.

The Council discussed the report at its 247th, 248th, 249th, 251st, 252nd, 256th and 259th meetings on February 17, 18, 20, 21, 26 and 28.

At the 247th meeting on February 17, 1948, the Council approved a request (S/674), by the representative of Australia that his country be invited to participate in the Council's discussion, pursuant to Article 31 of the Charter.

The Chairman of the Committee of Good Offices, Frank Graham (United States), presented its report to the Council. He described the historical background of the situation in Indonesia and the course of the negotiations in which the Committee had assisted. These negotiations had resulted in the unconditional acceptance by the parties of a truce agreement and political principles as follows:

1. *A Truce Agreement*, signed on January 17, 1948, providing that a stand-fast and cease-fire order should be issued by both parties, to apply to their troops along the boundary lines of the areas described in the Proclamation of the Netherlands Indies Government on August 29; and that demilitarized zones should be established in general conformity with this line, without prejudice to the rights, claims or position of the parties under the Council's resolution of August 1, 25 and 26, and November 1, 1947. The truce agreement also covered many other questions, and provided, *inter alia*, for the withdrawal of Republican military forces continuing to offer resistance behind the forward positions of the Netherlands forces; for the maintenance of law and order; and that trade and intercourse between all areas should be permitted as far as possible, any necessary restrictions to be agreed upon by the parties with the assistance of the Committee and its representatives if required.

2. *Twelve principles* forming an agreed basis for the political discussions, accepted on January 17, 1948. These principles provided, *inter alia*, for continuation of the Committee's assistance; for civil and political liberties; for changes in the administration of territory to be made only with the full and free consent of the population; for gradual reduction of armed forces; for resumption

of trade, transport and communications; for the holding of free elections, after a period of from six to twelve months; for self-determination by the people of their political relations to the United States of Indonesia; for the convening of a constitutional convention; for the possible observation by a United Nations agency of conditions between the signing of the agreement and the transfer of sovereignty to the United States of Indonesia; for the independence of the Indonesian people and co-operation between the people of the Netherlands and Indonesia, for a sovereign federal state under a constitution to be arrived at by democratic processes, and for union of the United States of Indonesia and other parts of the Kingdom of the Netherlands under the King of the Netherlands.

3. Six additional principles for the negotiations towards a political settlement, accepted on January 19, 1948. These provided, *inter alia*, that sovereignty throughout the Netherlands Indies should remain with the Kingdom of the Netherlands until, after a stated interval, the Kingdom transferred its sovereignty to the United States of Indonesia, that the Republic of Indonesia should be a state within the United States of Indonesia; that all states would be offered fair representation in any provisional federal government; that either party might request continuance of the Committee's services during the interim period; that plebiscites be held under international observation to determine whether the peoples of the various territories of Java, Madura and Sumatra wish their respective territories to form part of the Republic of Indonesia or another state; that there be a constitutional convention in which the various states would be represented in proportion to population; and that any state could, instead of ratifying the constitution, negotiate a special relationship with the United States of Indonesia and the Kingdom of the Netherlands.

Justice Richard S. Kirby, representative of Australia on the Committee of Good Offices, reviewed the work of the Committee, and said that he felt that, in the future, it should make and publish its suggestions to the parties without necessarily waiting for both parties to invite it to do so. He hoped that the Committee would act formally rather than informally, and with greater initiative than the past had allowed. He emphasized the Republic's faith in the United Nations, which had led it to accept a truce plan permitting the Netherlands to maintain control of territories gained in part since July 20, 1947. The truce was without prejudice to the rights, claims

or position of the parties; and it was the responsibility of the Committee and the Security Council to ensure this. He stressed the importance of the undertakings that the parties would guarantee freedom of assembly, speech and publication in preparation for the plebiscites, and hoped that proper steps would be taken to create an adequately informed public.

The representative of the Netherlands welcomed the agreements which had been reached, but pointed out that time would be required to remove all tension in Java and Sumatra. The political discussions would involve difficult and momentous problems concerning the relationship between the Republic and the interim government of the federation, the constitution of the United States of Indonesia, and the definition of its relationship with the Kingdom of the Netherlands.

At the 248th meeting on February 17, the representative of the Republic of Indonesia said that the Committee had achieved the first significant success in the history of the United Nations, although the result was not in all respects satisfactory to the Republic. The Republic had made substantial concessions in the truce agreement, which, according to a recent dispatch from his Government, was being implemented satisfactorily. It was not correct to say that these concessions were made in return for Netherlands concessions in the form of the eighteen political principles, which were only a starting point for discussions leading to a final political settlement. Accordingly, the Committee of Good Offices should continue its work and should be vested with authority beyond the mere rendering of good offices, particularly as in the present phase of negotiations, conflicting interpretations would inevitably arise.

Paul van Zeeland, Belgian representative on the Committee of Good Offices, stressed the need for replacing the provisional measures of the truce by a lasting agreement and appealed to the parties to implement in a concrete manner the eighteen political principles which defined the scope of the final solution.

The representative of Australia felt that there was a good prospect of a just and enduring settlement if certain difficulties were overcome; if the Republican positions were not subjected to attrition by a policy of creating new political entities in the very areas which were to be the subject of political agreement; if there were restraint and co-operation concerning trade, with due regard to the position of the parties before July 20, if there were forbearance in regard to foreign representation; if democratic principles and freedoms in general

operated throughout the Indies during the course of the settlement; if the Committee continued to the final settlement, to assist in maintaining the conditions of that settlement; and if the Committee had more positive functions, the better to meet their difficulties and facilitate fulfilment of the Renville principles.

The representative of Belgium said that the Committee of Good Offices was envisioned, at the time of its establishment, as a modest organ with restricted powers. He analyzed its activities and said that it had had the wisdom not to attempt to go beyond its limits. The Australian proposal for modification of its rules should be left to the Committee, acting of course within the limits of its competence.

He expressed satisfaction at the cessation of hostilities and at the wisdom of the principles of self-determination and international co-operation which were reconciled in the political structure envisaged.

At the 249th meeting on February 18, the representative of the U.S.S.R. recalled that his proposal for the withdrawal of Netherlands forces had been rejected by the Council and noted that Netherlands forces continued to occupy more and more Indonesian territory, taking over districts which were important economically and strategically, and dealing the Republic increasingly heavy blows. He said that, in substance, the Committee of Good Offices had not been an organ of the Security Council. The results of its work had been unsatisfactory and not in accordance with the task placed before the Council. The Committee had not even consulted the Council on the substance of any of the questions arising in the negotiations, and had been guided only by the policy of the three States represented upon it. He further charged that the Committee had exerted pressure on the Republic to accept Netherlands ultimatums. The Truce Agreement had been obtained at a time when the Netherlands had already attained its main objectives, and it gave to the Netherlands control of the richest oil and rubber regions of Java and Sumatra. He cited the provisions of the Truce Agreement in support of his contention that the Agreement was completely in the interests of the Netherlands Government. The agreements on political principles, he stated, left no doubt, moreover, that the Netherlands saw in the creation of the United States of Indonesia a means of establishing its domination over Indonesia in the future. These agreements, concluded with the help of the Committee, were a betrayal of the interests of the Indonesian people and were cal-

culated to ensure the continuance of the colonial regime. He stated that only the adoption of the Soviet proposal for the immediate withdrawal of the forces of both sides to the positions held by them before military operations began in Indonesia would make it possible to create conditions conducive to a solution of the question in the interests both of the Indonesian people and the United Nations.

The representative of Canada submitted a draft resolution (S/678) noting with satisfaction the signing of the Truce Agreement and the acceptance of certain principles as an agreed basis for the conclusion of a political settlement, commending the Committee for its assistance, maintaining the offer of good offices contained in the resolution of August 25 and requesting the parties and the Committee to keep the Council directly informed of the progress of the political settlement. He said that the parties, in informal consultations, had indicated their general concurrence in these provisions.

At the 251st meeting on February 20, the representative of the United States analyzed the Council's resolutions of August 1 and 25, and concluded that the Committee should act in the pacific settlement of all the disputes between the parties, and that the foundation of its powers was in the agreement of the parties. He emphasized the great achievement of the parties in reaching agreement instead of fighting to the point of exhaustion and then perhaps arriving at less satisfactory conclusions.

He pointed out that the two parties to the agreements were pledged to fulfil the twelve political principles and the six additional principles, which guaranteed freedom of assembly, speech and press. It was for the people, moreover, to say what their government should be. Other provisions of the agreements looked towards the gradual reduction of the arms of both parties, the resumption of trade and transportation through co-operation of the parties; fair representation of the Republic in the interim governments; and, upon the request of either party, the continuance of the services of the Committee of Good Offices. All these provisions, he concluded, constituted the foundation for the freedom, the independence and the co-operation of the people of the Netherlands and of the people of Indonesia.

The representative of India stressed that the cessation of hostilities had been achieved mainly through the concessions which one of the parties had been compelled to make at all stages. The Republic had made these concessions only be-

cause of its unfaltering desire for a peaceful settlement and because of its confidence in the Council and its Committee. The inequality in sacrifices, he stated, had resulted from the Committee's limited powers. The Council should request the Committee to continue its work, and should indicate that it would favor a more flexible procedure. He supported the Australian suggestion in this connection, and said that the Committee must at least settle conflicting interpretations and make and publish suggestions to the parties to help them in reaching a political settlement. He stated that he would support the Canadian draft resolution.

The representative of China said that the Committee had achieved a significant success, although the result was not in all respects satisfactory. The Truce Agreement was merely the acceptance of a *fait accompli* and had been made possible chiefly by the Republic's concessions and faith in the Security Council. Difficulties might be expected in the interpretation of the Truce Agreement and political principles, and would certainly arise if any separatist regime were established before the plebiscite. He accepted the Canadian draft resolution, but thought it would be helpful to authorize the Committee to make positive suggestions to the parties and to arbitrate with regard to differences in the interpretation of the principles already accepted.

The representative of France welcomed the cease-fire and the acceptance of satisfactory political principles. This success was attributable to the good will of the parties and the prudent methods adopted by the Council and the Committee. He considered that the Committee should be confirmed in its mission as presently defined. He saw no reason why the Committee should not make suggestions which it considered appropriate. As to the publication of the Committee's suggestions, however, this should be arranged for by submission to the Council. He supported the Canadian draft resolution.

The representative of the United Kingdom said that the report showed a marked success. He agreed that the Committee should be at liberty to make and publish suggestions, but, noting that the resolution establishing the Committee contained no detailed instructions on Committee procedures, he considered that an addition to the pending Canadian resolution, which he supported, was unnecessary.

The representative of the Ukrainian S.S.R. recalled that his Government had drawn the Council's attention to the situation in Indonesia as

early as January 1946, but that its proposal for a Security Council Commission in Indonesia had been rejected. Behind a smoke screen of promises and with the full support of the United States, the United Kingdom and other colonial Powers, the Netherlands Government had accumulated its armed forces for the suppression of the Indonesian Republic. He considered that the Committee of Good Offices had not fulfilled the tasks entrusted to it. From the very outset of its work, he stated, the Committee had failed to be impartial, and had in practice aided the Netherlands authorities in their endeavor to strangle the Indonesian Republic. The participation of the United States in the Committee, together with the interest of Belgium, another member of the Committee, in preserving the system of colonial enslavement, had doomed the Committee's activities in advance. It was no secret that the Renville Agreement had been forced upon the Indonesian Republic by the Netherlands colonialists with the assistance and full co-operation of the Committee of Good Offices. The Ukrainian representative insisted that the Security Council approach the question from a different angle and take effective measures to call to order the Netherlands colonial extremists and those who supported them in their war against the Indonesian people.

At the 252nd meeting on February 21, the representative of the Republic of Indonesia stated that the Netherlands planned to create new states in West Java, Madura and East Sumatra, without the plebiscite called for in the agreements. In general, he supported the Canadian draft resolution, but pointed out that it did not go far enough. He welcomed the Chinese suggestions and maintained his request that the Committee be given powers of arbitration.

The representative of Colombia submitted amendments (S/682) to the Canadian draft resolution, adding, before the last paragraph, an invitation to the parties to direct their efforts to the early and full implementation of the political principles, and to avail themselves of the Committee's services in adjusting differences in the interpretation and application of these principles; and also adding a request to the Committee to continue, by means it considered appropriate, to assist the parties to attain the above ends.

The representative of Australia said that there was a fairly general feeling that the functions of the Committee could usefully be extended. There had been no opposition to, and some support for, a suggestion that the Committee should take the initiative in making positive suggestions to the

parties. He considered that this suggestion should be incorporated in the Canadian proposal since he understood that it was acceptable in principle to all members of the Committee and because there already seemed to be difficulties in carrying out the Agreement in Indonesia. He submitted an amendment (S/681) to the Canadian draft resolution adding after the third paragraph a provision that the Council considered that the Committee itself should determine whether it should make and publish suggestions to the parties, to help them in reaching a political settlement, without necessarily waiting for the parties to request it to do so.

The representative of Argentina supported the Canadian draft resolution. He had no objection to the provision for wider powers of the Committee, if that was desired, although he did not think it necessary to specify them.

The representative of the Netherlands said that there seemed to be no *a priori* objection to the Committee's making suggestions within its terms of reference to the parties without waiting for their invitation. He considered, however, that publication of proposals without the previous assent of the parties meant that pressure was applied to them, and this was incompatible with the true nature of a committee of good offices. Publication should be sought either by agreement with the parties or by submitting a report to the Council. The concepts of arbitration and good offices were also exclusive and he opposed the Australian and Colombian amendments. Referring to developments in West Java, he said that the Netherlands did not wish either to foment or to stifle any popular movements.

At the 256th meeting on February 26, 1948, the representative of the Indonesian Republic said that his Government had the strongest objections to the "free expression of popular movements" unilaterally promoted by the Netherlands Government without consultation with the Republic. He described recent events in West Java and Madura, and concluded that the present unilateral Netherlands interpretations caused a real danger that the Renville Agreement would break down in the same way as had the Linggadjati Agreement. He supported the Colombian and Australian amendments.

The representative of the U.S.S.R. stated that it was impossible to agree with the draft resolution submitted by Canada, since that resolution approved the Renville Agreement, which shackled the Republic. The Colombian and Australian amendments did not essentially change the

Canadian proposal, which was intended to assist the Netherlands.

At the 259th meeting, on February 28, the representative of the Philippines said that the Republic of Indonesia had been obliged to agree to a demarcation line established by force of arms in violation of the Council's decision of August 1, 1947. The political agreements concerning federation were intended to divide and rule, and gave completely inadequate protection to the rights and freedom of the people of Indonesia. He supported the Australian, Colombian and Chinese suggestions, and proposed that the Committee be given a sufficiently large staff of military assistants to keep the disputed areas under constant observation. He emphasized that the real task of conciliation had only started, and it was essential that the Council maintain its vigilance.

The representative of China said that the matter of West Java and Madura was of greatest importance. He therefore submitted the following draft resolution (S/689), which the Council, at its 259th meeting on February 28, adopted by a vote of 8 in favor, with 3 abstentions (Argentina, Ukrainian S.S.R., U.S.S.R.).

"The Security Council requests the Committee of Good Offices to pay particular attention to the political developments in Western Java and Madura and to report to the Council thereon at frequent intervals."

Before the Council took a vote on the Canadian resolution, the representative of Australia said that, in view of the debate in the Council and the statement by the Chairman of the Committee, there was no necessity for a resolution of the Council to enable the Committee to exercise its discretion in matters of procedure, and he did not feel it necessary to urge adoption of the Australian amendment (S/681).

The representative of the Netherlands maintained his position with regard to the Committee's powers and the question of publication.

The Colombian amendment (S/689) to the Canadian draft resolution was then put to the vote paragraph by paragraph and was rejected.

The Canadian draft resolution (S/678) was adopted by 7 votes in favor, 0 against, and 4 abstentions (Colombia, Syria, Ukrainian S.S.R., U.S.S.R.).

(4) *Second Interim Report of the Committee of Good Offices and Reports on Specific Questions*

On May 1, 1948, the Council received the Committee's report (S/729) on political developments in Western Java.

On May 26 the Council received the Committee's report on political developments in Madura

(S/786). On the same day it received the Committee's second interim report (S/787) describing the organization of its work; the activities of the Political, Economic and Financial, Social and Administrative and Security Committees of the Conference; and the consideration of letters from the Republican delegation concerning the formation of the provisional federal government for Indonesia and the formation of an East Sumatra State.

The Council discussed these reports at its 316th, 322nd and 323rd meetings on June 10 and 17.

At the 316th meeting on June 10, 1948, the representative of the Republic of Indonesia said that the Dutch were trying to eliminate the Republic by circumventing the actual negotiations. Events were moving so fast that the Security Council was being put in the position of commenting on accomplished facts. He referred to the second interim report and contrasted the speedy evacuation of Republican troops from the pockets behind the demarcation line with the far from co-operative position taken by the Netherlands delegation in negotiations to implement the true agreement's provision for trade and intercourse between all areas.

Great distrust, he stated, had also been caused by the Netherlands move to amend its constitution in relation to the Netherlands-Indonesian Union, at a time when this was still a subject of negotiations.

He stated that the report on political developments in Madura confirmed his Government's contention that the so-called plebiscite following the illegal and military occupation was a parody of democracy. He also stated that the report on political developments in West Java demonstrated that the Netherlands had originated and convened the West Java Conferences and had then interfered in their conduct. The report also showed that there was martial law for civilians in West Java; that there had been no opportunity for political discussions on the merits of candidates, that many residents of West Java had been compelled to evacuate; and that there was not freedom of speech, of the press or of assembly and no free expression of popular movements looking towards political organization. He hoped that the Council would mitigate the distrust caused by these Dutch policies by pronouncing its judgment on the events in Madura and West Java.

The representative of the Netherlands replied that important agreements had recently been reached on the regulation of trade and economic intercourse and on other matters not mentioned by the representative of the Republic of Indonesia.

The real obstacle to full agreement, he maintained, was the negative Republican attitude to previous agreements for a federal Indonesian State and for a Union of the Netherlands and the United States of Indonesia. On the whole, the Committee's reports showed that the West Java Conference was the best possible representative body of West Java, taking into account present circumstances and the traditional methods of assembling representative bodies in Java; that the third West Java Conference had reached its decisions through democratic procedures free from restraint; and that the Netherlands Indies Government had been justified in recognizing the delegates to the third West Java Conference as the provisional representatives of the population of Western Java, having the task of drawing up a provisional constitution and, on that basis, appointing a provisional government. Concerning the situation in Indonesia in general the representative of the Netherlands stated that he hoped that the parties would be permitted to negotiate with the assistance of the Committee of Good Offices, and that obstacles would not be created by an exchange of recriminations at Lake Success. He thought it was not the Council's task periodically to enter into such discussions of details, he hoped that the Council would not support any suggestions to modify the nature, competence or procedure of the Committee.

On June 16, the Council received the Committee's report (S/842) on the Federal Conference opened in Bandung on May 27, 1948.

At the 322nd meeting, on June 17, 1948, the representative of China said that the Committee's reports did not substantiate the Netherlands representative's allegations that the main difficulties were caused by the Republican attitude. The reports showed the unrepresentative and undemocratic nature of the West Java Conferences. He suggested that the Committee be instructed to promote a fair and impartial plebiscite in Madura and West Java.

The representative of India considered that the Netherlands was guilty of numerous and flagrant violations of the Renville settlement in West Java and Madura. He submitted that the Renville principles had clearly excluded the setting up of separatist regimes before a plebiscite was taken. The facts, he maintained, did not bear out the statements by the representative of the Netherlands that his Government was not fomenting artificial popular movements in Indonesia, as there was nothing in the Committee's reports to show any genuine demand for separation. He

suggested that the Council should request the Netherlands Government to defer further action for the provisional setting up of new states. He also stated that the manner of setting up the interim federal government, the actions taken to amend the Netherlands constitution without prior consultation and the Dutch air naval blockade had violated the Renville settlement and caused the most serious misgivings in Republican circles.

The representative of the U.S.S.R. said that the Committee's reports showed that it supported Dutch colonial interests and had not taken an objective position. The reports also showed that, without consultations with the Republic, the Netherlands had established the so-called temporary federal government of Indonesia. He described the circumstances of the plebiscite in Madura and said that it was indisputable that, by military and political measures, the Netherlands Lieutenant-Governor-General had seized Madura and West Java from the Indonesian Republic and was now attempting to establish political domination by Netherlands military and colonial authorities over these territories. The Republic, furthermore, was still deprived of any possibility of carrying on foreign trade, and its territory was blockaded. Instead of taking remedial measures, the Committee confined itself to noting the situation.

The representative of Australia said that there was some evidence that the recent undue delay in negotiations had been deliberately inspired to further certain purposes never fully disclosed to the Council. The present situation, he urged, required continued vigilance and, at the proper moment, some new decision by the Council. He referred to a press release of the Committee of Good Offices stating that the Netherlands delegation to the Committee, in view of the publication of a strictly confidential document—a joint Australian-United States working paper—had requested further instructions from its Government and that, pending their receipt, the delegation thought it advisable to discontinue the discussions between both delegations except as regards the implementation of the Truce Agreement. He submitted that the Council could not ignore this development, and might well request a report from the Committee and perhaps submission of the document mentioned.

The representative of the Netherlands said that it was necessary to understand the circumstances in which the incident had occurred. He pointed out that negotiations on the implementation of the truce were continuing. Negotiations had not

been broken off, but merely discontinued pending receipt of instructions.

The representative of the Republic of Indonesia stressed the importance of the incident and considered that the Council should ask the Committee for full information.

The representative of China also suggested that the Committee be asked to forward the document in question.

At the 323rd meeting on June 17, the representative of Belgium said that there was no indication that the memorandum in question was an official document of the Committee of Good Offices. The Committee could be trusted to report any incidents which might affect its mission, and he could see no reason for new instructions. He emphasized the achievements of the Committee and thought that the Council must stay within the framework of good offices.

The representative of the United States pointed out that, by its resolution of February 28, the Council had already requested the Committee to keep it directly informed. Negotiations had not finally failed, and the Council's present interest was to continue them successfully. The Council, he stated, was following—and correctly so—a policy of leaving a large measure of responsibility and discretion to those on the spot who were charged with the mediatory function. It should be left to the discretion of the Committee to furnish the Council with information.

The representative of the Ukrainian S.S.R. stated that the Committee of Good Offices was afraid to give a true and objective verdict on events in Indonesia, as it would then have had to reveal to the whole world the real intentions of the Netherlands Government and the other colonial Powers, which were trying, in their own interests, to stifle the Indonesian Republic and restore the old colonial regime in Indonesia, against the desires of the Indonesian people. For this reason the Committee's reports consisted of a list of dry facts presented on the one hand by the Netherlands Government and on the other by the Government of the Republic, and contained no verdict by the Committee, let alone a searching political analysis of the events in Indonesia. Commenting on the statement by the Australian representative in the Committee, in which he attempted to dissociate himself from the position adopted by the Committee, he expressed surprise that the Australian representative had not submitted his own opinion in the report. He stated that, in view of the interest of the other two members of the Committee, Belgium and the

United States, in maintaining the colonial system, no objectivity could be expected from them in drawing up the report. He noted that assistance had been given to the Netherlands by the International Bank, but that the Indonesian Republic was still blockaded. He urged that the Security Council should concern itself more actively with the Indonesian question, with a view to giving legitimate aid to the Indonesian people.

After further discussion, the President stated that he would inquire of the Committee concerning the suspension of negotiations, and would forward it a record of the Council's proceedings.

In reply to the President's inquiry, the Committee submitted reports (S/850 and Add.1) dated June 22 and 23, on the circumstances of the suspension and subsequent resumption of discussions and the continuing differences of opinion concerning the Australian-United States working paper, the Republic favoring and the Netherlands objecting to the consideration of this document as a basis for further negotiations.

(5) *Third Interim Report of the Committee of Good Offices and Further Special Reports*

On June 21, 1948, the Council received the first chapter (S/848) of the Committee's third interim report. This report gave a general estimate of the situation and described the serious problems remaining and the progress towards their solution.

At the 326th meeting, on June 23, the representative of the Republic of Indonesia described the background of the Federal Conference at Bandung and the Dutch attempts to establish puppet states for use against the Republic before normal elections could bring about the anticipated pro-Republican majority. He outlined the circumstances of the creation of the provisional federal government which, he stated, was in substance merely the old Netherlands Indies Government. He was of the opinion that it had obviously been intended to establish a federation without the Republic, which was not represented in the provisional federal government. Furthermore, the Conference was meant to take decisions on matters actually being negotiated by the Netherlands and Republican delegations. He described the lack of confidence resulting from these activities and hoped that the Committee would commence more active mediation.

The representative of the Netherlands regretted the tendency to accentuate disagreements and to deal with the same questions simultaneously in the Security Council and on the spot. As to the Bandung Conference, he said that the Republic

had neither the monopoly nor priority in discussion of the problem of federation, and this question was outside the controversy between the Republic and the Netherlands. It did not present any threat to the maintenance of international peace and security, and need not take the Council's time.

The representative of the Philippines said that the reports before the Council showed that there was a deliberate unilateral attempt by one party to impose its own type of federation without the free consent of the people of Indonesia, and that the Netherlands Indies authorities had initiated and actively supported the formation of the so-called independent states. These hasty conferences showed a plan to consolidate what had been gained by force of arms into a political union under Dutch sponsorship. The Council had the duty to take cognizance of these charges and to come to a decision on the basis of the facts which had been reported.

The representative of France noted the general success of the truce and stressed the necessity of consolidating its foundations. The Committee was entitled, he considered, to the Council's wholehearted assistance, and he regretted any interference with its work during delicate and complex negotiations. The Council should express its confidence in the Committee and in the Netherlands and Republican authorities, which had complied in fairness with the Renville Agreement.

The representative of the U.S.S.R. stated that at Bandung the Netherlands authorities were discussing with their own puppets important political questions which were under negotiation between the Netherlands and Republican authorities. The Netherlands Government was violating its obligations and sought to present the Republic and the Security Council with an accomplished fact, since it feared the results of an open democratic plebiscite. He considered that the Council could not remain inactive when confronted with such activities.

The representative of China said that the Council had the right to expect that the Netherlands authorities should persist in peaceful methods of settlement; that normal economic relations between Republican and Netherlands controlled territories should be resumed as soon as possible; that, in sponsoring the movement for federation, the Netherlands authorities should abide by the ordinary rules of democracy, and that, in implementation of the principle of union, there should be strict observance of the equality of the partners.

The representative of Australia said that conduct of the negotiations in the hands of the Nether-

lands authorities had progressively weakened the relative strength of the Republic and had caused the Republic's representatives to suspect the good faith and intentions of the Netherlands in implementing the Renville principles. He described the resultant and continuing difficulties in the negotiations and said that it was the Council's duty, through the President, to add its own appeal to the parties to find a formula which would make it possible for the Australian-United States working paper to be discussed. He suggested that the President should forward the record of that meeting to the Committee.

The representative of the United States welcomed the resumption of discussions. He said that the parties should be willing to give careful consideration to any informal suggestions consistent with the Renville principles put forward in good faith by the Committee of Good Offices.

The President said that he would forward the record of the Council's discussions to the Committee and would ask it to continue its efforts for peaceful adjustment and keep the Council informed. On June 25, the President cabled this request to the Committee and forwarded the Council's records.

On June 29, 1948, the Committee cabled a report (S/858) on the continuing difficulties in its proceedings, it stated that the Netherlands representative had stated that his Government's decision not to consider the Australian-United States working paper was final.

At the 328th meeting, on July 1, 1948, the representative of the Republic of Indonesia said that it was essential that the Council should inform the Committee that it was free to pursue any course of action which in the opinion of the majority was likely to bring about a settlement. The proposals in the Australian-United States working paper, although not ideal, were faithful to the Renville principles and were the only possible basis for further negotiations. In conclusion, he emphasized that the continuing Netherlands blockade was causing great misery and was intended to undermine the political stability of the Republic.

The representative of India said that the Council would be justified in requesting full information concerning the Australian-United States proposals, and in making a general recommendation to the Committee that no just and reasonable basis for the resumption of discussions should be ruled out, regardless of its source.

The representative of the Netherlands maintained his opposition to any modification of the

nature, competence or procedure of the Committee of Good Offices.

The representative of the Ukrainian S.S.R. drew attention to the powerlessness of the Committee of Good Offices to undertake any steps to improve the situation. That powerlessness, however, he stated, was only a diplomatic cloak concealing a definite political plan to undermine the Indonesian Republic and to put it in such a position that it could be seized with bare hands. Those Powers which had colonies and those, like the United States of America, which would like colonies, did not want a united and strong Indonesia, as it would then be able to prevent its rubber, tin, oil and other wealth falling into the hands of foreign monopolies. Such Powers were, therefore, in favor of the artificial dismemberment of Indonesia into separate so-called states. He declared that the delegation of the Ukrainian S.S.R. supported and would continue to support any measures directed toward the true independence of the Indonesian people, the integrity of its territory and the creation of a democratic state.

The representative of China renewed his request that the President should ask the Committee to make the Australian-United States working paper available to the Council.

The representatives of Canada and Syria supported this proposal.

The representative of the United Kingdom, recalling that the Council had expressly reserved the question of its jurisdiction in this matter, said that it remained the view of the United Kingdom delegation that the only action the Council could constitutionally take was the tendering of good offices. Under the Charter, the Council could not give the Committee powers of arbitration.

The representative of Belgium felt that interference in the Committee's work would hinder the progress of negotiations.

The representative of Australia emphasized the deterioration in the situation and considered that it was the Council's duty to call for the Australian-United States working paper.

The representative of the United States considered that the Committee was the best judge whether negotiations would be assisted if the document were forwarded to the Security Council. Notwithstanding the Council's instructions, it appeared that the Committee had not thought it helpful to transmit the document.

The representative of the U.S.S.R. stated that the Council was fully entitled to demand a copy of

a document pertaining to a question it was considering.

At the 328th meeting on July 1, the Council rejected the Chinese proposal for the transmission of the Australian-United States working paper, there being 6 votes in favor and 0 against, with 5 abstentions (Argentina, Belgium, France, United Kingdom, United States).

On July 6, 1948, the Council received chapters II to VI (S/848/Add.1) of the Committee's third interim report. These chapters described the stage reached in the work of the Political, Social and Administrative, Economic and Financial, and Security Committees, and other matters dealt with by the Conference.

At the 329th meeting, on July 6, the representative of the Republic of Indonesia said that the Dutch, ever since their return to Indonesia, had imposed a blockade on the Republic. He analyzed the Netherlands regulations and practices and concluded that they were primarily intended to bring Republican trade and commerce under total Dutch control. The Committee had reported to the Council that the continuation of the blockade had caused severe shortages in important commodities, particularly medical supplies and, in some cases, even food. In the Committee's opinion, these shortages constituted a primary problem for the Republic. For this reason, and since delay in implementing article 6 of the Truce Agreement (stipulating the restoration of normal trade and intercourse) adversely influenced the political negotiations, he asked the Council to request a report from the Committee on the facts of the blockade and its consequences.

The representative of the Netherlands recalled that, at the 316th meeting, the Council had been informed that an agreement had been reached in the Economic and Financial Committee on the regulation of maritime goods traffic. However, the Republican delegation had subsequently rejected this agreement, and Netherlands representatives had again informally consulted with Republican representatives to find a new basis of agreement. There was no reason, in his view, for the Council to interfere with the work of the Committee, which would report in due time.

The representative of Australia noted the contradictory statements made by the representatives of the Netherlands and the Republic of Indonesia, and supported the suggestion that the Committee be requested to forward a report.

The representative of China also considered that, in order to understand the problem, the Council should ask the Committee for information on

Indonesian trade and on the delay in implementing article 6 of the Truce Agreement. He submitted the following proposal:

"That the President of the Security Council cable to the Committee of Good Offices for an early report on the existing restrictions on the domestic and international trade of Indonesia and the reasons for the delay in the implementation of article 6 of the Truce Agreement."

The Chinese proposal was supported by the representatives of the U.S.S.R., Syria, Ukrainian S.S.R., United States, Colombia and Canada.

The Council, after discussion of a proposal by the representative of the Ukrainian S.S.R. to suggest a time limit for the Committee's reply, adopted the Chinese proposal by 9 votes in favor, 0 against and 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

The President cabled this decision to the Committee on July 6, 1948.

Complying with the request of the Security Council, the Committee of Good Offices on the Indonesian Question reported by cable on July 23 (S/918) that it

"does not believe that discussions looking toward political settlement suspended since [the] end [of] May can well be resumed until one party or [the] other comes forward with complete and concrete programme for [the] establishment of [a] United States [of] Indonesia based upon substantial concessions to [the] point of view of [the] other party. It would seem that such [a] programme would need to deal at least with [the] entire range of issues covered by [the] Australian-United States proposals."

The Committee of Good Offices reported further the opinion of the Indonesian Republican Government that, given the standstill in the political negotiations, no useful purpose could be served by dispatching a Republican delegation to Batavia after July 23 to engage in such negotiations; only those members of the Republican delegation required for work related to the implementation of the Truce Agreement would therefore leave for Batavia. According to the cable, the Netherlands representative regretted the conclusion of the Republican delegation that political negotiations had arrived at a standstill, stating that he was awaiting the formation of a new Netherlands Cabinet and, from it, fresh instructions which might enable him to submit new proposals. He agreed that negotiations on non-political topics should be continued, while political matters might be held in abeyance, pending the arrival of new instructions.

A second cable (S/919), dated July 24, 1948, was addressed to the President of the Security Council by the Committee of Good Offices con-

cerning "restrictions on trade of Indonesia and reason for delay in implementation of Article 6 of the Truce Agreement".

The Committee of Good Offices, while noting the position of the two contending parties, did not attempt to pass judgment on the merits of their respective arguments. Aside from certain general factors, the Committee declared, "it is evident that an immediate and substantial reason for economic difficulties of Republican areas is inadequate implementation thus far of Article 6 of the Truce Agreement. Most important in this connection, in the Committee's opinion, are regulations governing domestic and international trade promulgated by Netherlands Indies civil and military authorities between January 1947 and the signing of the Truce Agreement, and which have been continued in effect to date." The Committee also stated that "... pending the conclusion of an agreement restoring economic and political unity to Indonesia, the economic plight of Republican-controlled territories cannot be substantially ameliorated until a way is found to relax existing regulations. This would require basic improvement in the attitude of the parties."

A third communication from the Committee of Good Offices (S/929), dated July 28, informed the Security Council that the movement of the Committee's military assistants had become increasingly restricted as a result of serious transportation shortages in Republican territories. The Committee requested the United Nations to arrange as soon as possible for the supply of eighteen jeeps and spare parts, to be used by its military assistants.

The three communications from the Committee of Good Offices were considered by the Security Council at its 341st and 342nd meetings, on July 29. The representative of the Indonesian Republic charged that the Government of the Netherlands deliberately brought the political negotiations to a standstill which it was now trying to prolong. He further reiterated his charges, which he considered were confirmed by the Committee's report, that the Netherlands Government was maintaining an economic blockade against the Republic, and requested the Security Council's assistance in the matter.

The representative of the Netherlands denied both of the charges: the current delay in the political negotiations was due entirely to the fact that a new Netherlands Cabinet was in process of formation; once the new Cabinet had been formed and had studied the matter, new instructions would be issued to the Netherlands

representative with the Committee of Good Offices, and the political negotiations could go forward, yet the Republican Government had now suspended these negotiations indefinitely. He also held that there could be no question of a Netherlands blockade of Republican territory: such regulations as had been imposed applied to all of Indonesia and were designed, primarily, to protect the economic interests of the entire community. He regarded the Republican approach to the Security Council as an attempt to bypass the Committee of Good Offices with a view, perhaps, to inducing the Council to initiate measures going beyond its competence.

The representative of the Philippines supported the position of the representative of the Indonesian Republic, affirming that there was indeed a Netherlands blockade against the Republic and holding that the Netherlands was responsible for the breakdown of the political negotiations. In his opinion, the Netherlands strategy was to subject the Republic to a deliberate process of political attrition and economic strangulation.

The representative of China said that however much the opinion of its individual members might vary, the Security Council must strive to find a minimum common denominator. The Council was not sitting in judgment; its function was to promote peace. It was with these considerations in mind that he had prepared a draft resolution (S/931) which he felt would best serve the cause of the promotion of an early solution of the problem.

The draft resolution in question, in its operative part, called upon both parties, with the assistance of the Committee of Good Offices, to maintain strict observance of the military and economic articles in the Renville Truce Agreement and to implement early and fully the twelve Renville political principles and the six additional principles.

The Chinese proposal was supported by the representatives of the United States, Canada, Syria and Argentina during the debate. It was opposed by the representatives of the U.S.S.R. and the Ukrainian S.S.R. on the grounds that it evaded the real issues and, by equating the positions of the Republic and the Netherlands, actually favored the latter at the expense of the former. For these reasons, the two representatives declared, they could not support the proposal.

The Chinese draft resolution was adopted at the 342nd meeting on July 29, by a vote of 9 to 0, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.). It reads as follows:

"The Security Council,

"Having considered the Committee of Good Offices' Report on the Federal Conference opened in Bandung on 27 May 1948 (S/842), Third Interim Report (S/848 and S/848/Add.1), Report on Standstill in Political Negotiations (S/918) and Report on Restrictions on Trade in Indonesia (S/919);

"Calls upon the Governments of the Netherlands and the Republic of Indonesia with the assistance of the Council's Committee of Good Offices, to maintain strict observance of both the military and economic articles of the Renville Truce Agreement, and to implement early and fully the Twelve Renville Political Principles and the Six Additional Principles."

Regarding the Committee's request for eighteen jeeps and spare parts, the Council, likewise at the 342nd meeting, decided to ask its President to refer the matter to the Secretariat with the instruction that the request be met promptly.

At the same meeting it was also decided, in connection with a request of the representative of the USSR, that copies of the proposal made jointly to both parties in the Indonesian question by the Australian and United States members of the Committee of Good Offices should be distributed as confidential material to all members of the Security Council.

The Security Council continued its consideration of the Indonesian question.

5. *The India-Pakistan Question*

a. INCLUSION IN THE AGENDA

The representative of India to the United Nations, in a letter dated January 1, 1948, and addressed to the President of the Security Council (S/628), stated that a situation coming under Article 35 of the Charter, continuation of which was likely to endanger international peace and security, existed between India and Pakistan resulting from the aid that invaders, comprising Pakistan nationals and tribesmen from areas adjacent to the north-west frontier of Pakistan, were drawing from Pakistan for operations against the State of Jammu and Kashmir. He requested the Security Council to call on Pakistan immediately to stop giving such assistance, since it was an act of aggression against India. If Pakistan did not desist from such action, the Government of India might be compelled in self-defence to enter Pakistan territory to take military action against the invaders. The situation was therefore of extreme urgency, the letter stated, and called for immediate action by the Security Council to avoid a breach of international peace.

This matter was admitted to the agenda of the Security Council at its 226th meeting on January

6, 1948, when, pursuant to Article 31 of the Charter, the representatives of India and Pakistan were invited to participate in the discussion. Consideration was postponed until January 15, at the request (S/629) of the Pakistan Government, to enable the Pakistan Foreign Minister to reach New York.

Under cover of a letter dated January 15, the Foreign Minister of Pakistan submitted three documents (S/646), replying to India's charges, levelling counter-charges and calling upon the Council to take action on the latter charges. The main points of the charges concerned India's action in Jammu and Kashmir, the unlawful occupation of the State of Junagadh and other States by Indian forces, mass destruction of Muslims in a prearranged program of genocide, and failure to implement agreements between the two countries.

As a result of a letter dated January 20 (S/655) from the Minister of Foreign Affairs of Pakistan to the President of the Security Council requesting consideration of matters in the Pakistan complaint other than the Jammu-Kashmir question, there was discussion at the 231st meeting on January 22 of a change in the agenda, which had up to then been entitled "Jammu and Kashmir question". This was now altered to the "India-Pakistan question", with the understanding that the Kashmir question would be discussed first as a particular case of the general India-Pakistan dispute, though this would not mean that consideration of the other issues in the Pakistan complaint would be postponed until consideration of the Kashmir question had been completed.

b. THE JAMMU AND KASHMIR QUESTION

(1) *Telegram from the President to the Parties*

By identical telegrams dated January 6, 1948, the President of the Security Council, prior to the Council's examination of the Indian communication of January 1 (S/628) addressed an urgent appeal to the Governments of both India and Pakistan to refrain from any step incompatible with the Charter and liable to result in an aggravation of the situation, thereby rendering more difficult any action by the Security Council. In their replies (S/639, S/640) the two Governments assured the President of the Council that they would refrain from any action which might be contrary to the Charter.

(2) *Statements by the Parties*

At the 227th meeting on January 6, 1948, the representative of India stated that the Government of India had been compelled to bring the Kashmir

question before the Security Council by the failure to reach agreement in direct negotiations, which failure had resulted from the intransigence and lack of co-operation of the Pakistan Government. He stressed that the solution of this matter was urgent, not only to safeguard the residents of the State, but to avoid the risk of war between India and Pakistan.

After the Indian Independence Act had come into force on August 15, 1947, the representative of India explained, Kashmir had started negotiations with both India and Pakistan with regard to accession to one of them. India, while vitally interested in the decision, had not put any pressure on Kashmir to accede to the Indian Dominion, whereas Pakistan had applied coercive pressure. It had withheld supplies of vital commodities to the State, in contravention of the standstill agreement previously negotiated. Side by side with economic strangulation, armed incursions had begun to take place from West Punjab into the territory of Jammu and Kashmir State. To counteract the mass raid of tribesmen which started on October 22 and to stop their advance on Srinagar, the Kashmir Government, on October 26, 1947, supported by Sheikh Abdullah, leader of the most influential and popular organization in Kashmir, had acceded to the Dominion of India and had asked for armed aid. The Government of India had accepted the accession on the understanding that the will of the people regarding it could be made clear in a plebiscite or referendum when law and order had been restored. The Government of India had had no plan to send any military assistance to Kashmir before October 25.

The representative of India cited evidence to support the charges that the Pakistan Provincial and Central Governments were aiding the rebellion with arms and supplies and that Pakistan nationals and servicemen "on leave" were participating in the raids. He requested the Security Council to use its influence and power to persuade the Government of Pakistan to prevent its nationals from participating in the raids and to deny aid to the invaders.

At the 228th and 229th meetings on January 16 and 17, the representative of Pakistan replied to the representative of India and amplified the charges made in the documents submitted to the Council by the Government of Pakistan. He reviewed the history of the recent period leading up to partition and communal strife, which, he charged, had arisen from the acts and attitude of the Hindu extremist elements and of the Sikhs. He also outlined the development of an

alleged Sikh conspiracy to secure a partition of the Punjab and to exterminate or expel the Muslims of the Eastern Punjab.

He maintained that the Government of India had not dealt properly or adequately with attacks on Muslims, even in the Indian capital.

As regards the issues in Jammu and Kashmir, he denied that Pakistan had applied pressure to the Kashmir Government, pointing out that the breakdown in supplies was due to confusion and strife in the border area arising from the attacks of the State forces and Sikh and Hindu bands on the Muslim population of Kashmir. The State Government, he said, had planned and carried out attacks on Muslims in order to create a situation favorable to its accession to India. It was in self-defence, and because of indignation aroused by these acts, that the Kashmir Muslims and those tribesmen that were helping them were fighting against the State troops.

The representative of Pakistan stated that the Kashmir Government had refused or ignored offers of friendly discussion, had ignored acceptance of its own demand for an impartial inquiry, and had called in Indian troops without informing Pakistan of its intended action. In the same way, the Indian Government, which claimed that it had tried to reach a settlement with Pakistan by negotiation, had not informed Pakistan of the movement of Indian troops into Kashmir until after it had taken place. The Indian Government had not, in fact, he asserted, really tried to settle the issues by direct negotiation.

He called for the evacuation from Jammu and Kashmir of all elements foreign to the State, including tribesmen and Indian Army troops, as the best step to a just solution of the question.

(3) *Resolution of the Council of January 17, 1948*

At the 229th meeting on January 17, the President, speaking as the representative of Belgium, stated that, in view of the urgent nature of the question, he was submitting the following draft resolution (S/651) before the Council came to a consideration of matters of substance:

"The Security Council,

"Having heard statements on the situation in Kashmir from representatives of the Governments of India and Pakistan;

"Recognizing the urgency of the situation;

"Taking note of the telegram addressed on 6 January by its President to each of the parties and of their replies thereto,

"Calls upon both the Government of India and the Government of Pakistan to take immediately all measures within their power (including public appeals to their people) calculated to improve the situation, and to refrain from making any statements and from doing or

causing to be done or permitting any acts which might aggravate the situation;

"And further requests each of those Governments to inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under the consideration of the Council, and consult with the Council thereon."

The President added the following words to the third paragraph of the draft resolution, in accordance with a suggestion made by the representative of Colombia: "in which they announce their intention to conform to the Charter".

The representatives of Colombia, Syria and Canada supported the draft resolution. The representative of the U.S.S.R. stated that the proposed resolution would add nothing to what had already been done in the matter. The Security Council should study the question more exhaustively and adopt as soon as possible a resolution on the merits of the question designed to improve the situation in Kashmir and restore friendly relations between India and Pakistan. The representative of Argentina said that he would support the Belgian draft resolution though he would have preferred something more effective.

The Belgian draft resolution was adopted by 9 votes in favor, 0 against, and 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

(4) *Conversations between Representatives of the Parties and the Council President*

Following the adoption of the Belgian resolution the representative of the United Kingdom proposed that the President of the Council should meet with the representatives of the two Governments concerned and that under his guidance they should try to find some common ground on which the structure of a settlement might be built. The proposal met with the approval of the parties concerned and the President declared his readiness to assist. No objection was voiced to the proposal by any representative on the Security Council.

In the course of the Council's consideration of the Kashmir question, therefore, four successive monthly Presidents of the Council (the representatives of Belgium, Canada, China and Colombia) held conversations with representatives of the two parties. The proposals and draft resolutions, which were placed before the Council, and which are discussed below, were largely the outcome of these continued consultations of the Presidents with the parties concerned.

(5) *Resolution of the Council of January 20, 1948*

At the 230th meeting on January 20, the

President, speaking as the representative of Belgium, submitted a draft resolution (S/654) which had been drawn up as a result of his talks with the representatives of the parties, as follows:

The Security Council,

"Considering that it may investigate any dispute or any situation which might, by its continuance, endanger the maintenance of international peace and security; that, in the existing state of affairs between India and Pakistan, such an investigation is a matter of urgency;

Adopts the following resolution:

"A. A commission of the Security Council is hereby established, composed of representatives of three members of the United Nations, one to be selected by India, one to be selected by Pakistan, and the third to be designated by the two so selected.

"Each representative on the Commission shall be entitled to select his alternates and assistants.

"B. The Commission shall proceed to the spot as quickly as possible. It shall act under the authority of the Security Council and in accordance with the directions it may receive from it. It shall keep the Security Council currently informed of its activities and of the development of the situation. It shall report to the Security Council regularly, submitting its conclusions and proposals.

"C. The Commission is invested with a dual function:

"(1) To investigate the facts pursuant to Article 34 of the Charter,

"(2) To exercise, without interrupting the work of the Security Council, any mediatory influence likely to smooth away difficulties, to carry out the directions given to it by the Security Council; and to report how far the advice and directions, if any, of the Security Council have been carried out.

"D. The Commission shall perform the functions described in Clause C:

"(1) In regard to the situation in the Jammu and Kashmir State set out in the letter of the representative of India addressed to the President of the Security Council, dated 1 January 1948, and in the letter from the Minister of Foreign Affairs in Pakistan addressed to the Secretary-General, dated 15 January 1948; and

"(2) In regard to other situations set out in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948, when the Security Council so directs.

"E. The Commission shall take its decision by majority vote. It shall determine its own procedure. It may allocate among its members, alternate members, their assistants, and its personnel such duties as may have to be fulfilled for the realization of its mission and the reaching of its conclusions.

"F. The Commission, its members, alternate members, their assistants and its personnel, shall be entitled to journey, separately or together, wherever the necessities of their tasks may require, and, in particular, within those territories which are the theatre of the events of which the Security Council is seized.

"G. The Secretary-General of the United Nations shall furnish the Commission with such personnel and assistance as it may consider necessary."

The representative of Pakistan noted that the proposed commission would constitute machinery which could deal with all matters pertaining to

the India-Pakistan dispute when the Council so desired.

The representative of India replied that this commission could only be concerned with the Kashmir issue, since the other issues had not yet been discussed by the Council. However, the commission could cover other matters if the Council so desired after discussing such matters.

The representatives of the United Kingdom, Canada, France, Syria, China and Colombia supported the draft resolution.

The representative of the U.S.S.R. noted with satisfaction that India and Pakistan had expressed readiness to settle the question by peaceful means with a view to restoring good neighborly relations between those States. The Soviet delegation could not, however, approve the principle governing the establishment of the Commission. The Commission should consist of States represented in the Security Council.

The representative of the Ukrainian S.S.R. supported this view.

The Security Council adopted the Belgian draft resolution by 9 votes in favor to 0 against, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

At the 231st meeting on January 22, the President, on the basis of his conversations with the representatives of India and Pakistan, reported that the parties were agreed in principle on the desirability of a plebiscite to determine the accession of the State of Kashmir.

At the 232nd, 234th and 235th meetings on January 23 and 24, the Council heard further statements by the representatives of India and Pakistan. The representative of India denied the accusations of the representative of Pakistan, which, he said, had been made in the hope of obscuring the true issue, on which the Government of Pakistan had no real answer. The representative of Pakistan, on the other hand, stated that the Indian representative had denied reports which were true. He further cited evidence to show the lack of aid from Pakistan to the invaders.

(6) *Proposals of the Parties; Report of the President*

At the 236th meeting on January 28, the President reported on the conversations he had continued with the representatives of India and Pakistan.

In response to a suggestion by the President, the representatives of India and Pakistan had on January 27 submitted written proposals (see S/P.V. 236).

The document submitted by the representative of India stated that the first objective to be

achieved was the cessation of fighting. For this purpose the Government of Pakistan should use all its efforts to persuade invading tribesmen and others to withdraw from Kashmir, to deny to such invaders passage through Pakistan territory and to refuse them assistance in any other form. The next objective should be the restoration of peace and normal conditions, which the Government of India estimated would probably require about six months. To achieve this, (a) all citizens of the State who left it on account of the recent disturbances were to be invited to return to their homes and to exercise all their rights as citizens, (b) there was to be no victimization, (c) all political prisoners in the State were to be released and (d) no restrictions were to be imposed on legitimate political activity.

Though after the cessation of hostilities the strength of the Indian troops in the State would be progressively reduced, the Indian Government insisted that it would be necessary to maintain Indian troops in adequate strength in Jammu and Kashmir to ensure not only against possible future attacks from outside, but also to assist the civil authorities to maintain law and order. The emergency administration which had been set up under Sheikh Abdullah would immediately be converted by the ruler of Kashmir, the Maharajah, into a Council of Ministers in which Sheikh Abdullah would be Prime Minister and his colleagues would be appointed by the Maharajah on his advice. The ministry would, as far as possible, function as a responsible ministry.

Finally, the Indian proposals provided that the interim government, immediately upon the restoration of normal conditions, should convolve a National Assembly based upon adult suffrage, which Assembly should then constitute a National Government. The National Government would then proceed to have a plebiscite taken on the question of accession. The plebiscite would be taken under the advice and observation of persons appointed by the United Nations.

The Pakistan proposals, which were submitted in the form of a draft resolution (see S/P.V. 236), provided that the Security Council should direct its Commission established under the resolution of January 20, 1948, to arrange for:

(a) the establishment of an impartial interim administration in the State of Jammu and Kashmir;

(b) the withdrawal from the territories of the State of Jammu and Kashmir of the armed forces of the Indian Union and the tribesmen; also all

trespassers whether belonging to Pakistan or the Indian Union;

(c) the return of all residents of Jammu and Kashmir State who left or were compelled to leave the State as a result of the disturbances;

(d) the holding of a plebiscite to ascertain the free, fair and unfettered will of the people of the State as to whether the State should accede to Pakistan or to India.

The President summed up the ideas that the above proposals had in common as: (1) the first objective was the cessation of fighting; (2) India and Pakistan must co-operate with a view to attaining this first objective; (3) the freedom of the proposed plebiscite must be ensured by adequate measures.

He reported that on the basis of these points he had submitted his own suggestions to the parties in the form of a draft resolution. This draft resolution took note of the agreement of India and Pakistan that the future of the State of Jammu and Kashmir should be decided through a plebiscite to be held under the authority of the Security Council. In this connection the Commission of the Security Council established by the resolution of January 20, 1948, was to take into consideration "that among the duties incumbent upon it, are included those which would tend towards promoting the cessation of acts of hostility and violence, and which are of a particularly urgent character". The resolution stated further that "in the pursuit of this aim, the Commission shall use every diligence to ensure that its mediatory action be exercised without delay and that its proposals to the Security Council be submitted as soon as possible". Such proposals were to include measures designed to ensure co-operation between the military forces of India and of Pakistan with a view to attaining the objectives mentioned above and to maintaining order and security in the future. The Commission was also to report to the Security Council on the results of its mediatory action and as to the fulfilment of such conditions as would be necessary to guarantee the liberty of the plebiscite.

Opening the discussion on his report to the Council, the President expressed the view that the Council should concentrate on the idea of a plebiscite, concerning which there were grounds for agreement.

The representative of India thought that it would be putting the cart before the horse to discuss a plebiscite before discussing the measures necessary to bring about the cessation of fighting.

The representative of Pakistan contended that

the representative of India was over-simplifying the matter and that, in fact, the only common ground that might lead to a general settlement without great delay was a plebiscite. He considered that it should be discussed first.

The representative of the United Kingdom said that the plebiscite proposal should be discussed first. The best way to stop the fighting was to assure those engaged in it that a fair settlement ensuring their rights would be arrived at.

(7) *Belgian Draft Resolutions*

At the 237th meeting on January 29, the President, speaking as the representative of Belgium, stated that measures to end the violence and to conduct a plebiscite were two aspects of the same problem: that of restoring order and tranquility in Jammu and Kashmir. He therefore introduced two draft resolutions (S/661, S/662). The first stated that "the Security Council is of the opinion that such plebiscite [to determine the question of the accession of the State of Jammu and Kashmir to Pakistan or to India] must be organized, held and supervised under its authority". The second resolution contained the following provisions:

"(1) In the accomplishment of its functions, the Commission of the Security Council [established by the Council's resolution of January 20] shall take into consideration that, among the duties incumbent upon it, are included those which would tend towards promoting the cessation of acts of hostility and violence, and which are of a particularly urgent character.

"(2) In the pursuit of this aim, the Commission shall use every diligence to ensure that its mediatory action be exercised without delay."

The representatives of the United States, Canada, China, France and Syria supported the draft resolutions submitted by the President.

The representative of the United Kingdom, while supporting the two draft resolutions, suggested that the Commission should be regarded primarily as one to apply a settlement made in the Council. He thought that the crucial point regarding a plebiscite was that it would have to be considered fair by all concerned.

The representative of India opposed both draft resolutions. He considered that the one relating to the cessation of fighting was far too innocuous to achieve its aim; the concrete proposals that India had tried to make to that end had apparently been brushed aside. He asked that the aid furnished by Pakistan to invading tribesmen should be considered a threat to the peace within the meaning of the Charter.

At the 239th meeting on February 3, 1948, the representative of India suggested that the Belgian

draft resolution regarding the cessation of fighting should be amended to include a recommendation from the Security Council to Pakistan to stop its aid and refuse supplies to the invaders of Kashmir and a recommendation to the Commission to regard as particularly urgent the promotion of measures to bring an end to the fighting and acts of hostility as quickly as possible.

With regard to a plebiscite, he submitted that the actual taking of the plebiscite was a matter entirely for the State of Jammu and Kashmir and its people. The Maharajah of Kashmir, he stated, was prepared to take the steps necessary for the establishment of a responsible government as soon as peace was restored. To bring in an outside administration, however, would represent an amount of encroachment on the ordinary sovereign powers of any state to which no state would be willing to agree. He therefore suggested that the Belgian resolution regarding a plebiscite be amended to the effect that "the Security Council recommends that the plebiscite be taken under the advice and subject to the observation of persons appointed by the Council".

He stated that unless both draft resolutions were agreed to in the form he had suggested it would be difficult for the Indian delegation to agree to either by itself, as, together, these resolutions would represent the maximum concessions which the Indian delegation was prepared to make.

At the 239th and 240th meetings on February 3 and 4, 1948, the representative of Pakistan stated that the views of India and Pakistan differed not on the question of stopping the fighting, but on how it might be stopped. All proposals which India had thus far advanced left a gap between the withdrawal of the tribesmen and the end of the fighting. Once the tribesmen had been withdrawn or had been forced out, the fighting would not end, as argued by the representative of India. He explained that the Pakistan proposal which had been submitted to the President on January 27, in the form of a draft resolution, was based on the expressed views of the members of the Council.

Noting that the acceptance of accession was provisional and that the final decision would be taken by means of a plebiscite, he said that it was therefore irrelevant to inquire whether the holding of a plebiscite came under international jurisdiction or not.

He objected to the Indian proposals on the ground that they called for the retention of Indian troops in Kashmir to maintain law and order, and for an interim regime to be headed by Sheikh

Abdullah during the period leading up to the plebiscite.

The Pakistan delegation was prepared to accept the two draft resolutions presented by the representative of Belgium, in the light of observations and conditions expressed during the Council's discussion to the effect that hostilities had to be ended by a fair and acceptable settlement, which should be followed up by a plebiscite which would appear fair to all concerned.

The representative of Argentina said that his delegation would not be able to vote for any resolution which did not provide that a plebiscite be prepared, held and conducted under the authority of the Security Council. The matter having been referred to the Council, the latter had a perfect right to decide the solution that it wished to see adopted. He was convinced that, if the people of Kashmir were assured that they themselves would decide their future, they would lay down their arms and the tribes would withdraw.

The representative of the United States stated that an interim government need exist only for such time as was necessary to set up machinery for the holding of a fair plebiscite, after which time such a government would have no more authority. In his view, what was involved was the external sovereignty of Jammu and Kashmir. He cited authorities to support the view that the Maharajah would not lose his sovereignty through the formation of an interim administration, but would merely be exercising it to meet an emergency. India, he considered, was fully authorized to go through with all the negotiations that were necessary to bring about a solution of this problem.

At the 241st meeting on February 5, the representative of China expressed the view that the Security Council might well recommend to the Government of Pakistan that its legal and moral influence should be thrown in the direction of pacification, and that the tribesmen should be stopped from further fighting. In addition, he recommended that the Council should appeal to the Government of India to withdraw its troops gradually from Kashmir. He suggested that, after the fundamental principles had been determined by the Council, large discretionary powers should be left to the Commission.

The representative of France stated that the attention of the Security Council should be directed to the plebiscite question. He associated himself with the opinion that a plebiscite would not bring into question either the person or the sovereignty of the Maharajah. He suggested that,

prior to the holding of a plebiscite, an interim authority composed of the chiefs of the National Conference and of the Muslim Conference should be established.

The representative of the United Kingdom thought that what was wanted was a real and total cessation of fighting, and considered that it would be easier for the Security Council itself to obtain the agreements and concessions which might be required on both sides. He maintained that a plebiscite was vital to end the fighting and that it must be fair in the view of all concerned. He thought that the Belgian draft resolutions were inadequate, as they did not meet with the approval of both parties.

(8) *Colombian Draft Resolution*

Also at the 241st meeting on February 5, the representative of Colombia presented a memorandum which was later, at the 245th meeting on February 11, submitted as a draft resolution (S/671). This resolution took note of the agreement of the parties that the question of the accession of Jammu and Kashmir should be settled by a plebiscite under international auspices. It declared that in the view of the Council the plebiscite was the most desirable and democratic method of determining the future status of the Jammu and Kashmir State, provided the will of the people was given free, fair and unfettered expression and further that an interim administration, which would command the full confidence and respect of the people of Jammu and Kashmir, was essential to the attainment of the aims and purposes of the Colombian resolution. The resolution provided that the membership of the Commission set up under the resolution of January 20 should be increased to five: one member to be chosen by India, one by Pakistan, and three by the Security Council. It provided also that the Council should recommend to Pakistan to use all efforts to persuade the invaders to withdraw. In this connection the Commission should seek to ensure co-operation between the military forces of India and Pakistan to bring about the cessation of fighting in Jammu and Kashmir and to maintain order and security until the question of accession was determined by the plebiscite. The Council should further recommend that the emergency administration of Jammu and Kashmir be reorganized on the advice of the Commission, giving adequate proportional representation to the different groups and interests in the population. After the fighting had ceased (a) all citizens of Jammu and Kashmir who had left on account of the

recent disturbances were to be invited to return and to exercise their rights without any restrictions on legitimate political activity, (b) there was to be no victimization and (c) all political prisoners were to be released. The plebiscite would be organized under the advice and supervision of the Commission.

Sheikh Mohammed Abdullah, as representative of India, said that the subject of the dispute before the Council was not the administration of the State of Kashmir, but the aid being given by the Pakistan Government to tribesmen invading the State. He headed the emergency administration of Kashmir, he said, because the people of his country wished him to be at the helm of affairs. He pointed out that anyone replacing him could not be impartial, for the people of Kashmir were in favor either of Pakistan or of India. Pakistan's request for an outside administration meant that the people of the State should have no hand in the running of the country. As far as the Indian Army was concerned, he saw no reason to fear that it would interfere with the exercise of a free vote, as a Commission of the Security Council would see to it that troops would be stationed only at certain strategic points.

The representative of India, at the 242nd meeting on February 6, stated that the questions of accession and the holding of a plebiscite were matters that came within the ambit of internal sovereignty. Referring to the memorandum submitted by the representative of Colombia, he stated that the paragraph dealing with recommendations to Pakistan should be strengthened. He stated further that he could not agree that the Commission should have any jurisdiction with regard to the reorganization of the emergency administration or that the Commission could exercise any functions of an executive character.

The representative of Pakistan said that Sheikh Abdullah's statement showed how much impartiality could be expected from an administration under him. No one had expressed any desire to deprive the people of Kashmir of their due share in the administration of their own country; all that was suggested was that the authority of the administration should be in impartial hands during the interim period. He charged that the object of the Indian scheme was to prevent a plebiscite from being held until the power and authority of Sheikh Abdullah's Government had been consolidated over the whole of Kashmir. He stated further, at the 244th meeting on February 11, that the Azad Kashmir Government (the provisional Government organized by the Muslim

insurgents of Jammu and Kashmir) would not lay down arms if the only part that the United Nations was to take in a plebiscite would be to observe it. A Commission that merely observed, or even supervised, the actual polling and recording of votes, would not be able to gauge what pressure might be brought upon the people.

(9) *Request for Adjournment*

At the 244th meeting of the Council on February 11, the President reported a request from the representative of India to adjourn proceedings on the India-Pakistan case, to enable his delegation to return immediately to New Delhi for consultation.

After some discussion at the 244th, 245th and 246th meetings about the desirability of such a precedent as would be involved in the return home of the Indian delegation during the consideration of a dispute in which India was a party, the President stated that, unless a grave emergency arose, the Council would direct its attention to aspects of the Indian-Pakistan question other than that of Jammu and Kashmir.

(10) *Continuation of the Discussion of the Jammu-Kashmir Question*

At the 265th meeting on March 9, after the return of the representative of India, the Council resumed its consideration of the Jammu and Kashmir question.

The representative of India, reporting on the consultations he had held with his Government, stated that it had explored all avenues of reaching a settlement. The settlement which his Government desired would put an end at the earliest possible moment to the fighting that was going on and would lay the foundations for a more permanent understanding between the two countries. He hoped that the Security Council would realize that the highest priority must still be given to the measures that should be taken to stop the fighting in Kashmir.

With regard to the proposal to substitute a neutral administration for the one now functioning, he considered that a fundamental constitutional issue was involved. Any attempt to demand that the internal administration of a sovereign state should be put into the hands of an outside agency, he stated, was an unthinkable proposition; he urged the Security Council not to press the idea. In this connection he drew attention to a proclamation which had been issued by the Maharajah of Jammu and Kashmir since the Council had last considered the matter, and which made the following points: (1) full re-

sponsible government was conceded to the people of the State; (2) suitable machinery should be set up as early as possible to frame a constitution to that end; (3) the emergency administration would be converted into a regular Council of Ministers under the existing State constitution. He had received a cable from the head of the new Council of Ministers stating that he was endeavoring to include in his Cabinet representatives of schools of political opinion other than his own.

With regard to the question of the retention of the armed forces of India, he stated that if there was anything short of complete withdrawal that could be done for the purpose of ensuring non-interference with the plebiscite, the Indian delegation would be quite prepared to receive suggestions. The retention of the armed forces was an obligation of India to the State of Jammu and Kashmir, for ensuring its defence from external aggression and for aiding it to maintain internal law and order. He was anxious, the representative of India declared, that the machinery for conducting the plebiscite should have as much independence as possible, consistent with the maintenance of the sovereignty of the Jammu and Kashmir State and of its proper relations with the Government of India.

The representative of Pakistan said that the position of the Indian delegation on the question under discussion was exactly the same as when the proceedings had been adjourned. What had been represented as a great concession—the non-interference of the armed forces of India with a plebiscite in Kashmir—had been implicit in the situation all the time. He stated that the Government of India and the Maharajah of Kashmir, in issuing the proclamation referred to by the representative of India, had taken a step which, far from contributing to a solution of the problem, made that solution much more difficult. He asserted that, if a plebiscite were held under the conditions proposed by the representative of India and the result disclosed a majority to be in favor of accession to India, it was unlikely to be accepted as a fair and just decision. He contended that it was impossible to eliminate the possibility of pressure by a partial administration.

If, among the conditions submitted by the Pakistan delegation as essential for the holding of a free plebiscite, there was any condition to which even a suspicion might attach that its acceptance would in any way put pressure upon any portion of the electorate to vote in favor

of Pakistan, the Pakistan delegation would withdraw that condition. As for the conditions insisted upon by the representative of India, there was clear evidence and well-founded apprehension that they would in themselves amount to pressure and coercion upon the people to vote on the other side.

(11) Chinese Draft Resolution

At the 269th meeting on March 18, 1948, the President, speaking as the representative of China, introduced a draft resolution (S/699) which provided that the Security Council recommend to the parties acceptance of the following Articles of Settlement:

The Government of Pakistan would undertake to use its best endeavors (a) to secure the withdrawal from Jammu and Kashmir of intruding tribesmen and Pakistan nationals; (b) to prevent any further intrusion into the State by denying transit through and bases in Pakistan territory, and by forbidding the furnishing of military and other supplies to all elements engaged in hostility or violence against the State; (c) to persuade all intruders that the present Articles of Settlement, accepted by India and Pakistan, provided full freedom to all inhabitants of the State, regardless of creed, caste or party, to express their views and to vote on the question of accession of the State, and that therefore they should cease fighting and co-operate in the maintenance of peace and order.

The Government of India for its part was to withdraw its troops from Jammu and Kashmir progressively, but if, for purposes of defence and security, a certain portion was left, those troops should be stationed at such points as not to afford any intimidation, or appearance of intimidation, to the inhabitants of the State. The Government of India was to establish in Jammu and Kashmir a plebiscite administration with the sole and full authority to administer a plebiscite on the question of accession of the State. The top officers of the plebiscite administration were to be neutral international personalities nominated by the Secretary-General of the United Nations, but would consider themselves, for the time being, as officers of the State of Jammu and Kashmir. They would have the authority to nominate their subordinates and to frame the regulations which would govern the plebiscite. In order to respect the sovereignty of a Member State, however, such nominees were to be formally appointed and regulations formally promulgated by the State of Jammu and Kashmir.

Further, the Government of India was to undertake to prevent any threat, coercion or intimidation on the voters in the plebiscite and was to cause this undertaking to be known to all concerned as an international obligation binding on all public authorities in Jammu and Kashmir. The Government of India should use, and should request the Government of the State to use, its best endeavors to effect the withdrawal from the State of Indian nationals not normally resident therein who entered it for unlawful purposes since August 15, 1947.

The Government of India should also urge the State government to ensure that (a) all citizens who had left the State on account of the disturbances were invited to return and were free to exercise all their rights as citizens; (b) there was no victimization; (c) all political prisoners were released, (d) minorities in all parts of the State were accorded adequate protection.

The Commission of the Security Council was to certify to the Council after the plebiscite whether the plebiscite had been really free and impartial. The Government of India was to use its best endeavors to ensure that, in the composition of the interim government of Jammu and Kashmir, provision was made for adequate representation of all major political groups in the State. The Government of India was to appoint an official of high standing, to be stationed in the State during the interim period, who would have the power to cause to be fulfilled by the State Government all international obligations arising out of the Articles of Settlement. The Security Council, finally, was to instruct its Commission to offer its good offices and mediation in the implementation of the above Articles of Settlement.

The representative of Pakistan, referring to this draft resolution, recalled that the Government of India had undertaken that its troops, in Kashmir for the sole purpose of repelling the raiders, would not be kept there a moment after that object had been attained and law and order restored. This would have to be achieved before the plebiscite could be held. With regard to the proposals in the Chinese draft resolution for ensuring a fair plebiscite, he asked how, though overt pressure might not be applied, the Commission could ensure elimination of other forms of pressure, and on what basis the Security Council would judge whether the plebiscite had or had not been fair or impartial if some evidence

of pressure did come to the notice of the Commission.

Regarding the proposal for the appointment by the Indian Government of a high official to be stationed in the State with the power to cause to be fulfilled by the State Government all international obligations arising out of the Articles of Settlement, he stated that the Commission might accept this officer's interpretation of conditions so that, given the delicacy of the situation, this proposal might operate to the prejudice of Pakistan and in favor of the Dominion of India. If the proposed resolution failed to bring about a settlement that would persuade the Azad Kashmir Government to lay down its arms, it would fail to achieve anything, the representative of Pakistan stated, and he doubted whether terms of this draft resolution could have that effect upon the Azad Kashmir Government.

The representative of India stated that, before a plebiscite could be considered, the fact that those fighting the Governments of Kashmir and India had received aid from Pakistan had to be recognized; and an undertaking had to be obtained from the Government of Pakistan that it would do its utmost to prevent such assistance. In the matter of the withdrawal of troops from the State, he took it that the Security Council recognized that, even after fighting had stopped, troops would have to be retained to maintain law and order, and that, in the circumstances, such troops could only be Indian Army troops.

The Government of India was willing, he stated further, to eliminate the influence of the administration in practically all matters relating to the conduct of the plebiscite; he thought this about the utmost that the Security Council could afford to request in this respect. While he might have something to say later about details, he thought that the Government of India was quite prepared to consider the Chinese draft resolution on its merits without serious modification.

The President, speaking as the representative of China, stated that apparently his draft resolution was opposed by the representative of Pakistan as not going far enough and not providing adequate safeguards. He thought that the Security Council should aim at the maximum agreement possible between the two delegations, but that some margin of disagreement would remain.

The representative of France considered that the Chinese draft resolution constituted a kind of synthesis of previous draft resolutions, and he hoped that the Security Council would carry

on its work on the basis of amendments to this draft resolution. He thought that the territory of Jammu and Kashmir clearly had to be provided with forces necessary to guarantee the maintenance of law and order. Experience seemed to him to show that a satisfactory plebiscite could be held only where there was an authority and a force to ensure public order.

(12) *Resolution of the Council of April 21, 1948*

At the 284th meeting on April 17, 1948, the President, speaking as the representative of Colombia, together with the representatives of Belgium, Canada, China, the United Kingdom and the United States, introduced the following draft resolution (S/726):

"The Security Council,

"Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the representative of India in support of that complaint and the reply and counter complaints of the representative of Pakistan;

"Being strongly of the opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about a cessation of all fighting;

"Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite;

"Considering that the continuation of the dispute is likely to endanger international peace and security,

"Reaffirms the Council's resolution of 17 January;

"Resolves that the membership of the Commission established by the resolution of the Council of 20 January 1948 shall be increased to five and shall include, in addition to the membership in that resolution, representatives of . . . and . . . [to be elected later] and that if the membership of the Commission has not been completed within ten days from the date of the adoption of this resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five;

"Instructs the Commission to proceed at once to the Indian sub-continent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two Governments, acting in co-operation with one another and with the Commission, and further instructs the Commission to keep the Council informed of the action taken under the resolution, and to this end,

"Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council are appropriate to bring about a cessation of the fighting and to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

"A. Restoration of Peace and Order

"1. The Government of Pakistan should undertake to use its best endeavours:

"(a) To secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani na-

tionals not normally resident therein who have entered the State for the purposes of fighting, and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State.

"(b) To make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that therefore they should co-operate in the maintenance of peace and order.

"2. The Government of India should:

"(a) When it is established to the satisfaction of the Commission set up in accordance with the Council's resolution of 20 January that the tribesmen are withdrawing and that arrangements for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order;

"(b) Make known that the withdrawal is taking place in stages and announce the completion of each stage;

"(c) When the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles:

"(i) That the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State,

"(ii) That as small a number as possible should be retained in forward areas,

"(iii) That any reserve of troops which may be included in the total strength should be located within their present base area.

"3. The Government of India should agree that, until such time as the Plebiscite Administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and police provided for in paragraph 8, they will be held in areas to be agreed upon with the Plebiscite Administrator.

"4. After the plan referred to in paragraph 2(a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

"5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the purpose of pacification.

"B. *Plebiscite*

"6. The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the Ministerial level, while the plebiscite is being prepared and carried out.

"7. The Government of India should undertake that there will be established in Jammu and Kashmir a

Plebiscite Administration to hold a plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

"8. The Government of India should undertake that there will be delegated by the State to the Plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite, including, for that purpose only, the direction and supervision of the State forces and police.

"9. The Government of India should at the request of the Plebiscite Administration make available from the Indian forces such assistance as the Plebiscite Administration may require for the performance of its functions.

"10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the Plebiscite Administrator.

"(b) The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir should have authority to nominate his assistants and other subordinates and to draft regulations governing the plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

"(c) The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation for and the conduct of a free and impartial plebiscite.

"(d) The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations and the Government of India. The Administrator should fix the terms of service of his assistants and subordinates.

"(e) The Administrator should have the right to communicate direct with the Government of the State and with the Commission of the Security Council and, through the Commission, with the Security Council, with the Governments of India and Pakistan and with their representatives with the Commission. It would be his duty to bring to the notice of any or all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the plebiscite.

"11. The Government of India should undertake to prevent and to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

"12. The Government of India should themselves and through the Government of the State declare and make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

"13. The Government of India should use and should

ensure that the Government of the State also use their best endeavours to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15 August 1947 have entered it for a lawful purpose.

"14. The Government of India should ensure that the Government of the State release all political prisoners and take all possible steps so that:

"(a) All citizens of the State who have left it on account of disturbances are invited, and are free, to return to their homes and to exercise their rights as citizens;

"(b) There is no victimization;

"(c) Minorities in all parts of the State are accorded adequate protection

"15. The Commission of the Security Council should, at the end of the plebiscite, certify to the Council whether the plebiscite has or has not been really free and impartial.

"C. General Provisions

"16. The Governments of India and Pakistan should each be invited to nominate a representative to be attached to the Commission for such assistance as it may require in the performance of its task

"17. The Commission should establish in Jammu and Kashmir such observers as it may require of any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs

"18. The Security Council Commission should carry out the tasks assigned to it herein"

Commenting on the draft resolution, the President stated that it represented the most considered views of the sponsors on the best approach they could propose to this problem.

The representative of Canada stated that this draft resolution would fail to achieve its purpose if the two parties themselves did not continue to make every effort to come together and co-operate in respect to its implementation.

The representative of China stated that he did not know of any previous plebiscite where the safeguards for freedom and impartiality had been so numerous and strict as those provided for in this draft resolution. He noted that nothing in the draft impaired the inherent right of self-defence in the event that the calculations of the sponsors were wrong and a large invasion of Jammu and Kashmir were to take place. Referring to paragraph 6 of the draft resolution dealing with the representation of major political groups in the conduct of the administration, he stated that this provision was for the purpose of ensuring that there would be no undue administrative interference with the plebiscite.

The representative of the United Kingdom doubted whether any peaceful settlement could be obtained at all unless the problem could be solved on the basis of the formula given in paragraph 6. He was convinced that the measures in this draft resolution would lead to an honest

plebiscite and a fair and just result; and he was certain that there was nothing in the resolution which the Indian Government could not safely and honorably accept.

The representative of the United States stated that this plan was not a final solution. It did not pretend to be more than a recommendation involving the creation of a subordinate organ representing the Security Council to help the two parties in accordance with their request.

The representative of France supported the draft resolution.

At the 285th meeting on April 19, the representative of India stated that it was a matter of profound disappointment to the delegation of India that the Chinese draft resolution of March 18 (S/699) had been twisted out of shape in its essential particulars. That scheme had been so attenuated in the draft resolution now before the Council that the delegation of India was unable to agree to it.

He stated that the Government of Pakistan had made no attempt since the resolution of January 17 to prevent any intrusion of raiders into the State or any furnishing of aid to those fighting in the State. The failure of the present draft resolution to mention the persistent and continuing breach of an international obligation and to call upon Pakistan to repair that breach was a grave one. The accession of Kashmir to the Dominion of India subsisted and would continue to subsist unless the plebiscite to be held went against India. Until then, Pakistan had no constitutional position in Jammu and Kashmir and there could be no case for allowing the intervention of Pakistan at any stage. The whole of the State, including the area now under the control of the rebels and raiders, would have to come under one government after the fighting ceased; and India, which under its instrument of accession was responsible for the defence of the State, would have to station garrisons on the State's western frontiers. He also opposed paragraph 6 of the draft resolution, which dealt with the representation of major political groups in the conduct of the administration, stating that to think of a coalition government in such circumstances was to invite a paralysis of the Kashmir administration during the period that was in contemplation. Reduction of the strength of the Indian Army in Kashmir should not be carried below the minimum required not only for the maintenance of law and order, but also for defence against external aggression. He could not agree to paragraph 5, which was a roundabout

method of trying to introduce Pakistan forces into the Jammu and Kashmir State. He opposed the provision vesting direction and supervision of State forces and the police in the plebiscite Administrator, and that giving the Administrator the liberty of communicating directly with an outside Government.

The representative of India stated that if the draft resolution was carried despite the objections and opposition of the delegation of India, his Government would have to decide its course of action in the circumstances so created.

The representative of Pakistan contended that, with regard to the two main matters in dispute, the withdrawal of the armed forces of India and the setting up of an impartial administration, the draft resolution did not proceed on the principles which the Security Council itself had thought essential. If both Dominions were vitally interested in the plebiscite, and if fair conditions had to be brought about to prevent any prejudice to either party's position, the draft resolution was too one-sided. The continuation of Sheikh Abdullah at the head of the Kashmir Government was bound to influence heavily in favor of India the fairness and impartiality of the plebiscite.

The draft resolution, the representative of Pakistan stated further, did not provide for the contingency that the Pakistan Government, in order to discharge obligations under this resolution, might have to have at its disposal a certain number of its forces. He stated that if "forward areas" (see paragraph A 2 (c) (ii)) meant any areas at present under the control of the Azad Kashmir (Muslim) forces, they would not agree to lay down their arms and allow occupation of their areas by an Indian army. He thought there was a contradiction between paragraphs 5 and 9. He asked the meaning of paragraph 6, which he thought should be made clearer. Past victimization had to be neutralized if there was to be no victimization.

He submitted some suggestions for amendments to the draft resolution. One suggestion called for the stationing of Pakistan troops in predominantly Muslim areas, and of Indian or State troops in predominantly non-Muslim areas. He also proposed that there should be equal representation in the Government of the State for each major political group—namely, the National Conference, the Muslim Conference and the Azad Kashmir, which would each be invited to designate an equal number of responsible representatives.

At the 286th meeting on April 21, the representative of Syria stated that if the Government of

Pakistan was not convinced that a free plebiscite would be guaranteed by the joint resolution, it could not be expected to convince others. In that case, the Indian forces in Kashmir would continue to fight with the tribesmen and with the opposing party, in order to try to establish peace, and the proposed resolution would not be effective in leading towards a peaceful solution of the matter. As long as the draft resolution did not have the support of both parties, he preferred to abstain from voting.

The representative of the United States stated that paragraph 6, concerning the representation of major political groups in the interim administration, did not mean that the predominantly Muslim character of the population of the State should be a criterion, or that any undue advantage should be given to one group merely because it held power at the present moment. The principle involved was that of neutralization of the Government in so far as the issue of accession was concerned.

The Council then adopted the draft resolution (S/726) paragraph by paragraph. At the 287th meeting on April 23, Belgium and Colombia, in accordance with the terms of the resolution adopted at the previous meeting, were added to the Commission by 7 votes in favor to 0 against, with 4 abstentions (Belgium, Colombia, Ukrainian S.S.R., U.S.S.R.). At the 289th meeting, on May 7, 1948, the President designated the United States as the third member of the Commission, in view of the failure of Argentina (selected by Pakistan) and Czechoslovakia (selected by India), to agree upon a third member.

The representative of India at the 290th meeting on May 7, read a letter (S/734) addressed by the Prime Minister of India to the President of the Security Council. The Government of India regretted that it was not possible for it to implement those parts of the resolution of April 21 to which their objections had been clearly stated by the Indian delegation. If the Council should still decide to send out the Commission referred to in the preamble of the resolution, the Government of India would be glad to confer with it.

c. CONSIDERATION OF OTHER MATTERS

While the Council adjourned its consideration of the Jammu and Kashmir question to permit the representative of India to return to New Delhi for consultation, it turned to the question of Junagadh and other states, the first of the other matters in the Pakistan complaint against India.

(1) *Question of Junagadh and Other States*

At the 250th and 257th meetings on February 18 and 26, the Council heard statements by the representatives of India and Pakistan.

The representative of Pakistan charged that when the Dominion of India had perceived that Junagadh was contemplating accession to Pakistan, India had not only protested to Pakistan, but had taken various steps to make life intolerable within Junagadh for its people. In violation of the standstill agreement with Pakistan, the Indian Government had cut off all communications and supplies.

In the meantime, while exchanges had been taking place between the Government of India and the Government of Pakistan, a so-called provisional government of Junagadh had been set up on Dominion of India territory and had taken possession of certain Junagadh property in that territory. Under the leadership of the so-called provisional government, raids had taken place on Junagadh territory, culminating in an ultimatum which had compelled the State Prime Minister of Junagadh to ask the Regional Commissioner of the Indian Dominion for assistance in keeping law and order. Thereupon, the forces of the Dominion of India marched into and occupied Junagadh State, they had been in possession since that time. The Government of Pakistan regarded this as a direct act of hostility on the part of the Indian Government against Pakistan; as Junagadh had acceded to Pakistan, the Government had no right to intervene in the territory. A plebiscite which the Government of India had held in Junagadh had not in fact been free, the representative of Pakistan declared. He further stated that on October 22, 1947, Indian Dominion troops had occupied the neighboring State of Manavadar and had removed the ruler.

Pakistan desired that the Government of India should, of its own accord or through some action or agency of the Security Council, withdraw Indian forces from Junagadh and restore the rulers of Junagadh and Manavadar to their States so that normal administration should be restored. The Pakistan Government desired, in addition, that such people in Junagadh as had suffered at the hands of the military forces or officials of the Dominion of India should be restored to their homes and property and be compensated for any losses.

The representative of India stated that the Government of India had undertaken that, if circumstances required, a new and free plebiscite could be arranged under suitable auspices in

Junagadh. He stated that it had always been understood that in assuring the option of accession to either Dominion, the Indian States concerned would not take an arbitrary decision, but would take into account considerations such as geographical contiguity. By all rules of reason, Junagadh and the other States whose accession was in dispute ought to have acceded to the Indian Union.

Reviewing the situation in Junagadh after its accession to Pakistan, he said that the ruler and his Prime Minister had fled to Karachi, the administration had soon collapsed, and the so-called economic blockade had been nothing more than the chaos resulting from the breakdown of the administration of Junagadh. Though Junagadh had acceded to Pakistan, the Government of India had been the only party in a position to render prompt and effective assistance in maintaining order; this was clear evidence of the lack of wisdom of Junagadh's so-called accession to Pakistan. With regard to the occupation of Manavadar by Indian troops, he stated that the Government of India, because it had had reliable reports that the Khan of Manavadar was importing Muslim refugees from the Indian Union with a view to setting up Muslim domination in Manavadar and to terrorizing the Hindu population, and because the situation had so developed that a communal flare-up was almost imminent, had interfered to prevent such a development.

The position of the Government of India was that, far from occupying Junagadh unlawfully, it had endeavored to settle the question of accession by peaceful means, but had received no co-operation at all from Pakistan. Even so, it had not taken over the administration or interfered with the affairs of Junagadh, or sent its forces into the State until a formal request had been received from the Prime Minister of Junagadh. He maintained that the Government of India, in all matters relating to the accession of Indian States, had throughout followed a very consistent policy—namely, that the option of accession should be exercised by a State with due regard to its geographical position and with due regard to the wishes of the majority of its people.

In a further statement the representative of Pakistan called for the same action in the case of Junagadh as in that of Kashmir—namely, to agree upon the conditions under which a plebiscite was to be held and to implement the agreement as early as possible.

At the 264th meeting, on March 8, 1948, the representative of India remarked with regard to

the restoration of the administration of the State of Junagadh to the ruler, which he considered to be the main demand made by Pakistan, that there was no remnant of the old administration to be restored in Junagadh. In view of recent political developments in Kathiawar, he considered that there could not be serious talk of such a restoration.

If the Security Council had no objection, a new plebiscite might be held, however, to decide not only the question of accession, but also the questions of the restoration of the ruler and the incorporation of Junagadh in the United States of Kathiawar.

At the 289th and 290th meetings on May 7, the Council continued its consideration of the dispute over Junagadh and other States.

The representative of Pakistan drew the Council's attention to a scheme addressed to the President of the Security Council by the Pakistan delegation on April 26. This proposal, he stated, was much the same as that adopted by the Security Council with reference to Kashmir, except that the Commission and the Plebiscite Administrator were to be given the widest possible powers. He again requested the restoration of the rulers of the States concerned to their positions.

The representative of India stated that the Security Council should consider seriously whether the United Nations should undertake the trouble and expense of holding another plebiscite so that practically the same result could be obtained.

(2) *Non-Implementation of Agreements*

At its 289th and 290th meetings the Council also considered the matters raised by the Pakistan delegation other than the Kashmir and Junagadh questions. The representative of Pakistan stated that under the heading of non-implementation of agreements the Security Council had only one question to deal with—namely, the division of military stores. He asked that the Commission be charged with the duty of supervising the implementation of the agreement on the division of military stores, since delivery of that portion of the stores Pakistan was to receive from India was still in a most unsatisfactory condition.

The representative of India stated that he hoped that even if the Commission appointed by the Security Council went to India and Pakistan, it would endeavor to refrain from considering matters which were being daily discussed and attended to by the two Governments. The question of military stores belonged in this category.

(3) *Genocide*

With regard to the charge of genocide the representative of Pakistan submitted documents giving account of the organized measures of Sikh and Hindu extremists against the Muslims of the East Punjab. Atrocities and massacres, he stated, had also occurred in the West Punjab, but there was the distinction to be drawn that, in the East Punjab, the massacre of Muslims and the atrocities committed against them had been systematically carried out. Pakistan did not shirk a joint inquiry, and would agree to the same conditions being imposed on both sides. An agreement had been arrived at recently, mainly with reference to East and West Bengal, concerning the treatment to be accorded to the minorities in each Dominion, but what was actually happening, the representative of Pakistan stated, left little room for hope—unless the question was dealt with at an international level—that such massacres and atrocities would not continue to occur in various parts of the Indian Dominion.

The representative of India stated that what Pakistan called genocide had been merely a communal convulsion which had to be attributed directly to the preachings of the Muslim League for a quarter of a century. Drawing attention to agreements recently reached with the Pakistan Government at a meeting in Calcutta, he submitted that this was a matter which could be tackled by the two Governments concerned.

(4) *Resolution of the Council of June 3, 1948*

At the 304th meeting on May 26, the President stated that, in connection with matters in the India-Pakistan question other than the Jammu-Kashmir dispute, the best solution would be to enlarge the Commission's terms of reference to cover these matters, so that, at a later date, they could either be dealt with by the Commission or taken up again in the Council.

The representative of India stated that he could not agree that the matters other than the Jammu and Kashmir questions were of sufficient importance to be referred to the Commission.

The representative of Pakistan contended that the issues other than Jammu and Kashmir, while less urgent, could not be regarded as of lesser significance in the totality of relations between the two Dominions.

At the 312th meeting on June 3, 1948, the representative of China said that he considered the question of Junagadh to be comparable to that of Kashmir, though priority should be given to the latter. He suggested that Pakistan should

drop its charges of genocide and non-implementation of agreements.

The representative of Pakistan stated that he was unable to accept the suggestion of the representative of China that the questions of genocide and non-implementation of agreements should be dropped by his Government.

The following draft resolution was then submitted by the President, speaking as the representative of Syria, as amended by the representative of the United Kingdom (S/819)

"The Security Council

"Reaffirms its resolutions of 17 January 1948, 20 January 1948 and 21 April 1948;

"Directs the Commission of Mediation to proceed without delay to the areas of dispute with a view to accomplishing in priority the duties assigned to it by the resolution of 21 April 1948, and

"Directs the Commission further to study and report to the Security Council when it considers it appropriate on the matters raised in the letter of the Foreign Minister of Pakistan, dated 15 January 1948, in the order outlined in Paragraph D of the resolution of the Council dated 20 January 1948."

The Council adopted this resolution by 8 votes in favor to 0 against, with 3 abstentions (China, Ukrainian S.S.R., U.S.S.R.).

At the 315th meeting on June 8, the President drew attention to a letter dated June 5, 1948, from the Prime Minister of India (S/825), expressing surprise at the decision of the Council to extend the task of the Commission to study matters other than the Jammu-Kashmir question in the Pakistan complaint.

The representative of China said that he could not help thinking that the letter was based in part upon a misapprehension. The Security Council had in fact not deliberated on these three questions, but had only instructed the Commission to gather information and report. A straightforward explanation of that kind would remove the misunderstanding to the effect that the Security Council had made up its mind or had intended to cast some slur or slight on the Government of India.

After some discussion, it was decided that the President should reply to the Prime Minister of India in accordance with the suggestions made by the representative of China. The President did so in a letter dated June 9, 1948.

d. UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN

After holding preliminary meetings in Geneva starting on June 21, 1948, the Commission of Mediation proceeded to the sub-continent of India,

where it stopped in Karachi from July 7 to 9 before proceeding to New Delhi. The Commission immediately initiated inquiries with India and Pakistan concerning the question of a cease-fire, and after hearing views from both Governments, it undertook, on August 10, to draft a cease-fire proposal.

The United Nations Commission for India and Pakistan, as the Commission of Mediation became known, on August 13, 1948, adopted a resolution (S/995) calling for a cease-fire order to apply to all forces under the control of India and Pakistan in the State of Jammu and Kashmir as of the earliest practicable date. Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities, the resolution called upon both Governments concerned to accept certain principles as a basis for the formulation of a true agreement. Among these principles were the following: the withdrawal of Pakistan troops from Jammu and Kashmir; the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident there who had entered the State for the purpose of fighting; after the withdrawal of such tribesmen and Pakistan nationals and while Pakistan forces were being withdrawn from Jammu and Kashmir, the withdrawal from that State of Indian forces in stages to be agreed upon with the Commission; the temporary maintenance in the State of Indian forces which in agreement with the Commission were considered necessary to assist local authorities in the observance of law and order; the stationing by the Commission of observers where it deemed necessary; and the undertaking by India to ensure that the Government of the State of Jammu and Kashmir would take all measures within its power to make it publicly known that peace, law and order would be safeguarded and all human and political rights guaranteed. The resolution finally called upon India and Pakistan to reaffirm their wish that the future status of the State of Jammu and Kashmir should be determined in accordance with the will of the people. To that end, upon acceptance of the Truce Agreement, the resolution called upon both Governments to agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression would be assured.

In a letter, dated August 20, 1948, to the Commission, the Prime Minister of India declared that his Government had decided to accept the Commission's resolution.

In a letter and memorandum dated August 19

and a letter dated September 6 (S/995) to the Commission, the Minister of Foreign Affairs and Commonwealth Relations of Pakistan asked for certain clarifications and elucidations to the Commission's resolution. The letter of September 6 stated that Pakistan agreed to accept with certain reservations the proposals contained in the Commission's resolution.

In a letter, dated September 6, to the Minister of Foreign Affairs and Commonwealth Relations of Pakistan, the Chairman of the Commission declared that the Commission was prepared to consider at an early occasion the questions raised by Pakistan.

At the request of the Commission, its resolution and correspondence (S/995) were distributed to the Security Council.

The Commission on September 19 adopted the following resolution (S/1009) and instructed the Secretary-General's personal representative with the Commission to transmit it through the Secretary-General to the President of the Security Council:

"The United Nations Commission for India and Pakistan, having decided to leave for Europe to prepare an interim report to the Security Council on the present situation in the State of Jammu and Kashmir, hereby resolves to appeal to the Governments of India and Pakistan to use their best endeavours during the absence of the Commission to lessen the existing tension in this dispute so as further to prepare the ground for its peaceful final settlement, which both Governments have declared to be their most sincere and ardent desire."

The matter continued to be dealt with by the Security Council after the period covered by this *Yearbook*.

6. The Palestine Question

a. CONSIDERATION OF THE GENERAL ASSEMBLY RESOLUTION OF NOVEMBER 29, 1947

The Secretary-General transmitted to the President of the Security Council, by letter dated December 2, 1947 (S/614), the text of the resolution (181(II)) concerning the "future government of Palestine" which was adopted by the General Assembly on November 29, 1947.¹⁷ In this resolution the General Assembly requested that:

"(a) The Security Council take the necessary measures as provided for in the [partition] plan for its implementation,

"(b) The Security Council consider, if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to

the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

"(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution . . ."

At the 222nd meeting on December 9, the Council took note of the letter of the Secretary-General and the General Assembly's resolution and decided to postpone discussion of the matter.

The President drew attention also to requests from Egypt (S/617) and Lebanon (S/618) to take part in the discussion of this question, and the Council agreed that these two countries should be admitted to the debate without prejudice to the participation of other interested parties.

At the 243rd meeting on February 10, 1948, the Council considered the first monthly report of the Palestine Commission (S/663). The President of the Council stated that this report was purely factual and for the information of the Council. However, the Commission was preparing a special report which would be available shortly and which would involve questions requiring determination by the Council. He suggested that the Council at this stage only take note of the first monthly progress report and postpone consideration of it until the Council would also have the special report before it. No objection was raised to this procedure and it was so decided.

b. CONSIDERATION OF THE REPORTS OF THE PALESTINE COMMISSION; RESOLUTION OF THE COUNCIL OF MARCH 5, 1948

At the 253rd meeting on February 24, when the Council began to discuss the first monthly progress report and the first special report of the Palestine Commission,¹⁸ the Chairman of the Commission and the representatives of Egypt and Lebanon were invited to take part in the discussions. The Jewish Agency for Palestine was invited to have its representative sit during the deliberations for the purpose of supplying such information and rendering such assistance as the Council might require. At the suggestion of the President, it was

¹⁷For the text of this resolution, see *General Assembly*, pp. 247-56.

¹⁸For discussion of the work of the *Palestine Commission* and its reports, see pp. 256-57.

agreed to grant the same privilege to the Arab Higher Committee if it so requested.

The Chairman of the Palestine Commission stated that the Commission, as an executive organ of the General Assembly, was bound to act strictly in conformity with the Assembly's resolution, and that any political guidance that might be needed, by the Commission had to come from the Security Council.

In its special report, the Commission had selected the problem of security as the most important one to be solved in order to implement the partition plan. The Commission was of the opinion that in the circumstances prevailing in Palestine, and under the conditions likely to exist in the near future, the only way of implementing the plan of partition as envisaged by the General Assembly required the assistance of an effective non-Palestinian military force. An efficient pacification of the areas would be necessary in order to execute the numerous and intricate provisions of the plan. The Chairman of the Commission stressed that unless either a peaceful arrangement could be effected, or effective control could be imposed by sufficient outside forces, far-reaching consequences might arise from the situation which existed at the moment.

The representative of the United States said that it was of first importance that the precedent which would be established should be in full accord with the Charter. The Assembly's resolution of November 29 contained three requests directed to the Security Council. Request (a) he considered could clearly be fulfilled. Requests (b) and (c), however, raised the question of the Council's constitutional powers. If the Council found that there was a threat to international peace, a breach of the peace or an act of aggression against Palestine from the outside, then it was required to make recommendations or to take measures in accordance with Chapter VII of the Charter; and Member States were obliged to assist the Council. But the Charter did not empower the Council to enforce a political settlement whether it was in pursuance of a recommendation made by the General Assembly or of one made by the Council itself. Concerning the current situation in Palestine he stated that the Council did not have sufficient evidence to conclude that a threat to the peace existed within the meaning of Chapter VII of the Charter. The representative of the United States then proposed certain specific steps which the Council should take. At the 255th meeting on February 25, he submitted his proposals in the form of a draft resolution (S/685), as follows:

"The Security Council,

"Having received the resolution of the General Assembly of 29 November 1947, on Palestine, and having received from the United Nations Palestine Commission its first monthly report, and its first special report on the problem of security in Palestine,

"Resolves:

"1. To accept, subject to the authority of the Security Council under the Charter, the requests addressed by the General Assembly to it in paragraphs (a), (b) and (c) of the General Assembly resolution of 29 November 1947;

"2. To establish a committee of the Security Council comprising the five permanent members of the Council whose functions will be:

"(a) To inform the Security Council regarding the situation with respect to Palestine and to make recommendations to it regarding the guidance and instructions which the Council might usefully give to the Palestine Commission;

"(b) To consider whether the situation with respect to Palestine constitutes a threat to international peace and security, and to report its conclusions as a matter of urgency to the Council, together with any recommendations for action by the Security Council which it considers appropriate,

"(c) To consult with the Palestine Commission, the Mandatory Power, and representatives of the principal communities of Palestine concerning the implementation of the General Assembly recommendation of 29 November 1947.

"Appeals to all Governments and peoples, particularly in and around Palestine, to take all possible action to prevent or reduce such disorders as are now occurring in Palestine."

The representative of the United Kingdom said that the British withdrawal would be completed by August 1. While the United Kingdom would not oppose the Assembly's decision, it was not prepared to take part in enforcing a settlement which was not acceptable to both parties. The United Kingdom's repeated warnings about the necessity of providing means of implementation for the solution of the problem had been ignored by the Assembly, and British public opinion would not approve further involvement which required enforcement. The United Kingdom would abstain from voting on the question of enforcement.

At the 254th meeting on February 24, the representative of Syria said that the Council must carefully scrutinize the recommendations of the Assembly, which, after hurriedly adopting the partition plan under pressure, had endeavored to shift the burden of implementation to the Council. He thought it regrettable that the Assembly had not considered the proposal to seek an advisory opinion of the International Court of Justice. The Assembly, he emphasized, was not a world government empowered to create states and to violate the integrity of countries, to impose government regimes under specified constitutional

forms, to dictate economic union between states or to detach territories and cities and put them under permanent Trusteeship. The partition plan, he considered, was not in conformity with international law or with the Charter and was, in any case, a mere recommendation to Members.

For its part, the Council, under the Charter, could only use force under Chapter VII to maintain international peace and security, and was not allowed to use force to maintain internal order in a country. No measures of enforcement could be taken against a state by the Council before it was seized of a formal accusation by a competent party.

The representative of Colombia submitted a draft resolution (S/684) which provided that, on the basis of the situation which had occurred subsequent to the General Assembly resolution, the Security Council should invite, in accordance with Article 106 of the Charter, the permanent members of the Council to consult with one another with a view to such joint action on behalf of the organization as might be necessary in order to deal with the situation arising from the implementation of the Assembly's resolution. Pending the outcome of such consultations, the Council should appoint a sub-committee composed of two permanent members and three non-permanent members of the Council to ascertain the possibility of an agreement between the parties concerned, and the feasibility of calling a special session of the General Assembly for reconsideration of the resolution of November 29. The Council should also request the Government of the United Kingdom to postpone the date fixed for the termination of the Mandate and the evacuation of its troops from Palestine.

At the 255th meeting on February 25, the representative of Egypt appealed to the Council to scrutinize the legal basis for the partition resolution and to consider whether this resolution served the interests of peace. Egypt considered that the Assembly was not competent to decree partition or to make a recommendation of that nature. He regretted that the Egyptian proposal to seek an advisory opinion of the International Court of Justice had not been followed and that the legal issue had been evaded.

In not complying with the Assembly's recommendation, Egypt was exercising its privilege under the Charter. To persist in enforcing partition would be injurious to the United Nations, since there was ample evidence that such a course would result in greatly increased strife, and would lead to disaster. The Palestinian Arabs and the neighbor-

ing Arab States would never accept the partition of Palestine. The arrival of the Commission would further inflame feelings, as would any attempt to send a non-Palestinian armed force into the country in order to enforce partition.

If the Security Council assisted in the implementation of the partition plan, as requested by the General Assembly, it would deal a fatal blow to world peace, the representative of Egypt concluded.

At a subsequent meeting, the 267th meeting of the Council on March 16, the representative of Lebanon expressed a similar point of view.

At the 258th meeting on February 27, the representative of the Jewish Agency said that the compromise resolution of the Assembly had entailed far-reaching sacrifices for the Jews. It had been accepted by them, nevertheless, because it satisfied their claim to statehood and a place among the family of nations. The Council was now faced with an open attempt by the Arabs to change by force the settlement decreed by the Assembly, while the Mandatory Power thwarted the plan by a policy of non-co-operation.

In trying to justify its present attitude, the United Kingdom had developed a policy of neutrality based on the spurious argument of equal guilt. But the Jews had acted solely in self-defence against Arab aggression. Although hampered by the administration, the Jews were hopeful of being able to defend the Jewish State. An international force was not essential, but it was important that the Jews be provided with arms. The Palestine Commission had therefore been asked to revise the indiscriminate arms embargoes in favor of those who were prepared to implement the partition plan, denying arms to those who opposed it. He stressed that the Jews regarded partition as the irreducible minimum which they could accept, and beyond which they could not go.

The representative of Belgium approved the United States proposal for the appointment of a committee of the permanent members. However, he could not approve those clauses providing for acceptance of the requests made in the Assembly's resolution, since such action should only be taken in the light of information to be submitted by the proposed committee. He submitted a revised text (S/688) as an amendment to the United States draft resolution. The Belgian text was identical with that of the United States draft resolution except for the deletion of paragraph 1 of the United States text and the addition of a clause to paragraph (c) to the effect that the Committee should report to the Security Council concerning

the consultations envisaged in that paragraph together with any recommendations as to the action to be taken by the Council in the matter.

The representative of Colombia said that it was evident that the Security Council was not authorized to use force to partition Palestine. He asked that the Council should explore the possibility of obtaining an agreement between Arabs and Jews which would enable the Commission to discharge its functions without the use of armed force, even at the expense of some revision of the partition plan. If it was not possible for the Palestine Commission to carry out its task without delay, then the Assembly might have to provide for the administration of Palestine at the termination of the Mandate, or discuss other arrangements.

Turning to the Colombian draft (S/684), he explained that the consultation of the permanent members and the work of the proposed committee would proceed simultaneously. He hoped that the United Kingdom would be willing to revise its decision to leave Palestine on May 15; the Council should make a request to that effect. He was prepared to withdraw the Colombian draft resolution in favor of any proposals from the United States or the U.S.S.R., since these countries were mainly responsible for the partition plan.

The representative of Syria supported the Belgian amendment (S/688), since the Council should not decide its actions in advance. He thought that the United States proposal was intended to secure indirectly the implementation of partition.

He could not approve the United States proposal to establish a sub-committee of the permanent members, because the existence of a threat to international peace had to be determined by the Council as a whole. Likewise paragraph 2(c) was unacceptable, since the Council could not impose a political settlement.

At the 260th meeting on March 2, 1948, the representative of the United States stated that he considered the acceptance of paragraph 1 of his draft resolution to be an act of support for the implementation of the partition plan, and therefore he could not accept the Belgian amendment, since the representative of Belgium opposed paragraph 1 because he did not believe that the Assembly's requests should be accepted until after the proposed Committee had made its report.

He considered that the three requests were subject to the implied reservation that the Council should not exceed its authority under the Charter, and while it was true that armed force could not be used to implement partition, the Council would

at any rate be obliged to take action under Chapter VII of the Charter if a threat to international peace or a breach of the peace were found to exist.

The representative of the United Kingdom stated that the Council should examine whether a threat to the peace existed. However, this was not a task only for the permanent members. The United Kingdom could not support the United States proposal to accept the requests of the Assembly, since it was opposed to participation in implementing a plan which involved coercion of one of the communities. It could not, therefore, be a member of the proposed committee, but would assist it with all the information at its disposal.

The representative of the U.S.S.R. agreed to the principle of consultation among the permanent members of the Council, but proposed that such consultation should be carried on directly and not within a committee since the latter course would only cause delay. The results of these consultations should be submitted to the Council within ten or fifteen days. It was useless for the committee to consult with the Palestine Commission and with the Arabs and Jews, since such consultations were being carried on by the Commission and the latter had already submitted a report. He had no objections to paragraph 1 of the United States draft resolution.

At the 261st meeting on March 3, the representative of Canada supported the Belgian amendment to the United States resolution because he considered that acceptance of the Assembly's requests should be postponed until after the permanent members had had an opportunity to consult one another and the parties concerned, and until after the Council had been satisfied that this situation could not be resolved through conciliation.

The representative of Egypt welcomed the spirit of the Belgian amendment to the United States draft resolution, but suggested that the question of consultation with the Palestine Commission should also be omitted, since the Commission was intimately connected with the question of implementing the partition plan.

The President, speaking as the representative of China, supported the Belgian amendment. China was willing to participate in the proposed committee, although he would prefer a rather different composition. He believed that the distinction between the enforcement of partition and the maintenance of peace by force was, although legally important, rather unreal in the existing situation.

At the 262nd meeting on March 5, the representative of the Jewish Agency questioned the

value of the proposal for new consultations with the interested parties concerning the implementation of partition. The Palestine problem had been under discussion for years, and to raise the prospect of new negotiations might endanger the very object of the Assembly's decision.

He strongly urged immediate acceptance of the Assembly's requests. The role of the Security Council was an integral part in the implementation of the partition plan and failure of the Security Council to co-operate would, by permitting Arab aggression to frustrate partition, create a dangerous precedent for the United Nations.

The representative of France supported the Belgian amendment because it stressed the necessity of making a further attempt at conciliation. However, if the amendment was not accepted, he would support the United States draft resolution.

The representative of Colombia proposed that the Council adjourn for a week with the understanding that in the meantime the permanent members should consult as to what action could be taken under Article 106 of the Charter and report to the Council.

The representative of the United States opposed the motion for adjournment and asked for a vote on his draft resolution (S/685) and the amendments thereto.

The Council rejected the Colombian motion for an adjournment by a vote of 5 to 2, with 4 abstentions.

To meet the point of view of the representative of the U.S.S.R., who objected to the establishment of a committee of the Security Council, but who had expressed his willingness to accept a resolution calling for direct consultations among the permanent members of the Council, the representative of the United States revised paragraph 2(a) of his draft resolution to read: "To invite the five permanent members of the Security Council to consult and . . .", and made the requisite drafting changes in the other paragraphs of the resolution.

The representative of the U.S.S.R. said that he would not oppose the United States draft resolution thus revised, though he thought it unnecessary to call upon the permanent members to consult with the Arabs, the Jews and the Mandatory Power, since that was the function of the Palestine Commission. He therefore would prefer if paragraphs 2(b) and (c) of the United States resolution were deleted. He would, however, abstain from voting rather than vote against the paragraphs in question. He proposed an amendment to the United States draft resolution providing that the permanent members should report on the

results of their consultations within ten or fifteen days.

The representative of the United States accepted that amendment, and accordingly added a clause to paragraph 2(a) of his resolution setting a ten-day time limit.

The representative of Belgium agreed to remove from his amendment (S/688) the provision for a committee of the permanent members and to substitute a recommendation for direct consultations among the permanent members of the Security Council.

At the 263rd meeting on March 5, the representative of the United States reported on some further drafting changes he had introduced in paragraph 2(a) of his resolution in consultation with the representative of the U.S.S.R.

The revised Belgian amendment was then voted on, paragraph by paragraph, and was rejected.

The revised United States draft resolution was also voted on paragraph by paragraph and paragraphs 1, 2(b) and 2(c) were rejected.

The resolution resulting from this vote was adopted by 8 votes in favor, with 3 abstentions (Argentina, Syria, United Kingdom), and reads as follows (S/691):

"The Security Council,

"Having received the resolution of the General Assembly of 29 November 1947 on Palestine, and having received from the United Nations Palestine Commission its first monthly report and its first special report on the problem of security in Palestine,

"Resolves to call on the permanent members of the Council to consult and to inform the Security Council regarding the situation with respect to Palestine and to make, as a result of such consultations, recommendations to it regarding the guidance and instructions which the Council might usefully give to the Palestine Commission with a view to implementing the resolution of the General Assembly. The Security Council requests the permanent members to report to it on the results of their consultations within ten days; and

"Appeals to all Governments and peoples, particularly in and around Palestine, to take all possible action to prevent or reduce such disorders as are now occurring in Palestine."

c. REPORT ON THE CONSULTATIONS AMONG THE PERMANENT MEMBERS

At the 270th meeting on March 19, the representative of the United States reported on the consultations which had taken place among the permanent members of the Council pursuant to the Council's resolution of March 5. The report he submitted had the agreement of three of the permanent members: China, France and the United States. The United Kingdom did not participate

in the consultations, but attended two of the meetings in its official capacity of Administering Authority and furnished information. Following is the text (see S/P.V. 270) of the report submitted by the representative of the United States:

"PART I.

"The consultations among the permanent members of the Security Council and informal communications with the Palestine Commission, the Mandatory Power, the Jewish Agency and the Arab Higher Committee, held since March 5, 1948, have developed the following facts regarding the situation with respect to Palestine.

"1. The Jewish Agency accepts the partition plan, considers it to be the irreducible minimum acceptable to the Jews, and insists upon the implementation of the plan without modification.

"2. The Arab Higher Committee rejects any solution based on partition in any form and considers that the only acceptable solution is the formation of one independent State for the whole of Palestine, whose constitution would be based on democratic principles and which would include adequate safeguards for minorities and the safety of the Holy Places.

"3. No modifications in the essentials of the partition plan are acceptable to the Jewish Agency, and no modifications would make the plan acceptable to the Arab Higher Committee.

"4. The Palestine Commission, the Mandatory Power, the Jewish Agency and the Arab Higher Committee have indicated that the partition plan cannot be implemented by peaceful means under present conditions.

"5. The Mandatory Power has confirmed that a considerable number of incursions of illegal arms and armed elements into Palestine have occurred by land and sea.

"6. The gradual withdrawal of the military forces of the Mandatory Power will, in the absence of agreement, result in increasing violence and disorder in Palestine. Warfare of a guerrilla type grows more violent constantly.

"7. If the mandate is terminated prior to a peaceful solution of the problem, large-scale fighting between the two communities can be expected.

"PART II.

"1. As a result of the consultations of the permanent members regarding the situation with respect to Palestine, they find and report that a continuation of the infiltration into Palestine, by land and by sea, of groups and persons with the purpose of taking part in violence would aggravate still further the situation, and recommend:

"(a) That the Security Council should make it clear to the parties and Governments concerned that the Security Council is determined not to permit the existence of a threat to international peace in Palestine; and

"(b) That the Security Council should take further action by all means available to it to bring about the immediate cessation of violence and the restoration of peace and order in Palestine."

The representative of the U.S.S.R. stated that the consultations between the permanent members of the Council had produced some positive results inasmuch as some basic principles had been laid down which must underlie a decision of the Security Council on this question. The U.S.S.R.

delegation considered, however, that these consultations would have proved more fruitful if from the beginning those questions had been dealt with which really needed consideration. At the first meeting, however, the representative of the United States had suggested that the permanent members hold further negotiations with the Arabs, the Jews and the Mandatory Power, such negotiations to include the question as to whether the partition plan should be implemented or modified. The U.S.S.R. delegation had opposed such negotiations and had insisted that the General Assembly's resolution of November 29, 1947, must be implemented and that consultations among the permanent members should be directed to that end.

As to the report submitted by the representative of the United States, he was of the opinion that Part I merely noted the facts of the situation, which had been known already, and therefore was of no special interest. He questioned whether paragraph 4 of Part I really stated the position of the parties mentioned therein, particularly as regards the point of view of the Jewish Agency for Palestine.

As regards Part II, he stated that sub-paragraphs 1 (a) and (b) had been agreed to by all the members participating in the consultations. Though they were too general and vague he considered that these two paragraphs covered important points. He objected to paragraph 1 of Part II because it spoke of "infiltration into Palestine by land and by sea". He considered it clear that the danger arose from infiltration by land and not by sea. Therefore to speak of infiltration by land and by sea, placing them on an equal footing, deprived that part of the text of all meaning.

In conclusion the representative of the U.S.S.R. stated that the recommendations of the permanent members contained only general principles, on the basis of which the Council must take more concrete decisions to implement the resolution of the General Assembly.

The representative of Syria, speaking on behalf of the Arab States, said that (1) the Arabs were prepared to do their utmost to see peace with justice established in Palestine; (2) they were convinced that the partition plan and attempts to implement it were the only cause of violence in that country; (3) the Jews were receiving 1,500 "legal" immigrants monthly in addition to large numbers of illegal immigrants, most of whom were militarily trained and equipped; (4) the Jews were receiving large amounts of war material from outside while the Arabs were deprived of military supplies.

He regretted that the permanent members in their report had not recognized that the three requests of the Assembly were designed to make the Council enforce partition. Since the Council did not have the power to do this, they would have been correct in asking for reference back to the Assembly.

The President, speaking as the representative of China, said that it was at his suggestion that the phrase "by land and by sea" had been introduced into paragraph 1 of Part II of the report. He believed that the introduction of arms and fighters into Palestine had to be stopped by both parties.

The representative of the Jewish Agency believed that paragraph 4 of Part I of the report was open to some misunderstanding, since the fact "that partition could not be implemented by peaceful means under present conditions" was due solely to the attempt of the Arab States to frustrate it by force, in contravention of their obligations under the Charter. Similarly, paragraph 5 of Part I was open to serious misunderstanding. While the Mandatory Power had reported on incursions of illegal arms and armed elements into Palestine by land it had not reported such incursions by sea. Consequently, paragraph 1 of Part II did not contain an accurate statement of fact. In this connection the representative of the Jewish Agency also expressed the view that armed bands entering Palestine for the sole purpose of trying to undo by violence a decision of the United Nations should not be placed on the same moral level and equated with unarmed men, women and children coming into Palestine to settle that country, as was their right under the Mandate.

At the 271st meeting on March 19, the representative of the United Kingdom stressed that his delegation had taken part in the consultations of the permanent members solely for the purpose of giving information, and was not a party to the report.

The representative of Egypt endorsed the remarks of the representative of Syria. He stated that he had no particular quarrel with the statement of the representative of the United States concerning the consultations between the permanent members of the Council, although he expressed regret that the report omitted to recognize that the Zionists were the aggressors. Criticizing the representative of the U.S.S.R. for insisting on the prompt implementation of the partition plan he urged that the Council should not carry out the Assembly's request without full debate.

The representative of the United States stated that in view of the fact that the Mandatory Power

planned to give up its Mandate on May 15, there was an urgent need for clarification of United Nations responsibility towards Palestine. In the opinion of the United States delegation the United Nations did not automatically fall heir to the responsibilities either of the League of Nations or of the Mandatory Power in respect of the Palestine Mandate. No steps had been taken by the Mandatory Power to place Palestine under United Nations Trusteeship in accordance with Article 81 of the Charter. A unilateral decision by the United Kingdom to terminate the Palestine Mandate could not automatically commit the United Nations to the responsibility for governing that country, nor did the General Assembly's resolution of November 29 constitute an acceptance by the United Nations of governmental responsibility for Palestine. The limited functions which the General Assembly in this resolution offered to undertake were an integral part of the partition plan. If it proved impossible to give effect to that plan, the United Nations would have, on May 15, no administrative and governmental responsibilities for Palestine unless further action was taken by the General Assembly. Referring, *inter alia*, to the report on the consultations between the permanent members of the Council, he concluded that there seemed to be general agreement that the partition plan could not be implemented by peaceful means. In the light of evidence now available the termination of the Mandate on May 15 would result in chaos, fighting and much loss of life. The United Nations could not permit such a result. He therefore urged that the Security Council should take further action by all means available to bring about the immediate cessation of violence and the restoration of peace and order in Palestine. He then went on to explain that the United States Government believed that further steps must be taken immediately not only to maintain peace but also to afford a further opportunity to reach agreement between the interested parties regarding the future government of Palestine. To this end the Council should call for an immediate special session of the General Assembly to consider the establishment of a temporary Trusteeship which would be without prejudice to the rights, claims or position of the parties concerned and without prejudice to the character of the eventual political settlement.

Pending the meeting of the proposed special session of the Assembly, the Council should instruct the Palestine Commission to suspend its efforts to implement partition.

The representative of the Jewish Agency said

that the United States proposal to suspend efforts to implement partition and to establish a temporary Trusteeship for Palestine represented a shocking reversal of the United States position which would incalculably hurt the prestige of the United Nations. It was clear that the proposal was a capitulation before a threat of violence on the part of some Members; but it should also be clear that the establishment of a Trusteeship would not ensure peace and would have to be maintained by force.

The President, speaking as the representative of China, supported the United States proposals as an attempt to seek a peaceful solution. The Palestine Commission had stated that the partition plan could not be implemented without force, and he was convinced that the Security Council should not furnish force for this purpose.

The representative of the U.S.S.R. did not agree that there was general agreement that partition could not be implemented by peaceful means. Moreover, he stated, the United States representative had referred to the report on the consultations of the permanent members of the Council, as though it confirmed and corroborated the proposals just submitted by the representative of the United States. The U.S.S.R. representative considered, however, that the United States proposals had nothing in common with those portions of the report which were agreed to by all four of the permanent members which took part in the consultations—namely sub-paragraphs 1(a) and (b) of Part II of the Report. These paragraphs on the contrary, he stated, provided a basis upon which the Council should proceed to take more concrete decisions to implement the partition plan.

At the 274th meeting on March 24, the representative of Canada stated that although the United States proposal for establishing a temporary Trusteeship in Palestine presented certain difficulties, the proposed cooling-off period would provide an opportunity to work out a settlement in a less unfavorable atmosphere. This period could be of short duration. The Canadian delegation was not prepared, however, to declare itself in favor of any course of action until there was some evidence that there was a meeting of minds on the part of the countries most directly concerned.

The representative of France favored the United States proposal to the extent that it contained the possibility of providing time in which agreement could be reached between the parties, and because it constituted an effort to set up a regime which could take the place of the Mandatory Power. The French delegation, however, was not then able to

pronounce itself either for or against the United States proposal, which needed to be more precisely formulated and elaborated.

The representative of Lebanon felt that a detailed study of the plan submitted by the United States delegation was premature. The General Assembly, when called into special session, would have to make its own examination of the question.

The representative of Colombia thought it would be best to adjourn, with the understanding that the representatives of the permanent members of the Security Council would go on with their conversations until they were ready to report to the Security Council.

The President thought that nothing could be gained by a renewal of the consultations.

The representative of Egypt reiterated Arab opposition to partition. With regard to the United States suggestion, he stated that any decision which meant suspending the implementation of a resolution which had brought only trouble would be a decision in the proper direction.

d. DISCUSSION OF THE UNITED STATES DRAFT RESOLUTIONS

At the 275th meeting of the Council on March 30, the representative of the United States submitted the following draft resolutions (S/704 and S/705):

I

"The Security Council,

In the exercise of its primary responsibility for the maintenance of international peace and security,

"Notes with grave concern the increasing violence and disorder in Palestine and believes that it is of the utmost urgency that an immediate truce be effected in Palestine;

"Calls upon the Jewish Agency for Palestine and the Arab Higher Committee to make representatives available to the Security Council for the purpose of arranging a truce between the Arab and Jewish communities of Palestine; and emphasizes the heavy responsibility which would fall upon any party failing to observe such a truce;

"Calls upon Arab and Jewish armed groups in Palestine to cease acts of violence immediately."

II

"The Security Council,

"Having, on 9 December 1947, received the resolution of the General Assembly concerning Palestine dated 29 November 1947 and

"Having taken note of the United Nations Palestine Commission's First and Second Monthly Progress Reports and First Special Report on the problem of security, and

"Having, on 5 March 1948, called on the permanent members of the Council to consult, and

"Having taken note of the reports made concerning these consultations,

"Requests the Secretary-General, in accordance with Article 20 of the United Nations Charter, to convene a

special session of the General Assembly to consider further the question of the future government of Palestine."

Concerning the first resolution (S/704) the representative of the United States explained that it was his Government's view that the immediate cessation of hostilities and the establishment of a truce in Palestine were the most urgent objectives. Both the Arabs and the Jews must be prepared, he stated, to accept truce arrangements which would not prejudice the claims of either group. The truce should include suspension of political as well as military activity.

Concerning the second resolution (S/705) he stated that although the Government of the United States believed that a Trusteeship was essential to establish order, it felt that there should be no delay by debate over details of the temporary Trusteeship. To this end, the draft resolution omitted any mention of Trusteeship.

The representative of the U.S.S.R. stated that his Government still considered that the General Assembly's decision in favor of the partition of Palestine into two independent states—Jewish and Arab—was an equitable one. In the General Assembly, the United States delegation had actively supported the proposal for partition and had secured its acceptance by the necessary majority of states. But now the United States had not only refused to support that decision, but had raised the question of rescinding it, and for that purpose had submitted entirely new proposals.

Full responsibility for wrecking the decision on the partition of Palestine therefore lay with the United States, which in the opinion of most people was not so much interested in a just settlement of the question of the future of Palestine and the relations between Arabs and Jews as in its own oil interests and strategic position in the Near East.

The adoption of the proposal for Trusteeship would leave both the Jews and the Arabs in Palestine without a state of their own and would serve only the interests of the influential circles of some of the Great Powers, who placed their own economic and strategic interests above the common interests of the United Nations.

The representative of the U.S.S.R. opposed the calling of a special session of the General Assembly to review the decision previously adopted, and also considered that it would be wrong for the Security Council to instruct the Palestine Commission to suspend its work, which was directed towards implementing the decision on partition. The Commission had no right to stop working as

long as the decision taken by the General Assembly remained in force.

At the 277th meeting on April 1, 1948, the representative of Argentina stated that he supported the United States proposals and appealed to the Arabs and Jews to reach an agreement.

The representative of Belgium considered that the Council had rejected the Assembly's requests and therefore had a duty to call a special session of the Assembly to cope with the situation.

The representative of the Jewish Agency urged that the first United States draft resolution (S/704) be amended to conform with the reality of the situation—namely, Arab aggression. The Jews were anxious to terminate hostilities, but insisted that the truce had to be accompanied by the evacuation of foreign forces from Palestine and the cessation of preparations for future aggressions. The truce had also to be carried out within the framework of the partition plan and in conformity with its time-table.

The second United States draft resolution (S/705), he stated, proposed an unwarranted reversal of the Assembly's decision. The United States had given no assurance as to how Trusteeship was to be established and enforced. The Jews, for their part, would not accept any postponement of independence. He also drew attention to the situation in Jerusalem, which threatened to develop into a battle on the termination of the Mandate.

The representative of Egypt denied that the Arab States were interfering in the Palestine strife. He was prepared to support the United States proposal (S/704) for a truce.

The representative of the United Kingdom supported the United States proposal for a truce (S/704) and stated that he would vote in favor of the second draft resolution (S/705), if only to give the Assembly an opportunity to review its decision in the light of events.

The representative of Syria supported the second proposal (S/705). He reserved his attitude on the proposal for a truce (S/704) until the attitudes of both parties concerned had been ascertained.

The representative of the United States agreed to a proposal of the Ukrainian S.S.R. to the effect that the words "with grave concern" be deleted from the second paragraph of the truce resolution (S/704).

Subject to this amendment, the resolution (S/704) was then adopted unanimously.

The second draft resolution (S/705), requesting the Secretary-General to convoke a special session of the General Assembly, was adopted by 9

votes, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

The Council then agreed that the President should discuss the possible terms of the truce in Palestine with the accredited representatives of the two parties. It was also agreed to hold informal meetings to discuss the proposals the United States delegation had in mind for Trusteeship in Palestine, with a view to enabling the Security Council to make recommendations to the special session of the General Assembly.

6. REPORT OF THE PRESIDENT ON NEGOTIATIONS FOR A TRUCE AND CONSIDERATION OF THE COLOMBIAN DRAFT RESOLUTION

At the 282nd meeting on April 15, the President reported that he had met twice with representatives of the Jewish Agency and the Arab Higher Committee to discuss the possible terms of a truce. The second meeting, he stated, led him to believe that it was fruitless to continue further conversations. He had therefore decided to consult informally with the other members of the Security Council with a view to formulating recommendations which the Council should direct to the parties. As a result of the informal consultations he submitted the following draft resolution (S/722) on behalf of the Colombian delegation:

"Considering the Council's resolution of 1 April 1948 and the conversations held by its President with the representatives of the Jewish Agency for Palestine and the Arab Higher Committee with a view to arranging a truce between Arabs and Jews in Palestine;

"Considering that, as stated in that resolution, it is of the utmost urgency to bring about the immediate cessation of acts of violence in Palestine, and to establish conditions of peace and order in that country;

"Considering that the United Kingdom Government, so long as it remains the Mandatory Power, is responsible for the maintenance of peace and order in Palestine and should continue to take all steps necessary to that end; and that in so doing it should receive the co-operation and support of the Security Council in particular, as well as of all the Members of the United Nations;

The Security Council

"1. Calls upon all persons and organizations in Palestine, and especially upon the Arab Higher Committee and the Jewish Agency, to take immediately, without prejudice to their rights, claims, or positions, and as a contribution to the well-being and permanent interests of Palestine, the following measures:

"(a). Cease all activities of a military or paramilitary nature, as well as acts of violence, terrorism and sabotage;

"(b) Refrain from bringing into Palestine armed bands or individuals, whatever their origin, armed or capable of bearing arms, and from assisting or encouraging the entry into Palestine of such armed bands and individuals;

"(c) Refrain from importing or acquiring or assisting or encouraging the importation or acquisition of weapons and war materials;

"(d) Refrain, pending further consideration of the future government of Palestine by the General Assembly, from any political activity which might prejudice the rights, claims, or positions of either community;

"(e) Co-operate with the Mandatory authorities for the effective maintenance of law and order and of essential services, particularly those relating to transportation, communications, health, and food and water supplies;

"(f) Refrain from any action which will endanger the safety of the Holy Places in Palestine.

"2. Requests the United Kingdom Government for so long as it remains the Mandatory Power to use its best efforts to bring all those concerned in Palestine to accept the measures set forth under paragraph 1 above and subject to retaining the freedom of action of its own forces to supervise the execution of these measures by all those concerned and to keep the Security Council and the General Assembly currently informed on the situation in Palestine.

"3. Calls upon all Governments, and particularly those of the countries neighbouring Palestine, to take all possible steps to assist in the implementation of the measures set out under paragraph 1 above, and particularly those referring to the entry into Palestine of armed bands, individuals armed or capable of bearing arms and weapons and war materials.

"4. Requests the Secretary-General to appoint three members of the Secretariat who will proceed to Palestine and who will act in co-operation with the Mandatory Power as observers in the execution of the truce and report to him thereon."

The representatives of the United States and Canada supported the Colombian draft resolution.

The representative of the Jewish Agency stated that in the course of the consultations with the President of the Council the Agency had put forward as one of the essential conditions of the truce that the armed units which had been brought into Palestine from outside should be withdrawn and that no further incursions should be tolerated. The Jewish Agency still adhered to that position. He then suggested the following modifications in the Colombian draft resolution.

He proposed the deletion in the third paragraph of the preamble of all except the first phrase to the effect that the Mandatory Power was responsible for the maintenance of peace and order in Palestine, on the ground that the word "continue" in the following phrase implied that the Mandatory Power had hitherto discharged its responsibilities in maintaining peace and order, which was not the case. Moreover, in view of its recent record the Mandatory Power should not be formally assured of full international support for whatever it might do or leave undone in the future.

In paragraph 1(a) the representative of the

Jewish Agency proposed the deletion of the requirement that "all activities of a military or paramilitary nature" should cease as being far too wide to be practicable, since such a requirement might be interpreted as applying to all normal defence arrangements.

In paragraph 1(b) the representative of the Jewish Agency objected to the provision against the introduction into Palestine of "individuals . . . capable of bearing arms", as this would affect Jewish immigration.

As regards paragraph 1(c) he stated that it might be interpreted as imposing, during the truce period, a world embargo on the acquisition of arms for future defence, while leaving the Arab States free to accumulate arms for future fighting in Palestine. He therefore suggested that paragraph 1(c) should read: ". . . refrain from importing weapons and war materials" and that all reference to acquisition should be deleted.

Concerning sub-paragraph 1(d) the representative of the Jewish Agency stated that the introduction of a political subject into the question of a military truce was liable to vitiate the issue and he therefore proposed deletion of this paragraph.

In connection with paragraph 1(f) he suggested that not only the safety of the Holy Places but free access to them should be ensured.

Turning to paragraph 2 of the resolution, the representative of the Jewish Agency stated that the Agency could not possibly agree that the Mandatory administration was impartial and could properly be entrusted with the task of supervising the execution of the truce provisions. If no authoritative United Nations organ was set up to supervise and ensure the observance of the truce, the Jewish Agency would consider that no adequate provision at all had been made in this regard.

As regards paragraph 3 the representative of the Jewish Agency urged that the governments of states neighboring on Palestine should be called upon to prohibit in their territories the recruitment and preparation of forces for eventual incursions into Palestine. Also, provision should be made to evacuate or at least to immobilize the foreign armed units already in Palestine.

The representative of Syria stated that paragraphs 1(b), (c) and (d) contained the points which were essential, and if these were not accepted by the Jewish Agency, all discussion would be futile. He interpreted these paragraphs to mean that any implementation of the partition plan should definitely be stopped and that there would be no Jewish immigration into Palestine at all

during the truce period. He was prepared to support the draft resolution without modifications subject to the above interpretation.

The representative of Egypt had certain objections to the draft resolution, but felt that it was well intended and conceived for the re-establishment of peace. If the resolution were to mean real peace, and not a camouflage for something else, then his delegation was for it.

At the 283rd meeting on April 16, the representative of the U.S.S.R. stated that paragraph 1(a) of the Colombian draft resolution was open to different interpretations and would not provide the necessary conditions for the practical establishment of a truce. Paragraph 1(b), as well as paragraph 3, did not take account of the lawful rights of the Jews, in particular in connection with the question of immigration. Paragraph 1(c) was unacceptable to the U.S.S.R. delegation unless the Council adopted an additional provision calling for the immediate withdrawal of all armed bands which had invaded Palestine and for the prevention in the future of the invasion of Palestine by such groups. He submitted an amendment which provided for the insertion after paragraph 1(c) of a paragraph along the lines indicated. Paragraph 2 also was not clear, particularly as regards the "freedom of action" which was to be left to the United Kingdom Government. The representative of the U.S.S.R. concluded that the resolution as a whole was unsatisfactory, inasmuch as it placed the military aspect of the truce in the background and introduced political considerations which would complicate the task of bringing about a truce in the true sense, i.e., stopping the bloodshed.

The representative of France explained that paragraph 1(a) did not mean that armed organizations would be dissolved, and that paragraph 1(d) would not put a stop to all political meetings. Paragraph 1(b) should be accepted, since the restriction on immigration would be limited in time and would be compensated for by the cessation of armed Arab infiltration. Paragraph 1(c) might be more acceptable if the phrase referring to the acquisition of war materials was deleted.

The representative of the United States stressed that the truce was only a temporary measure. He believed that its terms were fair and reasonable. In the light of the comments of the representative of the Jewish Agency he proposed the following amendments:

1. To replace paragraph 1(b) by the following:
"Refrain from bringing and from assisting and encouraging the entry into Palestine of armed bands and

fighting personnel, groups and individuals, whatever their origin."

2. To add to paragraph 1(f) the following:

"... and from any action which would interfere with access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them."

3. Paragraph 3 to be amended to correspond to the revised wording of paragraph 1(b) as regards "armed bands and fighting personnel, groups and individuals".

The representative of the Arab Higher Committee insisted that any truce must be such as would lead to an assured and lasting settlement.

The required settlement, he insisted, must be based on a strict implementation of the principles of democracy and the right of self-determination. There could be no truce on the basis of the partition scheme and the Arabs could not agree to cease fighting unless they were assured that the truce and the ensuing discussions were not a preliminary to the partition scheme. He also insisted that, as a prerequisite for a truce, all Jewish immigration must stop. It would be impossible for the Arabs to stop their people from attacking newcomers. Asserting that the disorders in Palestine were due to the activities of Jewish terrorist gangs, he further demanded that these gangs should be arrested and expelled from Palestine. Finally, he declared that the recent establishment of a Jewish Administration in the Jewish area under the partition scheme had undermined paragraph 1(d) of the Council's truce proposals. This step, he stated, obviously precluded the realization of a truce under any conditions.

The Colombian draft resolution was then voted paragraph by paragraph. The preamble, paragraph 1, sub-paragraph 1(a) and the United States amendment to sub-paragraph 1(b) were adopted unanimously. The Council next voted on the USSR amendment submitted in connection with paragraph 1(c), which was rejected by a vote of 6 to 2 (Ukrainian S.S.R., U.S.S.R.), with 3 abstentions (Argentina, China, Colombia). Paragraph 1(c) and also paragraph 1(d) were then adopted by 9 votes in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.), and paragraph 1(f), as amended by the representative of the United States, was adopted unanimously. The vote on paragraph 2 and paragraph 3, amended by the representative of the United States, was again 9 in favor, with 2 abstentions. The Council failed, however, to adopt paragraph 4 of the resolution, which requested the Secretary-General to appoint three members of the Secretariat to act in co-operation with the Mandatory Power as observers in the execution of the truce. The vote was 6 in fa-

vor, with 5 abstentions (Argentina, Belgium, Syria, United Kingdom, United States). In this connection the representatives of Argentina and of Belgium had expressed the view that the Mandatory Power alone should be responsible for the supervision of the truce until the termination of the Mandate. The representative of Syria had suggested that a truce commission composed of the career consular officials of those members of the Security Council who had representatives in Jerusalem would be preferable to the appointment of observers by the Secretary-General, as the consular officers were already on the spot and knew the country. However, he did not submit a formal amendment to this effect. The representative of the Jewish Agency reiterated his view that if the supervision of the truce were to be left entirely to the Mandatory Power, the Jewish Agency would consider that no arrangement for supervision had been made at all.

The amended Colombian resolution (S/723) as a whole was adopted by a vote of 9 in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.). Its operative part reads as follows:¹⁰

"The Security Council

"1. Calls upon all persons and organizations in Palestine, and especially upon the Arab Higher Committee and the Jewish Agency, to take immediately, without prejudice to their rights, claims, or positions, and as a contribution to the well-being and permanent interests of Palestine, the following measures:

"(a) Cease all activities of a military or paramilitary nature, as well as acts of violence, terrorism and sabotage;

"(b) Refrain from bringing and from assisting and encouraging the entry into Palestine of armed bands and fighting personnel, groups and individuals, whatever their origin;

"(c) Refrain from importing or acquiring or assisting or encouraging the importation or acquisition of weapons and war materials;

"(d) Refrain, pending further consideration of the future government of Palestine by the General Assembly, from any political activity which might prejudice the rights, claims, or positions of either community;

"(e) Co-operate with the Mandatory authorities for the effective maintenance of law and order and of essential services, particularly those relating to transportation, communications, health, and food and water supplies;

"(f) Refrain from any action which will endanger the safety of the Holy Places in Palestine and from any action which would interfere with access to all shrines and sanctuaries for the purpose of worship by

¹⁰As indicated above, the 283rd meeting of the Council, at which this resolution was adopted, was held on April 16. As the meeting, however, convened at 9 P.M. and did not adjourn until after midnight, the resolution is generally referred to as the Council's resolution of April 17.

those who have an established right to visit and worship at them.

"2. *Requests* the United Kingdom Government, for so long as it remains the Mandatory Power, to use its best efforts to bring all those concerned in Palestine to accept the measures set forth under paragraph 1 above and, subject to retaining the freedom of action of its own forces, to supervise the execution of these measures by all those concerned, and to keep the Security Council and the General Assembly currently informed on the situation in Palestine.

"3. *Calls upon* all Governments, and particularly those of the countries neighbouring Palestine, to take all possible steps to assist in the implementation of the measures set out under paragraph 1 above, and particularly those referring to the entry into Palestine of armed bands and fighting personnel, groups and individuals and weapons and war materials."

f. ESTABLISHMENT OF THE TRUCE COMMISSION

At the 287th meeting on April 23, the representative of the United States asked the representatives of the Jewish Agency, the Arab Higher Committee and the Mandatory Power what steps had been taken to implement the truce resolution of April 17, 1948 (S/723).²⁰

The representative of the United Kingdom reported that the Palestine High Commissioner had publicized the Council's resolution. His attempts at bringing about negotiations between Arab and Jewish authorities in Palestine, however, had not met with success because of difficulties of communications, particularly as regards the establishment of contact with responsible Arab leaders.

The representative of the Jewish Agency stated that the Agency had informed the High Commissioner that the Jews would cease firing as soon as the Arabs did the same.

The representative of the Arab Higher Committee said that if the Jews observed the terms of the truce and the situation was frozen both politically and militarily, then the Arabs would cease fire. The Jews, however, he maintained, had shown no inclination to cease fighting and were proceeding with the establishment of an independent Jewish administration in Palestine. In these circumstances the Arabs could not in justice be asked to cease fire.

The representative of the United States then proposed a draft resolution which provided for the establishment of a truce commission for Palestine composed of representatives of those members of the Security Council, except Syria, which had career consular officers in Jerusalem, whose function would be to assist the Security Council in bringing about the implementation of the Council's resolution of April 17, 1948.

The Commission was to report to the President of the Security Council within 48 hours regarding its activities and the development of the situation, and subsequently to keep the Council informed with respect thereto.

The representative of France, supported by the representative of Syria, proposed that the resolution be amended so as to specify the members of the truce commission. He also considered that the time limit of 48 hours should be extended.

The representative of the Ukrainian S.S.R. said that the terms of the truce resolution had made its implementation impossible and that the present United States proposal was not conducive to achieving a truce.

The representative of the U.S.S.R. said that the resolution of April 17 was not realistic, since it did not include the minimum requirements of a truce—namely, the withdrawal of armed groups which had entered Palestine in order to oppose partition and the prevention of further entries. He regarded the new United States proposal as part of a policy designed to force the United Nations to adopt Trusteeship.

The representatives of Canada and Syria both supported the draft resolution.

Certain drafting changes proposed by the representatives of Belgium, Lebanon, Syria, the Jewish Agency and the Arab Higher Committee were acceptable to the representative of the United States, who submitted a draft resolution revised accordingly. In response to the suggestion of the representatives of France and Syria, the time limit was extended from 48 hours to four days.

The amended text of the United States draft resolution (S/727) was adopted by the Council by 8 votes, with 3 abstentions (Colombia, Ukrainian S.S.R., U.S.S.R.), as follows:

"Referring to its resolution of 17 April 1948, calling upon all parties concerned to comply with specific terms for a truce in Palestine,

"The Security Council

"Establishes a truce commission for Palestine composed of representatives of those members of the Security Council which have career consular officers in Jerusalem, noting, however, that the representative of Syria has indicated that his Government is not prepared to serve on the Commission. The function of the Commission shall be to assist the Security Council in supervising the implementation by the parties of the resolution of the Security Council of 17 April 1948,

"Requests the Commission to report to the President of the Security Council within four days regarding its activities and the development of the situation, and subsequently to keep the Security Council currently informed with respect thereto.

"The Commission, its members, their assistants and its

²⁰See footnote 19.

personnel shall be entitled to travel, separately or together, wherever the Commission deems necessary to carry out its tasks.

"The Secretary-General of the United Nations shall furnish the Commission with such personnel and assistance as it may require, taking into account the special urgency of the situation with respect to Palestine."

After discussion, at the 291st meeting on May 12, of two messages from the Truce Commission (S/741, S/742), dated May 9 and 10 respectively, asking whether it would be possible for the United Nations to send the officers necessary to effect the control of a truce for Jerusalem, or whether the latter should be ensured by the representative of the International Red Cross, it was decided that the President should draft a reply on the basis of the fact that the Truce Commission would be given broad discretionary powers to determine the various means of assistance it might require according to the degree of usefulness of these means of assistance.²¹

g. INTERVENTION OF THE ARAB STATES IN PALESTINE.

On April 30 the Palestine Truce Commission informed the Security Council by cablegram (S/732) that the situation in Palestine was deteriorating rapidly, that government departments were closing daily and normal activities coming to a standstill and that the intensity of fighting was increasing steadily.

By a telegram addressed to the President of the Security Council dated May 1, 1948 (S/730), the Jewish Agency for Palestine drew the attention of the Security Council to reports of the invasion of Palestine by regular forces of Syria and Lebanon in the north and by Egyptian forces in the south. It was also reliably informed, the Agency stated, that a strong column of Iraqi troops was en route towards Palestine.

By a telegram of May 15 (S/743) the Government of Egypt informed the Security Council that Egyptian armed forces had started to enter Palestine "to establish security and order in place of chaos and disorder which prevailed and which rendered the country at the mercy of the Zionist terrorist gangs who persisted in attacking peaceful Arab inhabitants".

By a telegram dated May 16 (S/748) the King of Transjordan likewise informed the United Nations that Transjordanian forces had been "compelled to enter Palestine to protect unarmed Arabs against massacres".

The Secretary-General of the Arab League, in a cablegram dated May 15 (S/745), set forth at

length the reasons which had prompted the Arab States to intervene in Palestine and expressed confidence that their action would receive the support of the United Nations.

At the 292nd meeting of the Security Council on May 15, the representative of the Jewish Agency drew the Council's attention to the Agency's telegram of May 1 (S/730), cited above, and to other warnings of Arab preparations for aggression presented to the Council (S/736, S/738).

As to the Egyptian telegram of May 15 (S/743), he stated that the very idea that the armed intervention of Egyptian forces in Palestine would lead to restoration of order was grotesque. The State of Israel, which had now been established within Palestine,²² would defend itself against this wanton and unprovoked aggression but at the same time it had a right to expect immediate action by the organs of the United Nations. He urged that the Council determine the situation in Palestine to be a threat to international peace, a breach of the peace and an act of aggression and call upon the Arab States to refrain from aggression on penalty of action under Chapter VII.

The representative of the Arab Higher Committee questioned the right of the Jewish Agency to term as aggression the entry of Arab forces which had been invited by the Arab Higher Committee to maintain law and order. With the termination of the Mandate, he asserted, Palestine had become an independent nation and the Jews constituted a rebellious minority.

The representative of Syria asked that the Council examine the international status of Palestine. He considered that in the absence of a Trusteeship Agreement, Palestine had achieved its independence upon the termination of the Mandate.

The representative of Egypt reiterated that his country was intervening in Palestine solely to preserve law and order. With the termination of

²¹For subsequent messages from the Truce Commission to the Security Council see S/757, S/758, S/817, S/900 on the general situation; S/759, S/761, S/762, S/763, S/764, S/765, S/776, S/777, S/785, S/793, S/797-Corr.1, S/800, S/802, S/808, S/816, S/824, S/891, S/915, S/938 on the situation in Jerusalem, S/771-Add.1 reporting shooting of Thomas Wasson, American member of Truce Commission; S/778 requesting appointment of military advisers to furnish reports on situation in Jerusalem; S/898, S/905, S/915, S/920 on arrest of five British members of Jerusalem Electric Corporation; S/877 and Add.1 on occupancy of King David's Hotel, headquarters of Truce Commission, by Hagana.

²²By a cablegram dated May 15 (S/747) the Foreign Minister of the Provisional Government of Israel had informed the Security Council of the Proclamation of an independent State of Israel in Palestine.

the Mandate, Palestine had regained complete independence and sovereignty.

b. UNITED STATES DRAFT RESOLUTION AND QUESTIONNAIRE

At the 293rd meeting on May 17, the representative of the United States said that the actual information on hand about the situation in Palestine indicated to the United States Government that there was a threat to, and a breach of, the peace within the meaning of Article 39 of the Charter. Accordingly, he submitted the following draft resolution (S/749):

"The Security Council,

"Taking into consideration that previous resolutions of the Security Council in respect to Palestine have not been complied with and that military operations are taking place in Palestine,

"Determines that the situation in Palestine constitutes a threat to the peace and a breach of the peace within the meaning of Article 39 of the Charter;

"Orders all Governments and authorities to cease and desist from any hostile military action and to that end issue a cease-fire and stand-fast order to their military and para-military forces, to become effective within thirty-six hours after the adoption of this resolution;

"Directs the Truce Commission established by the Security Council by its resolution of 23 April 1948 to report to the Security Council on the compliance with these orders."

At the same time the United States delegation, considering that additional information on Palestine was desirable, submitted a list of questions to be put to the governments of Egypt, Saudi Arabia, Transjordan, Iraq, Yemen, Syria and Lebanon, a second list of questions to be put to the Arab Higher Committee and a third list of questions to be put to the Provisional Government of Israel.

At the 294th and 295th meetings, on May 18, the Council examined the questionnaire submitted by the United States delegation, and a number of amendments were adopted as a result of the discussion.

It was agreed that the replies to the questions should be received within a time-limit of 48 hours, counting from noon, May 19, New York standard time. Following is the text of the amended questionnaire (S/753) adopted by the Council:

"I. Questions to Egypt, Saudi Arabia, Transjordan, Iraq, Yemen, Syria and Lebanon:

"(a) Are armed elements of your armed forces or irregular forces sponsored by your Government now operating (1) in Palestine; (2) in areas (towns, cities, districts) of Palestine where the Jews are in the majority?

"(b) If so, where are such forces now located and under what command are they operating, and what are their military objectives?

"(c) On what basis is it claimed that such forces are entitled to enter (1) Palestine; (2) areas (towns, cities, districts) of Palestine where the Jews are in the majority, and conduct operations there?

"(d) Who is now responsible for the exercise of political functions in the areas of Palestine where the Arabs are in the majority?

"(e) Is such authority now negotiating with Jewish authorities on a political settlement in Palestine?

"(f) Have the Jewish forces violated your frontiers and penetrated your territory?

"II. Questions to the Arab Higher Committee:

"(a) Is the Arab Higher Committee exercising political authority in Palestine?

"(b) What governmental arrangements have been made to maintain public order and to carry on public services in sections of Palestine where Arabs are in the majority?

"(c) Have the Arabs of Palestine requested assistance from governments outside of Palestine?"

"(d) If so, what governments, and for what purpose?"

"(e) Have you named representatives to deal with the Security Council Truce Commission for the purpose of effecting the truce called for by the Security Council?"

"(f) Have Jewish forces penetrated into the territory over which you claim to have authority?"

"III. Questions to the Jewish Authorities in Palestine.

"(a) Over which areas of Palestine do you actually exercise control at the present time?"

"(b) Do you have armed forces operating in areas (towns, cities, districts) of Palestine where the Arabs are in the majority, or outside Palestine?"

"(c) If so, on what basis do you attempt to justify such operations?"

"(d) Have you arranged for the entry into Palestine in the near future of men of military age from outside Palestine? If so, what are the numbers and where are they coming from?"

"(e) Are you negotiating with Arab authorities regarding either the truce or a political settlement in Palestine?"

"(f) Have you named representatives to deal with the Security Council Truce Commission for the purpose of effecting the truce called for by the Security Council?"

"(g) Will you agree to an immediate and unconditional truce for the City of Jerusalem and the Holy Places?"

"(h) Have Arab forces penetrated into the territory over which you claim to have authority?"

The representative of the U.S.S.R. expressed regret that a great deal of time had been spent in discussing the questionnaire when it was clear that the Council had sufficient information to determine the existence of a breach of the peace.

Of the Arab States, Transjordan stated in its reply (S/760) that the United States, the author of the proposition of addressing questions to the Arab States, had not yet recognized the Government of Transjordan, although Transjordan for the past two years had met all the required conditions for such recognition. At the same time, the United States had recognized the so-called Jewish State within a few hours of its proclama-

tion, although the factors for this recognition were lacking. The reply from the Government of Transjordan also pointed out that the Security Council had failed on several occasions to recommend Transjordan for membership in the United Nations. For these reasons the Government of Transjordan did not feel that there was room for a reply to the Council's questionnaire.

The replies of the other Arab States, i.e., Egypt (S/767), Saudi Arabia (S/772), Iraq (S/769), Yemen (S/774, Add 1), Syria (S/768) and Lebanon (S/770), indicated that armed forces of each of them, with the exception of Yemen, were operating inside Palestine, and Yemen replied that it likewise had decided to dispatch a detachment of its regular forces to Palestine. While Lebanon and Saudi Arabia merely indicated that at present their forces were not operating in areas where the Jews were in the majority, Syria, Iraq and Egypt expressed the view that Palestine must be considered as a unit and that any distinction as between different areas, towns or districts was not valid (see question (a)).

The replies to questions (b) and (c) generally agreed in stating that the armed forces of the Arab States had entered Palestine to prevent the annihilation of the Arab majority of Palestine by Zionist terrorists and to restore peace and order. The neighboring Arab Governments who were members of the Arab League, it was stated further, considered themselves responsible for the maintenance of peace and order in their area as a regional organization in conformity with the provisions of the Charter. The Arab armies, moreover, had entered Palestine in response to a request for assistance from the majority of the inhabitants of Palestine. It was their aim to assist that majority in the establishment of a united democratic state in Palestine.

The replies to question (d) indicated that the Arab armies were exercising political authority in the areas under their control.

As regards question (e) the replies were unanimous that the activities of the Zionists and the proclamation of an independent Jewish State in Palestine precluded any understanding between Arabs and Jews.

In answer to the last question, (f), the Governments of Syria and Lebanon reported some incursions into their territories by Jewish forces. The governments of the other states concerned, although stating that their respective territories had not been violated by Jewish forces, expressed the view that the activities of the Zionists and the proclamation of a Jewish State in Palestine

nevertheless constituted a threat to the whole region. They also emphasized that in view of the historic, cultural and religious ties between the Palestinian Arabs and those of the neighboring countries the latter could not remain indifferent to the course of events in Palestine.

In its reply dated May 24 (S/775) the Arab Higher Committee stated in answer to question (a) that it exercised political authority over the overwhelming majority of the citizens of Palestine. Being composed of representatives of the different Arab political parties, it formed a coalition which expressed Arab public opinion in Palestine. The Arab Higher Committee concluded further that it therefore spoke in the name of the majority of all of Palestine, inasmuch as the Arabs were in the majority in all districts and sub-districts except that of Jaffa, in which Tel Aviv is located.

In answer to question (b) the Arab Higher Committee stated that at its request all Arab Government officials had continued to carry out their duties after the withdrawal of the Mandatory. When the regular Arab armies entered Palestine, however, they assumed responsibility for public security and related governmental responsibilities in the areas under their control.

Replying to questions (c) and (d) the Arab Higher Committee indicated that it had asked for assistance from the States members of the Arab League, i.e., Egypt, Saudi Arabia, Yemen, Iraq, Lebanon, Syria and Transjordan, in order to resist the "Jewish aggressive invasion" of Palestine. Contact with the Security Council Truce Commission, the answer to question (e) indicated further, was maintained by the Arab Higher Committee through the Arab League.

Finally, in answer to the last question, (f) the Arab Higher Committee stated that the Arabs claimed authority over all of Palestine. All forces opposing the Arab majority, therefore, should be regarded as unlawful.

The reply of the Provisional Government of Israel (S/766) to the questions addressed to the "Jewish authorities in Palestine" was transmitted by the acting representative of Israel at the United Nations on May 22.

In reply to questions (a) and (b) it was stated that the Provisional Government of Israel was actually exercising control of the entire area of the Jewish State as defined in the General Assembly's resolution of November 29, 1947. In addition, the Provisional Government of Israel was exercising control over certain parts of Palestine outside the territory of the State of Israel, parts which, with the notable exception of Jerusalem, formerly, for

the most part, contained Arab majorities, but which had been mostly abandoned by their Arab population. No area outside of Palestine, the reply from the Provisional Government of Israel stated further, was under Jewish occupation, but sallies beyond the frontiers of the State had occasionally been carried out by Jewish forces for imperative military reasons.

In answer to question (c) the Provisional Government of Israel stated that its operations in areas outside the State of Israel were justified on the following grounds: (1) to repel aggression and to prevent these areas from being used as bases for attacks against the State of Israel; (2) to protect Jewish population, traffic and economic life, including Jewish settlements outside the area of the State where, owing to the absence of any duly constituted authority, life and property were in imminent danger.

In answer to question (d) the Provisional Government of Israel stated that it had made arrangements for the entry of immigrants of all ages and both sexes in accordance with its avowed policy of large-scale immigration, which policy, the Provisional Government of Israel considered, was a matter within its domestic jurisdiction.

The answer to question (e) indicated that no negotiations between Arabs and Jews were taking place, past Jewish offers to negotiate a peaceful settlement on the basis of the General Assembly's resolution of November 29, 1947, having been rejected by the Arab League and by King Abdullah of Transjordan.

The Provisional Government of Israel was continuing to maintain the liaison with the Security Council's Truce Commission formerly maintained by the Jewish Agency, and would be willing to agree to an immediate and unconditional truce for the City of Jerusalem, the answers to questions (f) and (g) stated.

In answer to the last question the Provisional Government of Israel stated that Arab forces had penetrated into certain parts of the Negeb and that in addition Arab planes and Arab artillery had repeatedly attacked Jewish settlements.

At the 296th meeting on May 19, the Council began its consideration of the draft resolution presented by the United States delegation (S/749).

The representative of the United Kingdom said that his Government supported the objectives of the United States draft resolution, though not its form. He had grave doubts about the wisdom and expediency of invoking Article 39, which was applicable solely with regard to international peace. Other difficulties connected with the present case

concerned the actual judicial status of Palestine, the degree of binding force of the Assembly's recommendations and the definition of an act of aggression and of the aggressor. For these reasons, he submitted the following amendment (S/755) as a redraft of the United States draft resolution:

"The Security Council,

"Bearing in mind the change in the juridical status of Palestine consequent upon the termination of the mandate, and the necessity for further clarification of this status;

"Taking into consideration that previous resolutions of the Security Council in respect to Palestine have not been complied with and that military operations are taking place in Palestine,

"Calls upon all parties concerned in Palestine to abstain from acts of armed force against each other, and to that end to issue a cease-fire order to their military and para-military forces to become effective within thirty-six hours after the adoption of this resolution,

"Calls upon the Truce Commission and upon all parties concerned to give the highest priority to the negotiation and maintenance of a truce in the City of Jerusalem;

"Directs the Truce Commission established by the Security Council by its resolution of 23 April 1948 to report to the Security Council on the compliance with the two preceding paragraphs of this resolution;

"Requests the Committee appointed by the General Assembly on 14 May to proceed as expeditiously as possible with the appointment of a United Nations Mediator for Palestine, and calls upon all parties concerned to avail themselves of his good offices in order to seek a solution by mediation."

The representative of the United States stated that the United States could not assent to the proposed amendment since it would take the problem out of Chapter VII into Chapter VI of the Charter, and would obviate the finding of a threat to the peace.

The representative of Belgium considered that the Council must remain within the framework of Chapter VI and use all means for the pacific settlement of the dispute. He asked what measures the Council could take in respect to a state which did not obey its orders, under the existing circumstances, i.e., without armed forces at the Council's disposal, and without the probability of being able to apply Article 106.

The representative of the Jewish Agency said that the fact that armed force was being used in Palestine by the Governments of Arab States was not disputed and was openly admitted by the aggressors in their communications to the Council. Since this use of armed force constituted a violation of the Charter, it was irrelevant to examine the justifications invoked in its behalf. An unconditional cease-fire was the only possible starting point in the quest for peace. The Security

Council would not have gone too far if, on the basis of available evidence, it had determined not merely a breach of peace, but also an act of aggression. He considered that it was necessary for the cease-fire to become effective immediately rather than after an interval of thirty-six hours.

The representative of China said that he could not find anything in the Charter which justified the United Nations in ordering the partition of any country or territory. He supported the representatives of the United Kingdom and Belgium in feeling that the resolution should proceed under Chapter VI rather than Chapter VII.

At the 297th meeting on May 19, the representative of the Ukrainian S.S.R. said that the existence of a threat to or breach of the peace in Palestine should be established on the basis of the available evidence. Documents submitted to the Council by Egypt and Transjordan clearly stated that their troops had entered Palestine.²³ These troops had a very definite military and political objective. The existence of the new Government of Israel was also an established fact; it had been recognized by eight different states, and was determined to defend its territory. He stated that the United Kingdom was responsible for the entry into Palestine of Transjordanian troops.

The representative of Syria stated that it was necessary to study the international status of Palestine to ascertain whether or not international peace was being disturbed. He failed to see how action could be taken under Article 39 of the Charter. Hence he could not accept the United States draft resolution.

The representative of the Arab Higher Committee stated that the principle of self-determination, upheld by both the Covenant of the League of Nations and the United Nations Charter, granted to the Arab majority of the people of Palestine the unquestionable right of complete sovereignty over the whole country. Under the circumstances that had prevailed in Palestine during the last six months, the Arab majority had come to the conclusion that it was necessary to have recourse to the assistance of the neighboring States members of the Arab League in order to restore peace and stability in their country.

At the 298th meeting on May 20, the representative of Canada expressed himself in favor of the United Kingdom proposal as a continuation of the efforts of the Council to achieve a just and lasting settlement in Palestine by means of negotiation, and because it did not involve measures of coercion.

The President, speaking as the representative of

France, stated that it was perfectly clear that a threat to the peace existed in Palestine. By following the course outlined in the United States draft resolution, the Security Council would be giving the Truce Commission and the Mediator²⁴ the authority and powers which they required for the accomplishment of their task. He would, therefore, vote for the United States draft resolution.

The representative of Colombia stated that the amendment submitted by the United Kingdom delegation would lead the Council to repeat measures already tried unsuccessfully. The Colombian delegation, therefore, could not support it.

The representative of Argentina said he would not vote in favor of any measure of a coercive character, but would vote for any measure of a pacificatory character, since that would be in the interest of the whole population of Palestine.

At the 299th meeting on May 21, the President drew the Council's attention to a cable (S/762) from the Truce Commission to the effect that it had been concentrating its efforts on bringing about a truce in Jerusalem. The Commission felt, the telegram stated, that, taking a realistic view of the situation in Jerusalem, the only effective measure which could be taken to bring about an immediate cessation of hostilities in the Holy City was the employment of a neutral force sufficiently large and powerful to enforce its will on either or both of the parties. Failing the presence of such a neutral force in Jerusalem, the only alternatives were victory by one of the two sides or a stalemate. Both the Arabs and the Jews had expressed a desire for a cease-fire and a truce in Jerusalem on their own terms, which were unacceptable to the other side. In view of the extreme gravity of the situation the Commission recommended that the Security Council should explore all those remedies provided for in Articles 41 and 42 of the Charter which were capable of immediate and effective application.

The President also announced that the permanent members of the Security Council had decided upon the appointment of Count Folke Bernadotte of Sweden as Mediator in Palestine.²⁵

Continuing the discussion on the United States draft resolution, the representative of the U.S.S.R. said that, despite the assertions of some representatives, partition of Palestine into two independent states was valid and in force, and had to be implemented through the joint efforts of all Members

²³See p. 418.

²⁴For the appointment of the Mediator, see *General Assembly*, p. 281.

²⁵For General Assembly's resolution, see p. 281.

of the United Nations. He criticized the attitude of the United Kingdom Government, which was openly supporting the action of Transjordan and at the same time was preventing the Council from taking effective action to suppress the existing threat to and breach of the peace in Palestine. The attitude of the Belgian and Chinese representatives in the Council was also difficult to understand. It was the view of the U.S.S.R. delegation that it would be illusory for the Security Council to place all its hopes in a Mediator who had no more rights and powers than the Truce Commission, which had proved itself utterly powerless to induce the Governments to abstain from warlike activities in Palestine. What was needed in the present situation was an effective decision with a view to putting an end to military operations in Palestine.

He considered that the draft resolution submitted by the United States delegation could be taken as a basis for the adoption of appropriate decisions by the Security Council.

The text submitted by the representative of the United Kingdom, he considered, was inadequate and would not serve to improve the situation in Palestine, although some of its paragraphs were not objectionable.

The representative of Syria said that it had been previously decided that the Security Council was not entitled to participate in, or to take any action for, the implementation of the plan of partition. Even the General Assembly had abandoned tacitly, if not openly and clearly, the resolution of November 29 last.

With regard to the United States resolution he stated that a truce was not an end in itself and that any order such as that contained in the resolution, if it was issued in that blunt fashion and without giving any satisfaction or assurance of what was to be done afterwards, would not be complied with. He insisted that the cause of the dispute must be removed before a truce could become effective. The cause of all the fighting was the partition plan, which the Arabs would never accept.

At the 301st meeting on May 21, the representative of Egypt stressed the importance of a decision to apply Chapter VII of the Charter. Before accepting the United States draft resolution, which was, in effect, a confirmation of partition, the Council had to consider the legal situation. That Palestine had emerged as an independent sovereign state on May 15, he stated, was clear from Article 22 of the Mandate which had recognized Palestine as an independent state,

subject only to the "administrative advice and assistance" of the Mandatory Power. The forces of the Arab States were in Palestine, with the consent of the great majority of the population, solely to maintain law and order in the face of terroristic activities of the Jewish minority and in the light of the inability of the United Nations to find a solution. He considered that the action of the United States Government in recognizing the State of Israel, which was a rebellious minority, had no legal force or meaning.

At the 302nd meeting on May 22, the representative of the Jewish Agency appealed to the Council to adopt the United States draft resolution (S/749). Failure to take action under Chapter VII of the Charter simply because the machinery of enforcement was not yet complete would be a disastrous blow to the prestige of the United Nations. He assured the Council that the Jews would accept a cease-fire, which, he said, should be followed by the removal of armed Arab forces from Palestine.

The President ruled that the United States draft resolution and the United Kingdom amendment to it would be voted on paragraph by paragraph.

The first paragraph of the United Kingdom amendment was therefore put to the vote first and was not adopted, receiving 6 votes in favor, with 5 abstentions (Colombia, France, Ukrainian S.S.R., U.S.S.R., United States).

The second paragraph of the United Kingdom amendment was identical with the first paragraph of the United States resolution. This was adopted unanimously.

The next paragraph to be voted on was the second paragraph of the United States resolution, containing a finding of a threat to and breach of the peace within the meaning of Article 39 of the Charter. Before a vote on the paragraph was taken the representative of the United States expressed the view that the statements of the Arab States, their replies to the Council's questionnaire and the declaration by Syria of its intention to establish a blockade of foreign shipping off the coast of Palestine constituted indisputable evidence that the Arabs were guilty of a breach of international peace within the meaning of Article 39 of the Charter. The claim that their action qualified under the Charter as that of a regional organization could not be justified, especially in the light of Article 53.

The representative of the United Kingdom opposed such a determination under Article 39 of the Charter, on the ground that it should not be invoked unless the Council was prepared

eventually to use armed force in Palestine. He also considered that the Council should persist in its attempts by various means to arrange for truce and mediation.

The Council failed to adopt the paragraph, there being 5 votes in favor (Colombia, France, Ukrainian S.S.R., U.S.S.R., United States), with 6 abstentions.

The third paragraph of the United Kingdom amendment, with some further changes proposed by the representatives of the United States and China, was then adopted by a vote of 10 to 0, with 1 abstention.

The last three paragraphs of the United Kingdom amendment were adopted by a vote of 9 to 0, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.), the last paragraph having been revised at the suggestion of the representative of France so as to render the wording stronger.

Before a vote was taken on the resolution as a whole the representative of the United States expressed the view that the resolution before the Council as a result of the above voting was unsatisfactory. He would vote for the amended resolution solely because of the call upon the parties to issue a cease-fire order within 36 hours after the stated time. If the parties did not obey the cease-fire request, the Security Council must consider further action.

The representative of Colombia was also dissatisfied with the Council's action but hoped that it might result in a frank discussion of the situation in which the Council was placed.

The resolution as a whole (S/773) was then adopted by 8 votes in favor, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.). Following is the text of the resolution as adopted by the Council:

"The Security Council,

"Taking into consideration that previous resolutions of the Security Council in respect to Palestine have not been complied with and that military operations are taking place in Palestine,

"Calls upon all Governments and authorities, without prejudice to the rights, claims or position of the parties concerned, to abstain from any hostile military action in Palestine and to that end to issue a cease-fire order to their military and para-military forces to become effective within thirty-six hours after midnight, New York standard time, 22 May 1948;

"Calls upon the Truce Commission and upon all parties concerned to give the highest priority to the negotiation and maintenance of a truce in the City of Jerusalem;

"Directs the Truce Commission established by the Security Council by its resolution of 23 April 1948 to report to the Security Council on the compliance with the two preceding paragraphs of this resolution;

"Calls upon all parties concerned to facilitate by all means in their power the task of the United Nations Mediator appointed in execution of the resolution of the General Assembly of 14 May 1948."

By a letter dated May 24 (S/779), the representative of the Jewish Agency informed the Security Council that the Provisional Government of Israel had issued orders to all commanders to cease fire on May 24, at noon, New York time, and not to resume firing unless the other side continued to fire.

By telegrams addressed to the Secretary-General the Governments of Lebanon, Iraq and Syria informed the Security Council that the time limit set in the Council's resolution of May 22 (S/773) was not sufficient for consultations among the Arab Governments with a view to arriving at a decision with regard to the Council's cease-fire order. At the 303rd meeting of the Council on May 24, the representative of Syria further informed the Council of a telegram he had received from the Secretary-General of the Arab League requesting the Security Council to grant to the Arab States a delay sufficient for them to exchange views at a meeting which would be held the following day at Amman, Transjordan.

The representatives of the United Kingdom, the United States and France supported the request for an extension of the time limit and, at the suggestion of the representative of France, the Council agreed to an extension of 48 hours to expire on May 26 at noon, New York standard time.

The Provisional Government of Israel protested against the extension of the time limit granted the Arab States and informed the Council (S/788) that it must review its position in the light of the Council's decision. It subsequently informed the Council (S/789) that as a result of a new decision by the Provisional Government cease-fire orders had been reissued to all commanders effective May 26 at 1 P.M., New York time.

At the 305th meeting on May 26, the representative of Egypt stated that his Government could not abide by a cease-fire recommendation unless it provided for a cessation of the immigration of recruits for the Jewish forces and to the importation of military equipment by the Jews, and unless it paved the way for an equitable solution of the Palestine question in accordance with the wishes of the majority of the population.

The representative of Iraq on behalf of all the Arab States then presented the reply of the Arab League to the Council's cease-fire order (S/792). The Arab League considered the cease-

fire order unacceptable, since it gave no guarantee against Zionist attack. The League believed that the resolution of April 17 should be observed, and was prepared to consider any further proposals of the Council.

The representative of the Jewish Agency said that the Provisional Government of Israel accepted and was willing to carry out the unconditional cease-fire requested by the Council, but would not accept the terms laid down by the Arab aggressors. He said these terms would amount to surrender.

The representative of Syria pointed out that the Jews had everything to gain from a cease-fire, while the Arabs had everything to lose.

At the 306th meeting on May 26, the President read a letter from the Jewish Agency to the effect that the Jewish authorities were maintaining close liaison with the Truce Commission. He asked for clarification of the statements made by the Arab States at the previous meeting.

The representative of Iraq said that the Foreign Ministers of the Arab States were at Amman, awaiting any suggestions which the Council might make.

The representative of Syria stated that the Arabs rejected an unconditional cease-fire but they had accepted a truce on the basis of the Council's resolution of April 17, confirmed by the Assembly's resolution of May 14, which, he asserted, had been violated by the Jews.

The representative of the Jewish Agency pointed out that the resolution of April 17 had referred only to the period when the Assembly had the Palestine question under discussion.

The representative of the Ukrainian S.S.R. urged that the Council take more decisive measures to put an end to the fighting in Palestine. He considered that the cessation of hostilities was being delayed in accordance with the imperialistic interests of the United Kingdom, which was in fact participating in the hostilities by supplying arms and personnel to the Arab forces.

The representative of the Arab Higher Committee insisted that nationals of the Arab States could not be regarded as invaders in Palestine. It was only natural that the Palestinians had appealed to their neighbors for assistance in the face of mounting Jewish aggression.

The representative of the United States said that the cease-fire resolution taken under Chapter VI had proved ineffective and that the fighting was growing in intensity. He asked that other members should now make suggestions for a solution.

i. U.S.S.R. AND UNITED KINGDOM DRAFT RESOLUTIONS

The representative of the U.S.S.R. considered that the Council had to take steps designed to restore peace in Palestine. To that end he proposed a draft resolution, a revised text of which was submitted at the 309th meeting and read as follows (S/794/Rev.2):

"Considering that the Security Council's resolution of 22 May on the cessation of military operations in Palestine has not been carried out, in view of the refusal of the Arab States to comply with this decision;

"Considering that military operations in Palestine, in view of this, are increasing in intensity and that the number of casualties is growing; and

"Considering that as a result of these events the situation in Palestine constitutes a threat to peace and security within the meaning of Article 39 of the Charter of the United Nations;

"The Security Council

"Orders the Governments of the States involved in the present conflict in Palestine to secure the cessation of military operations within thirty-six hours after the adoption by the Security Council of this resolution."

The representative of Egypt reiterated that his Government would welcome a cease-fire on the basis of the Council's resolution of April 17, which he considered to be still operative since it had been affirmed by the Assembly's resolution of May 14. That cease-fire resolution had correctly provided for a cessation of all acts, political and military, which might jeopardize the rights, claims or position of either party, and paved the way for an equitable settlement.

The representative of the United Kingdom considered that the basis of the resolution of April 17, which aimed at political and military truce, had been removed by the proclamation of the Jewish State, and that the reaction of the Arab States to the present proposals had to be assessed in the light of past events. The Council, however, had to bring the fighting to an end in order to create conditions in which proposals for a settlement of the dispute could be considered. To that end, he proposed a draft resolution (S/795), the text of which, as revised at the 310th meeting, read as follows (S/795/Rev.2):

"The Security Council,

"Desiring to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews,

"Calls upon both parties to order a cessation of all acts of armed force for a period of four weeks,

"Calls upon both parties to undertake that they will not introduce fighting personnel or men of military age into Palestine during the cease fire,

"Calls upon both parties and upon all Governments to refrain from importing war material into Palestine during the cease fire,

"*Urges* both parties to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem."

"*Instructs* the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers."

"*Instructs* the United Nations Mediator to make contact with both parties as soon as the cease fire is in force with a view to making recommendations to the Security Council about an eventual settlement for Palestine."

"*Calls upon* all concerned to give the greatest possible assistance to the United Nations Mediator."

"*Instructs* the United Nations Mediator to make a weekly report to the Security Council during the cease fire."

"*Invites* the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 6 p.m. New York standard time on 1 June 1948."

"*Decides* that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the present situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter."

At the 307th meeting on May 28, the representative of China stated his opposition to the Soviet Union draft resolution and supported in principle the draft resolution of the United Kingdom.

The representative of the Jewish Agency criticized the United Kingdom draft resolution as upholding the interests of the Arabs. It was intended to bring reward to the aggressors and impose sanctions upon their victims. The proposed cease-fire, conditioned upon restrictions on immigration and the cessation of the importation of men and military equipment by the Jews, would be prejudicial to them while it would not affect the Arab position. It was also contrary to Article 2, paragraph 7, of the Charter. Neither the Council nor the Mediator had any power to affect the sovereignty and integrity of Israel, which had been established with the sanction of the Assembly. It was significant that the United Kingdom was prepared to invoke Chapter VII in the event of the rejection of this draft resolution, while it opposed most vigorously any such action when confronted with the defiant rejection by the Arabs of the previous Council resolutions calling for a truce.

The representative of the Ukrainian S.S.R. said that, whereas the U.S.S.R. draft resolution presented a constructive approach to the problem, the draft resolution of the United Kingdom was designed to stifle the State of Israel. At the end of the four-week period, the Jews would find their resources depleted while the Arabs would be prepared for a renewed onslaught. The invaders

would be permitted to retain their forces in Palestine and use it as a base for larger operations. All the large arsenals of the United Kingdom would be at the disposal of the Arabs, and a virtual blockade would be established around Israel. Jewish immigration was an internal matter for the State of Israel. The provision for enforcement action by the Security Council against any party which rejected the resolution was clearly designed to obtain sanctions against the Jews. The whole draft resolution was biased and unacceptable.

The representative of Canada opposed the draft resolution of the U.S.S.R. for the same reason as he had opposed that of the United States. The Council should not leave the methods of pacific settlement under Chapter VI of the Charter and embark upon measures under Chapter VII until the Council had been informed as a result of consultations among the permanent members "what consecutive steps in the way of diplomatic, economic or military pressure or coercion might follow should the order of the Council to cease military action fail". He supported in general the United Kingdom draft resolution as a fresh attempt to obtain a cease-fire by agreement and because that resolution, in his view, relied upon the machinery of mediation, negotiation and conciliation, which had not yet been fully tried.

The representative of the United States supported the U.S.S.R. draft resolution. He referred to several statements by Arab representatives as conclusive evidence of a breach of international peace.

At the 309th meeting on May 28, the representative of France stated that he supported the U.S.S.R. draft resolution for the same reason that he had supported the United States proposal, especially since the situation was deteriorating rapidly.

The representative of Colombia supported the U.S.S.R. draft resolution in principle. He was gratified that the U.S.S.R. and the United States were now in agreement, and he shared the Canadian view that some accord between the permanent members, in respect of enforcement action under Article 106 of the Charter, was advisable before the Council decided to act under Chapter VII.

The Council, he stated further, had spent weeks in discussions without achieving anything. He believed that negotiations should be reopened with the parties in order to find a peaceful solution. In this spirit, he suggested that the Council might wish to adopt a draft resolution inviting the permanent members of the Council to consult

with one another with a view to such joint action on behalf of the United Nations as might be necessary to ensure compliance with the relevant provisions of the resolutions adopted by the Council on April 17 (S/723) and May 22 (S/773), 1948, for the purpose of maintaining international peace and security.

The Council should further establish a commission of five members, three to be designated by the Council itself, one by the Arab Higher Committee and another by the Jewish Agency. If the membership of the commission should not be completed within three days from the date of the resolution, the President of the Council should designate such other member or members as might be required to complete the membership of five.

The primary task of this commission would be to discuss with the representatives of the Governments and the authorities concerned the possibility of negotiating a peaceful settlement of the question of the future government of Palestine. The Governments and communities directly interested in this question were to make representatives available to the commission of the Council for the purpose of discussing such peaceful settlement and the commission itself should co-operate with the Truce Commission and the United Nations Mediator to the best of their ability in the performance of their duties.

The President, as the representative of France, referring to a communication from the Truce Commission (S/997/Corr.1) concerning the situation in Jerusalem, proposed the following draft resolution (S/798/Rev.2) concerning a truce in Jerusalem, which, he stated, need not prejudice the position of either party:

"The Security Council,

"Considering that the appeal issued by the Security Council on 22 May 1948 with a view to terminating hostilities in Palestine has not been complied with;

"That that appeal called upon the Truce Commission and all parties concerned to give the highest priority to the negotiations and maintenance of a truce in the city of Jerusalem,

"That the attack on and bombardment of Jerusalem have been going on since 15 May; that they have already caused terrible destruction, which is increasing every day; that places of priceless value for three of the greatest religions of the world, representing an important part of the spiritual and cultural heritage of humanity, are thereby endangered, if they have not already been stricken,

"Calls upon the Governments and authorities concerned to cease hostilities in the city of Jerusalem within a time-limit expiring at noon 29 May (New York standard time);

"Decides that if the present resolution is rejected by either party, or both, or if, after having been accept-

ed, it is not implemented, the present situation in Palestine will be reconsidered with a view to taking measures provided for under Chapter VII of the Charter."

At the 309th meeting on May 29, the representative of the U.S.S.R. said that the proposals in the United Kingdom draft resolution were illegal and were contrary to the interests of both Jews and Arabs and to the Assembly's resolution of November 29, 1947. Adoption of the United Kingdom draft would be equivalent to imposing sanctions on the Jewish State, the victim of aggression. He considered that the draft resolution was an expression of the imperialistic policy of the United Kingdom, designed to prolong the conflict in Palestine by inciting Arabs to fight Jews, to make it impossible for the Jewish State to maintain its independence, or for a new and independent Arab State to emerge in the Arab part of Palestine. The existence of a state of war was indisputable. He therefore urged adoption of the U.S.S.R. draft resolution as the measure which could restore peace in Palestine.

The representative of the United Kingdom believed that the Council should not enter upon action under Chapter VII of the Charter unless it was prepared to proceed if necessary to the most drastic enforcement measures, and unless it was satisfied as to what would be the results of such action. The United Kingdom draft resolution was designed to bring pressure for peace without the use of Chapter VII. He contested the statement of the representative of the Jewish Agency that the United Kingdom draft resolution was discriminatory, and pointed out that some of the provisions which were objected to had figured in the resolution of April 17.

The representative of Belgium supported the United Kingdom draft resolution in principle. He believed that, in the long run, only mediation was capable of bringing about peace in Palestine, and that the Council should not make a determination under Article 39 of the Charter unless it, or rather the permanent members, were prepared to proceed to all the coercive measures provided for in Chapter VII.

At the 310th meeting on May 29, the representative of Syria stated that he opposed the demand of the representative of the U.S.S.R. for measures under Chapter VII on the grounds that such action would only aggravate the situation and make a solution more difficult. He did not consider that Chapter VII of the Charter was applicable since (a) Palestine was an Arab country and hence international peace was not threatened, (b) he did not recognize the existence of a

sovereign Jewish State, (c) the resolution of November 29, 1947, which had never been more than a recommendation, could not create any state and (d) that resolution had been abandoned by the Assembly in its resolution of May 14, 1948.

The representative of the Jewish Agency reiterated his view that the third and fourth paragraphs of the United Kingdom draft resolution discriminated against the interests of the Jewish State. Moreover, Israel was now a sovereign state, and those paragraphs constituted a violation of its domestic jurisdiction. The French draft resolution was acceptable in principle, subject to a guarantee being given for access to the Holy Places and to the city itself.

The representative of Colombia deplored the disunity among the permanent members which, in the absence of an international force, made it difficult for the Council to apply enforcement measures in the face of a recognized threat to the peace.

The President, speaking as the representative of France, stated that he believed that Article 39 of the Charter made it imperative for the Council, under the existing conditions, to determine the existence of a threat to international peace irrespective of what measures it might be able to take.

At its 310th meeting on May 29, the Council proceeded to vote on the resolutions before it. The U.S.S.R. resolution was put to the vote first, the first paragraph being voted on in two parts at the request of the representative of Colombia. The first part of the first paragraph received 5 votes in favor (Belgium, France, Ukrainian S.S.R., U.S.S.R., United States), with 6 abstentions, and was not adopted. The reference to the refusal of the Arab States to comply with the Council's previous decision of May 22 was rejected by a vote of 2 in favor (Ukrainian S.S.R., U.S.S.R.), with 9 abstentions. The vote on the remaining four paragraphs of the resolution again was 5 in favor, with 6 abstentions. The U.S.S.R. resolution therefore was not adopted.

The Council then considered the United Kingdom resolution, paragraph by paragraph, and amendments were proposed by the representatives of the United States, France, Colombia, Canada and Syria and suggestions by the Jewish Agency.

The first paragraph of the resolution was adopted by a vote of 8 in favor, with 3 abstentions.

In the second as well as in subsequent paragraphs the representative of the United States proposed the use of the phrase "all governments and authorities concerned" instead of "both parties". This was accepted by the representative of

the United Kingdom. The representative of Colombia proposed that the provision of a time limit of four weeks for the truce should be deleted, as in his view fighting should be stopped once and for all and not only for a brief interval. This amendment was rejected by a vote of 3 in favor (Colombia, Ukrainian S.S.R., U.S.S.R.), with 8 abstentions. The second paragraph of the resolution was then adopted by 10 votes, with Colombia abstaining.

As regards the third paragraph the representative of the United States proposed that the prohibition of the introduction of fighting personnel and men of military age should be applied not only to Palestine but to all the Arab States as well, which should be listed by name. This change was accepted by the representative of the United Kingdom. The representative of France then proposed that the reference to "men of military age" in this paragraph be deleted and that instead an additional paragraph should be inserted calling upon all governments and authorities concerned, should immigrants of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training, and in order to ensure the fulfilment of this obligation to intern them during that period in camps placed under the control of the Mediator, who would have the authority to make any exceptions which he might deem appropriate.

In support of his amendment the representative of France stated that it was designed to keep a fair balance between a ban on the entry of all persons of military age and the possibility that immigrants of military age would be trained and mobilized for use after the expiration of the truce, thus not giving any undue advantage to either of the parties.

The representative of the Jewish Agency welcomed the spirit of the French amendment, although he did not favor the provision that immigrants of military age should be interned in camps. The representatives of the Arab Higher Committee and of Egypt, on the other hand, reiterated their opposition to any immigration whatever.

At the suggestion of the representative of the United States the reference to internment camps was deleted from the French amendment and the phrase "men of military age" was substituted for the phrase "immigrants of military age". In this form the representative of the United Kingdom accepted the French amendment. The two paragraphs as amended (paragraph 3 of the original United Kingdom draft resolution and the addi-

tional paragraph to be inserted) were then adopted by a vote of 7 in favor, with 4 abstentions (Colombia, Syria, Ukrainian S.S.R., U.S.S.R.).

The fourth paragraph of the original United Kingdom resolution was adopted by a vote of 9 in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.), after the representative of the United Kingdom had accepted a United States amendment referring to the export of war material to Palestine as well as its import into Palestine, and extending the prohibition on the import and export of war materials to the Arab States.

In connection with the fifth paragraph the representative of the United Kingdom accepted a suggestion of the representative of the Jewish Agency to include a reference to the necessity of safeguarding access to the Holy Places. The paragraph was then adopted unanimously.

Paragraphs 6, 7 and 8 of the original United Kingdom resolution were adopted by 9 votes in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.). The wording of paragraph 7 was changed at the suggestion of the representative of Canada so as to include mention of the General Assembly's resolution as regards the Mediator's functions.

The last two paragraphs of the original United Kingdom resolution were adopted by 8 votes and 7 votes in favor respectively, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.) in the first vote and 4 abstentions (those three and Argentina) in the second vote.

An additional paragraph proposed by the representative of the United States calling upon all governments to take all possible steps to assist in the implementation of the resolution was adopted by a vote of 8 in favor, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.).

Following is the text of the resolution (S/801) as adopted by the Council:

"The Security Council,

"Desiring to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews,

"Calls upon all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks,

"Calls upon all Governments and authorities concerned to undertake that they will not introduce fighting personnel into Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire, and

"Calls upon all Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training during the cease fire,

"Calls upon all Governments and authorities con-

cerned to refrain from importing or exporting war material into or to Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire,

"Urges all Governments and authorities concerned to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem, including access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them,

"Instructs the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers,

"Instructs the United Nations Mediator to make contact with all parties as soon as the cease fire is in force with a view to carrying out his functions as determined by the General Assembly,

"Calls upon all concerned to give the greatest possible assistance to the United Nations Mediator,

"Instructs the United Nations Mediator to make a weekly report to the Security Council during the cease fire,

"Invites the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 6:00 p.m. New York standard time on 1 June 1948,

"Decides that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter,

"Calls upon all Governments to take all possible steps to assist in the implementation of this resolution."

After the United Kingdom resolution had been adopted, the President, speaking as the representative of France, withdrew his own draft resolution (S/798/Rev.2) regarding a truce in Jerusalem. The Colombian proposal for the establishment of a commission of five had not been formally submitted as a resolution and was therefore not put to a vote.

j. ACCEPTANCE BY ALL PARTIES CONCERNED OF THE RESOLUTION OF MAY 29, 1948

By letter dated June 1, 1948 (S/804), the representative of the Jewish Agency transmitted the reply of the Provisional Government of Israel to the Council's resolution of May 29. The Provisional Government of Israel, the Council was informed, had decided to respond to the Council's call and had instructed the High Command of its Defence Army to issue cease-fire orders to all its forces effective on June 2, at 7 P.M., New York daylight time, on condition that the other side acted likewise. The Provisional Government of Israel would also comply with all the injunctions and obligations imposed by the resolution, pro-

vided that a similar undertaking was entered into by the other governments and authorities concerned. The Provisional Government of Israel stated further that its acceptance of the cease-fire was subject to the following assumptions, which in its opinion were implied in the terms of the resolution, but which it wished placed on record:

"1. That the ban on the import of arms into the territory of the Arab States enumerated in the resolution should apply also to the deliveries of arms from stocks owned or controlled by foreign powers within those territories.

"2. That during the cease fire, the armed forces of neither side will seek to advance beyond the areas controlled by them at the announcement of the cease-fire and that each side will be entitled to maintain the positions in its military occupation at that time.

"3. That freedom of access to Jerusalem will be ensured for the supply of food and other essentials, as well as for normal civilian entry and exit

"4. That any attempt by the parties concerned to stop or impede the normal transport of goods assigned to Israel and other States concerned will be regarded as an act of armed force

"5. That while the provisional Government of Israel is ready to comply with the injunction that persons of military age admitted during the cease-fire period should not be mobilized or submitted to military training, its freedom to admit immigrants, regardless of age, will not be impaired"

By telegram dated June 1, 1948, and addressed to the Secretary-General (S/810) the Minister for Foreign Affairs of Egypt communicated to the Security Council the reply of all the States members of the Arab League. This reply stressed that the suspension of hostilities must serve as a means of finding a just solution of the Palestine problem and expressed the confidence of the States members of the Arab League that the Truce Commission and the United Nations Mediator would realize that any solution which did not ensure political unity for Palestine nor respect the will of the majority of the population of that country would not have the least chance of success.

Referring to the question of Jewish immigration the telegram stated that it was inconceivable that the Security Council could have intended to place the Zionists in a position to profit by the period of cessation of hostilities in order to receive a reinforcement of men, who although they came to Palestine as immigrants were in reality nothing but trained fighters.

Finally, the telegram stated, the Governments of the Arab States considered it necessary that a body be set up under the necessary safeguards, charged with the most careful supervision of the provisions and conditions of the Security Council's resolution, as the Arab States did not consider that the resolution gave them full assurance that the

other party would observe these provisions and conditions.

In the light of these explanations, the telegram concluded, the Arab States accepted the Security Council's invitation to cease fire for a period of four weeks from a date to be determined for this purpose.

The Security Council considered these replies at its 311th meeting on June 2. It had before it also a telegram from the United Nations Mediator (S/814) dated June 2, concerning the date to be set for the truce to come into effect. The Mediator stated that talks with the parties and his own preliminary study of the problem of controls had convinced him that a limited time must be allowed between the date of acceptance of the resolution and the date of its application. If the effective date were set so early that the controls would not be operative there would be immediate charges of violations by both sides. The Mediator therefore suggested that he be authorized to fix the effective date in consultation with the two parties and the Truce Commission. The four-week period, he assumed, would be computed from this effective date.

The representative of the Jewish Agency asked that the Council fix an early deadline for the operation of the cease-fire. He thought that the message dealing with this subject from the Mediator (S/814) showed too much regard for technical details.

The representative of the Arab Higher Committee said that, as a member of the Arab League, his Committee upheld the statement communicated by the Egyptian Government (S/810).

The representative of Iraq stressed the importance of taking measures to ensure that the cease-fire was not broken.

The President stated that it was the Council's understanding that the comments contained in the replies of the cease-fire resolution did not constitute conditions, and that the resolution had been accepted unconditionally. He asked for the members' views on the Mediator's suggestion (S/814) that he be authorized to fix a date for the cease-fire in consultation with the parties.

The representatives of Argentina and of the United Kingdom supported this suggestion.

In reply to the representative of the United Kingdom, the President said that the four-week period would be computed from the beginning of the cease-fire.

The representative of France thought that everything possible should be done to increase the Mediator's authority.

The representative of the United States considered that the Mediator should be urged not to delay the cease-fire until controls covering all aspects of the Assembly and the Council resolutions had been established. In addition, he asked that the Mediator stress the humanitarian and non-political aspect of his task.

The representative of Canada agreed that the Mediator should be asked to put the cease-fire into effect as soon as possible.

The representative of Colombia suggested that the Council inform the Mediator that it would meet within two or three days to receive his report on the situation.

The representative of the United Kingdom stated that his Government would not permit the transfer of war materials to the parties from stocks in the Middle East during the period of the cease-fire. He suggested that the Mediator be authorized to reconcile differences of interpretation regarding the resolution. He should also be asked to report on measures of supervision.

With the representatives of the Ukrainian S.S.R. and the U.S.S.R. abstaining, the Council then approved the suggestion of the Mediator regarding the procedure for arranging the effective date for the cease-fire and the truce (S/814) and agreed that this time-limit should be as short as possible.

At the 313th meeting on June 3, the President drew attention to Part II, paragraph 3, of the Assembly's resolution of May 14 (A/554), which directed the Mediator to conform with such instructions as the General Assembly or the Council might issue. He asked if members wished instructions to be issued.

The representative of the Arab Higher Committee stated that the maintenance of the truce depended upon the establishment of effective controls. The Jews had, in the past, found many ways of smuggling arms and men into Palestine. Control of immigration was of the greatest importance; he appealed to all governments to restrict the movement of Jewish immigrants and sales of war materials to the Jews. He contested the assumption of the Provisional Government of Israel that there should be freedom of access for the Jews into Jerusalem. The abandonment of the siege was contrary to the standstill order, and would benefit the Jews. He reiterated that the Arabs could not enter into negotiations on the basis of recognition of the existence of a Jewish state.

The representative of the Jewish Agency said that the Council's resolution clearly ruled out any general ban on the immigration of Jews of mili-

tary age. Referring to the arbitrary and unilateral United Kingdom decision not to release such men from the camps on Cyprus, he pointed out that it was for the Mediator to decide what regulation should be imposed. He stated that the Provisional Government of Israel would not take part in any negotiations concerning the existence of the Jewish State.

The representative of France stated that he was disturbed by the two preceding statements and said that the parties must co-operate in the Council's attempt at conciliation. He drew attention to the penultimate paragraph of the truce resolution, which provided for measures under Chapter VII of the Charter if the truce did not lead to results. It was up to the Mediator, he considered, to interpret the terms of the resolution. If his interpretation was challenged, it could be referred to the Council.

The President shared the views of the preceding speaker, and it was agreed that the Council should not issue any instructions to the Mediator pending examination of his first report, and that the Mediator should have full authority to act within the terms of the resolution and interpret it in any way he deemed correct. Only if that interpretation were challenged should the matter be submitted to the Council for further consideration.

k. TRUCE IN PALESTINE EFFECTIVE FROM JUNE 11, 1948

By cablegram dated June 4, 1948 (S/823), the United Nations Mediator informed the President of the Security Council that he had been negotiating with the parties concerning the effective date of the truce and that the only question obstructing agreement was that of Jewish immigration into Palestine during the truce. The difficulty had arisen with regard to the interpretation of paragraphs 3 and 4 of the resolution of May 29, 1948, referring to "fighting personnel" and "men of military age". The Mediator therefore inquired whether the Security Council had intended the resolution to permit Jewish immigration of men of military age during the truce provided that they were not mobilized or submitted to military training, or whether its purpose was to exclude during that period all men of military age. In reply the President informed the Mediator that the basic intent of the resolution could be interpreted as meaning that no military advantage should accrue to either side as a result of the truce.

The President informed the Security Council

of these developments at its 314th meeting on June 7.

The representative of France thought that it should be made clear to the Mediator that the truce resolution had been accepted unconditionally, and that his task was to devise means of implementing it and bring together the divergent interpretations.

The President stressed that it was for the Mediator and not the parties to interpret the truce resolution. If those interpretations were rejected, then the matter would be considered by the Council.

The representative of the Jewish Agency expressed surprise that the cease-fire order issued by the Provisional Government of Israel had met with no response either from the Arabs or the Council. The immediate task of the Mediator should be to obtain a cease-fire rather than to discuss technical details pertaining to the provisions of the resolution.

Following further negotiations with the representatives of both parties the Mediator concluded that there was no practical possibility of negotiating a detailed agreement within any reasonable period of time. He therefore decided, on June 7, to submit to the parties his own draft of the terms of the truce, requesting the parties to accept the proposal (S/829) without conditions by June 11, 1948, 6 A. M., G.M.T. As to the disputed clauses of the Security Council's resolution of May 29, the Mediator interpreted this to mean that no fighting personnel (i.e., men belonging to a military unit or bearing arms) could be introduced into Palestine or any Arab country during the period of the truce.

Regarding the entry of men of military age, his interpretation was that the resolution did not prohibit immigration nor did it appear to place any complete and positive ban on the inclusion of men of military age in such immigration. The Mediator therefore decided that free immigration of women and children and men under and above the age group of 18 to 45 should be permitted. In addition, a limited number of men of military age were to be permitted to enter, the number to be at the discretion of the Mediator and these men to be kept in non-military camps under the surveillance of United Nations observers during the period of the truce.

By a letter dated June 9 (S/833) the Government of Egypt, on behalf of the Governments of Egypt, Saudi Arabia, Lebanon and Syria, accepted the Mediator's proposal (S/829) as a proof of these States' "sincere desire for co-operation

with the United Nations to achieve a peaceful and equitable solution of the problem of Palestine". Similar replies were received by the Mediator from the Governments of Iraq, Transjordan and Yemen.²⁸

The Provisional Government of Israel accepted the truce proposals by a letter dated June 10 (S/834), although it expressed dissatisfaction with certain of the clauses affecting Jewish immigration.

The Mediator informed the Security Council of the acceptance by all parties of the truce proposals by a cablegram dated June 10 (S/830).

At the 317th meeting of the Security Council the representative of the United States expressed gratification at the announcement of the acceptance of the truce and expressed hope that it would be extended into an enduring settlement.

The President said that the Council would now await the result of the Mediator's negotiations for a peaceful settlement. He suggested that an acknowledgement by the Council of the successful conclusion of his efforts for a truce be sent to the Mediator. He did not, however, think it necessary, as proposed by the representative of France, that the Council confirm the Mediator's interpretations of the truce resolution, since they had not been challenged by the parties.

At the 320th meeting, on June 15, the President drew attention to three messages received from the Mediator (S/837, S/839, S/840). The first (S/837) was a request that all communications from interested parties relating to the truce agreement should be submitted to the Mediator, and that the latter should exercise his discretion in reporting them to the Council. The second was a cablegram from the Mediator dated June 15 (S/839) informing the Council that in his view the truce had worked well during the first few days, taking into account all circumstances, including difficulties encountered regarding communications and getting observers to strategic points and fronts in time. The last message (S/840) contained a request that the Council call on all Member States, and on some non-member states, to report on the steps taken to implement the resolution of May 29, and urge all states to assist the Mediator in the implementation of the truce proposals. The President proposed to accept these requests. After brief discussion the Council agreed to the Mediator's requests.

Replies (S/855, Add.1-4) to the Council's inquiry, which was brought to the attention of

²⁸See S/833, Note by the Secretary-General.

States Members and non-members of the United Nations by the Secretary General, were received from:

Austria	Haiti
Belgium	Hungary
Brazil	India
Canada	Italy
China	New Zealand
Colombia	Switzerland
Czechoslovakia	United Kingdom
Dominican Republic	Union of
Ecuador	South Africa
France	United States
Greece	

I. QUESTION OF TRUCE OBSERVERS

At the 314th meeting of the Council on June 7, the representative of the U.S.S.R. asked for clarification of the procedure to be adopted for providing the Mediator with military observers in accordance with paragraph 7 of the resolution of May 29. The U.S.S.R. was prepared to send observers to Palestine together with other Powers directly concerned.

The representative of the United States said that the Mediator had approached his Government, as a member of the Truce Commission, to ascertain whether it would be prepared to furnish military observers. His Government had replied in the affirmative.

The representatives of France and Belgium said that their Governments had likewise been approached.

The representative of the U.S.S.R. then expressed the view that the question was not one of interpretation to be left to the Mediator. The decision as to which countries should send observers and as to how the latter would be made available had to be made by the Council. Membership in the Truce Commission had no connection with the problem of assigning these observers to the Mediator.

At the 317th meeting of the Council on June 10, the representative of the United States stated that in his opinion it was the intent of the resolution of May 29 that the Mediator should be left free to make his own arrangements in respect of the truce and its supervision. He would, however, accept any decision which the Council might make.

The representative of the Ukrainian S.S.R. stated he did not see how the seventh paragraph of the resolution of May 29 could be interpreted to mean that only States members of the Truce Commission should send military observers.

The representative of Canada pointed out that the resolution of May 29 called upon the Mediator

to supervise the observance of the truce in concert with the Truce Commission. He believed that the latter was under an obligation to provide the assistance and facilities for observation, and he could not see that any state possessed a right to participate.

At the 320th meeting of the Council on June 15, the representative of the U.S.S.R. proposed the following draft resolution (S/841):

"Considering the necessity of providing the United Nations Mediator in Palestine with an appropriate number of military observers in accordance with the Security Council resolution of 29 May 1948,

"The Security Council resolves:

"1. To attach to the United Nations Mediator military observers numbering from thirty to fifty persons.

"2. The military observers should be appointed by Member States of the Security Council wishing to participate in the designation of such observers, excluding Syria."

The representative of the U.S.S.R. did not consider that the question could be settled otherwise than by a decision of the Security Council. The Mediator was not entitled to settle the question irrespective of the Council or to request some states to supply him with observers. He saw no reason why the United States representative should object to the participation of a small group of U.S.S.R. observers, numbering not more than five. The U.S.S.R. had the same right as any other country to send observers to Palestine.

The representative of the Ukrainian S.S.R. supported the U.S.S.R. draft resolution and considered it essential that U.S.S.R. observers participate in supervising the truce. He could not understand why the United States and other members should object to such a procedure, which was necessary if the group of observers was to be fully representative of the Council, and if effective and successful implementation of the May 29 resolution was to be ensured.

The representative of Argentina said he would not have opposed the U.S.S.R. resolution had it been presented in connection with the resolution of May 29. However, he believed that the decision should now be left to the Mediator, who was acting in accordance with the resolution of the General Assembly.

The Council rejected the U.S.S.R. draft resolution by 2 votes in favor (Ukrainian S.S.R., U.S.S.R.), with 9 abstentions.

III. TRUCE OBSERVANCE AND MEDIATOR'S PROPOSALS FOR A PEACEFUL ADJUSTMENT OF THE FUTURE SITUATION IN PALESTINE

By cablegram dated June 21, 1948 (S/849), the Mediator informed the Security Council that

the truce was holding up well on the whole. Headquarters for truce supervision were now being established at Haifa, while the Mediator had established his own headquarters at Rhodes. This arrangement, the Mediator reported, was proving satisfactory and permitted him to concentrate on the mediation aspect of his work.

On June 30, 1948, the Mediator informed the Security Council by cablegram (S/860) that as a result of consultations with representatives of the parties he had, on June 28 and 29, presented to the Arab and Jewish authorities in Cairo and Tel Aviv, respectively, brief papers setting forth in outline his views and suggestions for a possible approach to a peaceful adjustment of the future situation in Palestine. The Mediator stressed that these suggestions had been presented quite tentatively with the objective of discovering if there might be found at this stage of the mediation a common ground on which further discussion and mediation might proceed.

Following are the suggestions which the Mediator presented to the parties (S/863).

"1. That, subject to the willingness of the directly interested parties to consider such an arrangement, Palestine, as defined in the original Mandate entrusted to the United Kingdom in 1922, that is including Transjordan, might form a Union comprising two members, one Arab and one Jewish.

"2. That the boundaries of the two members be determined in the first instance by negotiation with the assistance of the Mediator and on the basis of suggestions to be made by him. When agreement is reached on the main outlines of the boundaries they will be definitively fixed by a Boundaries Commission.

"3. That the purposes and function of the Union should be to promote common economic interests, to operate and maintain common services, including customs and excise, to undertake development projects and to co-ordinate foreign policy and measures for common defence.

"4. That the functions and authority of the Union might be exercised through a central council and such other organs as the members of the Union may determine.

"5. That, subject to the provisions of the Instrument of Union, each member of the Union may exercise full control over its own affairs including its foreign relations.

"6. Immigration within its own borders should be within the competence of each member, provided that, following a period of two years from the establishment of the Union, either member would be entitled to request the Council of the Union to review the immigration policy of the other member and to render a ruling thereon in terms of the common interests of the Union. In the event of the inability of the Council to reach a decision on the matter, the issue could be referred by either member to the Economic and Social Council of the United Nations whose decision, taking into account the principle of economic absorptive capacity, would be binding on the member whose policy is at issue.

"7. That religious and minority rights be fully protected by each member of the Union and guaranteed by the United Nations.

"8. That Holy Places, religious buildings and sites be preserved and that existing rights in respect of the same be fully guaranteed by each member of the Union.

"9. That recognition be accorded to the right of residents of Palestine who, because of conditions created by the conflict there have left their normal places of abode, to return to their homes without restriction and to regain possession of their property."

As regards territorial matters, the Mediator proposed the following:

"1. Inclusion of the whole or part of the Negeb in Arab territory.

"2. Inclusion of the whole or part of Western Galilee in Jewish territory.

"3. Inclusion of the City of Jerusalem in Arab territory, with municipal autonomy for the Jewish community and special arrangements for the protection of the Holy Places.

"4. Consideration of the status of Jaffa.

"5. Establishment of a free port at Haifa, the area of the free port to include the refineries and terminals.

"6. Establishment of a free airport at Lydda."

Both parties rejected the Mediator's proposals (S/863) as a basis of discussion. In its reply (S/870) the Provisional Government of Israel stated that the proposals ignored the General Assembly's resolution of November 29, 1947, as well as the outstanding fact of the situation, namely the effective establishment of the sovereignty of the State of Israel within the area assigned to it by the General Assembly's resolution.

Inclusion of the Arab portion of Palestine in the territory of Transjordan, the Provisional Government of Israel considered, would fundamentally change the context of the boundary problem. Referring to the questions of economic union and immigration, the Provisional Government of Israel asserted that it could not agree to any encroachment upon or limitation of the free sovereignty of the people of Israel in its independent State. Finally, the Provisional Government objected to the suggestion that Jerusalem be included in Arab territory, which it termed disastrous. The Jewish people would never acquiesce in the imposition of Arab domination over Jerusalem, no matter what formal municipal autonomy and what right of access to Holy Places the Jews of Jerusalem might be allowed to enjoy. The Provisional Government expressed hope that in the light of its present observations, the Mediator would reconsider his whole approach to the problem.

The Arabs, in rejecting the Mediator's proposals (see S/888, p. 14), offered counter-suggestions providing for a unitary state in the whole of Palestine, and offering, in the Mediator's opinion, little or no compromise.

n. APPEALS FOR PROLONGATION OF THE TRUCE

The four-week truce which had come into effect on June 10 in accordance with the Security Council's resolution of May 29, was due to expire on July 9. By a cablegram, dated July 5 (S/865), the Mediator informed the Security Council that in his opinion the truce had, on the whole, worked well. There had been complaints from both sides as to the alleged violations of the terms of the truce agreement, the cablegram stated, but despite instances of violation all fighting on a major scale had been stopped and by July 9, 1948, neither side had gained any significant military advantage from the application of the truce.

At the same time the Mediator informed the Council that on July 3 and 5 he had submitted proposals to the parties (see below) for a prolongation of the truce (S/865). Not having received any answers to these proposals as yet, and with the expiration of the truce period imminent, the Mediator asked the United Nations to appeal urgently to the interested parties to accept in principle the prolongation of the truce for such period as might be decided upon in consultation with the Mediator.

The Security Council considered the Mediator's request at its 330th and 331st meetings on July 7.

At the 330th meeting on July 7, the President, in his invitation to representatives of the interested parties to take their seats at the Council table, included, among others, the "representative of the State of Israel".

As several representatives questioned the correctness of the President's statement, the President stated his ruling to this effect and submitted it to a vote.

Only five members were in favor of overruling the President's ruling (Belgium, Canada, China, Syria, United Kingdom). The President therefore declared his ruling sustained.

The representative of the Arab Higher Committee withdrew after stating that, as long as the terminology used by the President was applied in the Council, he could not assist in its deliberations.

Turning to the substance of the question before the Security Council, the representative of the United Kingdom stated that the Council could not ignore the Mediator's request. He urged immediate action by the Council in view of the early expiration of the truce. He submitted a draft resolution (S/867), according to which the Council, taking into consideration the Mediator's telegram of July 5, would address an urgent appeal to the

interested parties to accept a prolongation of the truce.

The representative of the United States stated that the Council, when faced with the alternatives of peace and war, must support the truce. He therefore urged the Council to place itself behind the effort for prolongation of the truce.

The representative of Syria brought to the attention of the Council his Government's note referring to the exchange of diplomatic representatives between the United States and Israel during the period of the truce. The representative of Syria stated that if such actions, which he considered to be a violation of the truce agreement and the resolution of May 29, were to continue, then the prolongation of the truce period would not be of great use.

The representative of France considered that the Council should support the Mediator's request without delay.

At the 331st meeting on July 7, the representative of the U.S.S.R. stated that, in considering the possibility of prolongation of the truce, the Council must examine the suggestions which the Mediator had presented to the parties on June 28 (S/863) and which he considered violated the General Assembly's decision of November 29, 1947. In making these suggestions, he said, the Mediator, instead of contributing to a peaceful settlement, was encouraging the prolongation of the fighting and was interfering with the establishment of two independent states in Palestine. The proposed arrangements for the enlargement of Transjordan, through annexation of a part of Palestine to its territory, the infringement of the sovereignty of the Jewish State in the fields of foreign policy and defence, together with various other suggestions for territorial and constitutional changes with regard to Jerusalem, Western Galilee and the Negev, violated the Assembly's decision and undermined the authority of the United Nations. The U.S.S.R. delegation supported prolongation of the truce, but could not accede to the conditions attached to it.

The representative of Belgium considered that the Council must unreservedly support the Mediator's request for prolongation of the truce, irrespective of such matters as violations which might have occurred or the proposals submitted by the Mediator. These could be discussed at a later stage.

The representative of Syria said that it was up to the parties on the spot to express their attitude regarding the Mediator's proposals. He considered that the Mediator had the full right to submit his

proposals. The Mediator had not been sent to Palestine to enforce the General Assembly's resolution of November 29, which, in any case, had been abandoned by the General Assembly when it adopted the resolution of May 14, 1948.²⁷ Only a just solution would have a prospect of success and permanence.

The representatives of China, Argentina and Canada supported the United Kingdom draft resolution.

The President, speaking as the representative of the Ukrainian S.S.R., said that in considering the United Kingdom proposal, one had to ask oneself to what end the present truce was being contemplated. A study of the proposals submitted by the Mediator provided ample answer to that question. Those proposals were aimed at the establishment of one federal state instead of two independent and sovereign states. Jerusalem, which should have been given an international status, was to be handed to the Arabs, and Transjordan was to be a component part of Palestine. All such schemes presented by the Mediator were harmful to the interests of the Jews and Arabs of Palestine, as well as to the interests of other Arab States of the Middle East, and were designed to safeguard the strategic, political and economic interests of certain Powers, particularly the United Kingdom. For these reasons, the delegation of the Ukrainian S.S.R., although favoring a truce, was unable to vote for the draft resolution and would abstain.

The United Kingdom draft resolution (S/867) was then adopted by 8 votes in favor, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.), as follows:

"The Security Council,

"Taking into consideration the telegram from the United Nations Mediator dated 5 July 1948,

"Addresses an urgent appeal to the interested parties to accept in principle the prolongation of the truce for such period as may be decided upon in consultation with the Mediator."

At the 331st meeting on July 7, the President also brought to the attention of the Council a telegram from the United Nations Mediator (S/869) stating that the truce should be prolonged with the definite understanding that food, water and other essential non-military supplies would be assured for Jerusalem.

After a brief exchange of views, it was decided that the President would inform the Mediator that the Council had approved the principle contained in his statement regarding supplies for Jerusalem.

The proposals (S/865) which the Mediator had presented to the parties on July 3 and 5 (see above) provided for an indefinite prolongation of the truce, or failing that, for a three-day extension in order to facilitate the evacuation of the United Nations Observers and their equipment. In addition, the Mediator had advanced certain proposals to be put into effect, if his appeal for a prolongation of the truce should be rejected by either or both sides. These provided for: (1) the demilitarization of Jerusalem; (2) an immediate cease-fire in Jerusalem to permit a final decision to be reached on the question of demilitarization, and (3) the demilitarization of the Haifa dock and port area and of the Haifa oil refineries.

The Provisional Government of Israel replied on July 7 (S/872) that it agreed to a thirty-day prolongation of the truce on the understanding that the conditions to be observed by all parties concerned should be substantially the same as those which governed the previous truce. The Provisional Government of Israel was likewise willing to accept the proposal for a three-day extension of the truce. Moreover, it was ready to discuss the demilitarization of Jerusalem and to accept an immediate cease-fire for Jerusalem. It did not favor, however, the demilitarization of the Haifa refineries, terminals and port areas.

By a telegram dated July 9 (S/876) the Mediator transmitted to the Secretary-General the text of the reply of the Political Committee of the League of Arab States to the Mediator's proposal (S/865) for a prolongation of the truce. In this reply it was stated that Arab apprehensions that the Zionists were sure to violate the truce conditions had proved well founded. The Zionists, it was charged, had continued aggression against Arabs in areas under their occupation and had steadily persisted throughout the truce in pursuing their policy of smuggling immigrants, arms and ammunition into the country; they had also occupied a number of villages and positions not in their possession at the time of the cease-fire. Despite these flagrant violations of the truce, the Arabs had refrained from resuming the fight immediately in order to permit the United Nations Mediator ample scope to carry out his endeavors to find a peaceful solution. Unfortunately the solution proposed by the Mediator, the Arab reply stated, based as it was on the continuation of the *status quo* and aiming at the partition of Palestine and the creation of a Jewish State, had been most disappointing to the Arabs. Further, the Zionists

²⁷See General Assembly, p. 281.

were steadily carrying on with the establishment and consolidation of their State and there was no hope of their co-operation in arriving at the desired peaceful settlement which was the aim of the truce. A prolongation of the truce in this manner would be detrimental to the Arab majority of Palestine. The communication from the Political Committee of the Arab League concluded that all these factors made it imperative for the Arab States not to agree to a prolongation of the truce under present conditions and to take all measures necessary to bring these conditions to an end.

Through the Secretary-General of the Arab League the Arab States informed the Mediator (see S/888, p.16, S/P.V.333, p.38) that the proposal for the demilitarization of Jerusalem as a whole was unacceptable and therefore also the proposal for an immediate cease-fire in the city for the purpose of deciding upon the demilitarization of Jerusalem. The Arabs, however, were ready to institute an immediate cease-fire in the Old City. The Arabs were also willing to consider the complete demilitarization of the entire city of Haifa, with Arab participation in the supervision of the city.

At its 332nd meeting, on July 8, the Council had before it the reply of the Provisional Government of Israel (S/872) to the Mediator's proposals cited above and a preliminary report from the Mediator (S/873) concerning the replies of both parties. The Council further had before it a cable (S/871) from the Provisional Government of Israel concerning its acceptance of the prolongation of the truce and its rejection by the Arabs. In this same cable the Provisional Government of Israel informed the Council that on July 8 at 1 A.M., G.M.T., an Egyptian force consisting of two armored columns and infantry had launched an attack against Israeli positions in southern Palestine and that a battle was currently in progress. The Provisional Government of Israel stated that it would be most interested to learn what the Security Council would decide in this emergency.

The representative of the United States welcomed Israel's acceptance of the proposal for a prolongation of the truce and remarked that, after one of the contesting parties had freely indicated its willingness to prolong the truce, the other party could not allege that a resort to force was an act of self-defence. Rejection of the truce appeal by the Arab States would leave the Security Council no other choice than to find that there was a threat to the peace under Article 39 of the Charter.

The representative of Syria stated that it was

not difficult to understand Arab hesitation now to accept a prolongation of the truce, which was working against their interests and was permitting the Jews to strengthen their position and retain their spoils. Faced with such a situation and with the hostility of certain Powers, the Arabs had no other choice than to defend themselves. If, on the other hand, the Jews abandoned their present plans for the establishment of a separate Jewish State in Palestine, they would be assured of all rights on an equal footing with the rest of the population of Palestine.

The representative of Israel stated that Israel's decision to accept the Mediator's proposal was based on the Charter; its decision to defend itself was likewise based on the same premise. The case of aggression by the Arab States was beyond any doubt. When confronted with such a situation, the Council must discharge its responsibilities.

On July 9 the Mediator sent a further appeal (S/878) to all parties for a ten-day extension of the truce. He stated that he found it imperative to proceed to Lake Success for the purpose of presenting to the Security Council a full report on his negotiations and the Arab and Jewish replies to his several proposals. He planned, however, to return to the Near East within a matter of days for the purpose of resuming his efforts at mediation. In the interests of peace, therefore, he appealed to both parties with the utmost urgency to accept an unconditional cease-fire in Palestine for a period of ten days extending from 12 noon, G.M.T., July 10, 1948.

The Provisional Government of Israel accepted the new cease-fire proposal and informed the Mediator (S/884) that it was ready to issue the necessary orders as soon as it was notified by the Mediator that the proposal had been accepted by the Arab Governments and authorities concerned.

No reply to the Mediator's appeal for a ten-day cease-fire was received from the Arab States.²³

o. RESOLUTION OF THE COUNCIL OF JULY 15, 1948

At the 333rd meeting on July 13, the United Nations Mediator made an oral statement explaining and amplifying a written report (S/888) which he had on July 12 submitted to the Council, concerning his activities in connection with the truce and his negotiations for the peaceful adjust-

²³Speaking before the Security Council on July 15 (see S/P.V.337), the representative of Egypt stated that the Arab Governments were still considering their reply to this appeal. In the meantime, however, the Arab forces had resumed hostilities.

ment of the future situation of Palestine. He concluded by stating that, for the time being, he had exhausted all the powers at his disposal, and that it was up to the Council to adopt measures to put an end to the renewal of hostilities in Palestine.

Without recommending or suggesting any course of action to the Council, the Mediator expressed the following thoughts which might be useful in the solution of the Palestinian problem. The parties must be persuaded that use of force in settling the dispute would not be tolerated; that an order for an immediate cease-fire in Palestine was indispensable, that an order for the demilitarization of Jerusalem should be issued immediately; that the Council must make clear its determination to apply the provisions of Articles 41 and 42 in case these orders were not complied with; that the cease-fire in Palestine and the demilitarization of Jerusalem might lead eventually to an armistice, at which time mediation could be effectively employed, and if found feasible, a plebiscite of the two peoples could be held, and that the Arab refugees who had fled from the Jewish-occupied areas should be ensured of the possibility of returning to their homes.

At the 334th meeting on July 13, the representative of Israel stated that he considered that the Arab States, in resuming their attack upon Israel, had committed an act of aggression within the meaning of Chapter VII. The Arabs, having rejected all the appeals made by the Council and the Mediator for prolongation of the truce, must assume responsibility for their action. On the other hand, the responsibility of the Security Council in the light of the provisions of the Charter and of its previous resolutions was quite clear. Since all previous efforts for pacific settlement under Chapter VI had failed, the Council must proceed now to take action to end the fighting by other means.

The representative of Iraq, who had asked to take part in the discussion at the 334th meeting and who was accordingly invited to the Council table, stated that in defending Palestine the Arabs were defending their honor, their national existence and their future security. The Arab States had no selfish designs in Palestine but had intervened in the highest interests of safeguarding the foundations of the peace of the Middle East. The Arab States welcomed the continuation of the efforts of the Mediator in seeking an equitable solution.

The representative of the United States said that the report submitted by the Mediator and the renewal of the hostilities made it imperative for the Council to take immediate action to stop the

fighting. To that end he submitted the following draft resolution (S/890):

"The Security Council,

"Taking into consideration that the Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine; that the States members of the Arab League have rejected successive appeals of the United Nations Mediator, and of the Security Council in its resolution of 7 July 1948, for the prolongation of the truce in Palestine; and that there has consequently developed a renewal of hostilities in Palestine,

"Determines that the situation in Palestine constitutes a threat to peace within the meaning of Article 39 of the Charter;

"Orders the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action and to this end to issue cease-fire orders to their military and paramilitary forces, to take effect at a time to be determined by the Mediator, but in any event not later than three days from the date of the adoption of this resolution;

"Declares that failure by any of the Governments or authorities concerned to comply with the preceding paragraph of this resolution would demonstrate the existence of a breach of the peace within the meaning of Article 39 of the Charter requiring immediate consideration by the Security Council with a view to such further action under Chapter VII of the Charter as may be decided upon by the Council;

"Calls upon all Governments and authorities concerned [pursuant to Article 40 of the Charter]¹ to continue to co-operate with the Mediator with a view to the maintenance of peace in Palestine in conformity with the resolution adopted by the Security Council on 29 May 1948;

"Orders as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem to take effect twenty-four hours from the time of the adoption of this resolution and instructs the Truce Commission to take any necessary steps to make this cease-fire effective;

"Instructs the Mediator to continue his efforts to bring about the demilitarization of the City of Jerusalem without prejudice to the future political status of Jerusalem and to assure the protection of and access to the Holy Places, religious buildings and sites in Palestine;

"Instructs the Mediator to supervise the observance of the truce and to establish procedures for examining alleged breaches of the truce (since 11 June 1948),² authorizes him to deal with breaches so far as it is within his capacity to do so by appropriate local action; and requests him to keep the Security Council currently informed concerning the operation of the truce and when necessary to take appropriate action;

"Decides that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force in accordance with the present resolution and with that of 29 May 1948, until a peaceful adjustment of the future situation of Palestine is reached."³

The representative of Syria criticized the first

¹This phrase was deleted in the resolution as finally adopted by the Council. See below, p. 441.

²This amendment proposed by the United Kingdom was adopted by the Council. See below, p. 441.

³Three additional paragraphs were adopted by the Council. See below, p. 441.

paragraph of the United States draft resolution for putting the blame for the renewal of fighting on the Arabs, thereby disregarding the reasons which had compelled them to reject an extension of the truce. The language used in that paragraph, accusing one party and justifying the other, did not help to secure peace for Palestine. The second paragraph, concerning the finding of the existence of a threat to international peace, was erroneous since it had never been proved that the present situation really constituted an international problem. The international status of Palestine must be clarified and to that end he submitted a draft resolution (S/894), which as slightly revised at the 340th meeting of the Council on July 27 (for discussion at the 340th meeting, see below) read as follows:

"The Security Council,

Noting that the United Kingdom terminated its mandate on 15 May 1948, without having established any governmental organization to assume power of administration,

Requests:

"The International Court of Justice, pursuant to Article 96 of the Charter, to give an advisory legal opinion as to the international status of Palestine arising from the termination of the mandate,

"The Secretariat and the parties concerned to supply the Court with the available documents and information on the subject.

"This request should be made provided it will not delay or impair the normal process of mediation."

The representative of the United Kingdom stated that his delegation accepted in general the United States draft resolution, which had become necessary in view of the recent developments. The first paragraph of the United States draft resolution contained a simple statement of fact that the Arab States had failed to consent to the prolongation of the truce. Circumstances compelled the Council to proceed to take action along the lines proposed by the United States delegation, and this proposal should not surprise anyone. He submitted two amendments (S/895). The first of these provided that reference should be made in the first paragraph of the resolution to "the other party" rather than to the "Provisional Government of Israel". The second amendment relating to the penultimate paragraph of the resolution was intended to authorize the Mediator to investigate breaches of the truce "since July 11, 1948," as the representative of the United Kingdom considered that it was important to investigate the responsibility for irregularities in the past.

At the 335th meeting on July 14 the representative of Belgium stated that his delegation had endorsed all previous appeals for prolongation of the

truce in Palestine because it was convinced of the advantages of a peaceful settlement. He pointed out the difficulties inherent in carrying out any enforcement action pursuant to Chapter VII. Article 42 could not be applied under present circumstances except through the machinery provided for in Article 106, the application of which was extremely doubtful in the light of other events. Despite these and other reservations the Belgian delegation would support the United States draft resolution. He expressed support also for the Syrian draft resolution, considering that if the Arab States believed that a peaceful adjustment as contemplated in the General Assembly's resolution of May 14 could be more easily reached if certain legal aspects of the question were clarified, then the Security Council should endorse such a request.

The representative of Canada said that the Canadian delegation supported the United States draft resolution because it contained elements which were essential to bringing the fighting in Palestine to an end. In the present situation, the Council had no other alternative than to employ Chapter VII. He supported this resolution also in order to provide further opportunity for the Mediator to proceed with the task assigned to him by the General Assembly on May 14.

The representative of China stated that the juridical question pertaining to the status of Palestine was of considerable importance, and an advisory opinion from the International Court of Justice would be extremely helpful. As regards the United States draft resolution, he considered that it offered the Arabs no alternative to war, nor a substitute for it. As the resolution was drafted, the truce was to be permanent and what remained was peaceful negotiation. Under the terms of the resolution one party would retain all its gains and would not be urged to start negotiations looking towards a compromise. The Chinese delegation therefore was not ready to accept the United States resolution as it stood.

The United Nations Mediator stated that any action on the part of the Security Council should make it absolutely clear that the United Nations would not permit the Palestine issue to be settled by force. The Council's action, moreover, should be so strong and so firm that neither party could afford to run the risk of ignoring or defying it. He stressed that if the truce were to be prolonged under conditions similar to those which governed the truce which expired on July 9, it would be necessary to have at the disposal of the Mediator within a matter of days a substantial number (i.e., about three hundred) observers, together with a consid-

since all previous efforts of the Mediator and the Council had failed, it was the Council's obligation to take another step to restore peace in Palestine. The United States draft resolution was adequate to meet this objective and would be supported by the Colombian delegation. It would support also the United Kingdom amendment to the first paragraph, since the question of recognition of new states was not one to be dealt with by the Council. The Colombian delegation would be prepared to support also, at the appropriate time, the Syrian draft resolution, as another procedure in the search for a peaceful solution to the problem.

The representative of the U.S.S.R. considered it essential to study how successful the last truce had been and what events had taken place while it lasted. In the course of the truce those who had started the hostilities in Palestine had in fact been preparing for the renewal of the fighting. The Mediator had advanced some suggestions which ignored previous decisions of the General Assembly regarding the future of Palestine and which, by reopening the question, had helped to aggravate the situation.

The representative of the U.S.S.R. stated that his delegation would support any proposal which was designed to put an end to military action in Palestine and he therefore supported the appropriate paragraphs of the United States resolution, i.e., paragraphs 1, 2, 3, 4 and 6. The United States resolution as a whole, however, was not fully satisfactory.

The representative of the U.S.S.R. objected to paragraph 5 of the United States resolution on the ground that it placed further responsibility for the settlement of the Palestine problem on the United Nations Mediator, although experience had shown that he was not in a position to solve it. The Council itself should take the responsibility for settling the problem.

Paragraph 7, which must be taken together with the explanations given by the Mediator, would be contrary to the decision adopted by the General Assembly on November 29, 1947, to place Jerusalem under a special regime. The representative of the U.S.S.R. submitted an amendment (S/896) to replace paragraph 7 by the following text:

"Proposes to both parties that they immediately withdraw their armed forces from Jerusalem, for which city the special Statute decided upon by the General Assembly should be put into effect."

Paragraph 8 was not acceptable to the U.S.S.R. representative because it again placed responsibility for the question of military observers on the Mediator. Past practice in this respect had led to the result that truce observation had been placed

almost exclusively in the hands of United States citizens. The U.S.S.R. delegation considered this practice incorrect.

Finally the representative of the U.S.S.R. objected to paragraph 9 because it hinted at the possibility of the General Assembly's adopting another resolution regarding Palestine. This might be interpreted by some persons as paving the way for the reconsideration of the whole Palestine question at the next regular session of the General Assembly. It was the Security Council's task at the present time, however, to implement the decisions which had been adopted in the past.

The representative of China, amplifying his previous remarks, stated that both parties should be urged to make concessions, and, to that end, he proposed the following amendment (S/897) as an addition to the draft resolution:

"Calls on both parties to seek, in co-operation with the Mediator, a solution through mutual concessions both in regard to the political organization of Palestine and in regard to immigration."

The representative of Egypt considered that the first United Kingdom amendment to the United States draft resolution was inadequate as it failed to mention Jewish violations of the truce and only mentioned what was purported to be successive rejections by the Arabs of all the appeals of the Security Council and of the Mediator for a renewal of the cease-fire. There was but a single case, he stated, in which the Arabs had declined to renew or accept a cease-fire. The Arabs were still considering their answer to the Mediator's appeal for an unconditional cease-fire for ten days. The whole first paragraph of the United States draft resolution lacked equilibrium and disregarded Arab difficulties in renewing the truce. The Arabs should not be asked to accept the impossible without being given some assurance as to how this truce would be used. Past experience had shown, he said, that the Jews had profited substantially from the cease-fire. He criticized the U.S.S.R. representative's amendment and his statement, which appeared to disregard everything that had happened since November 29, 1947, and ignored completely the decisions taken by the Security Council and by the General Assembly on April 17, May 14 and May 29.

The Chinese amendment on the other hand, was, in the opinion of the Egyptian representative, a constructive step aimed at re-establishing an equilibrium in the United States resolution.

The representative of Argentina said that his delegation for the time being was opposed to the application of Chapter VII and to measures of co-

ercion, but would vote for such measures as might lead to the suspension of hostilities. He supported unreservedly proposals concerning the safety of the city of Jerusalem.

The representative of Syria stated that so far all sacrifices were demanded from the Arabs, and the Jews were left free to act as they wished. The Jews should be put on the same level as the other side and pressed to make concessions in order to reach a settlement. In this spirit, he supported the Chinese amendment, which offered some opportunity for finding a just political settlement for Palestine.

At the 338th meeting on July 15, the representative of the United States, referring to the observations of the representative of the U.S.S.R. on the fifth and eighth paragraphs of the United States draft resolution, explained that his Government had complete confidence in the abilities of the Mediator to fulfil his task with the maximum possibility of success. With regard to the seventh paragraph he considered that the withdrawal of the forces of both parties from Jerusalem was implicit in the provisions for demilitarization. His delegation was prepared to re-phrase this paragraph if such an adjustment would satisfy the U.S.S.R. representative. With regard to the ninth paragraph he stated that it was clear that the Security Council and the General Assembly might, if circumstances required it, adopt some new resolutions on the Palestine question. The main objective of that paragraph, however, was to assure that the truce would remain in force until a peaceful adjustment of the future situation of Palestine had been reached.

The representative of Israel criticized the Chinese amendment, which implied that the Arabs should receive a reward for refraining from hostilities. Referring to certain questions of detail which had been raised in the course of the discussion concerning the contemplated truce, he stated that there was no point in considering the nature and the scope of the co-operation to be sought from all governments and authorities concerned under paragraph 5 of the United States draft resolution until the preliminary and fundamental question raised by this draft resolution had been determined, i.e., the question of the readiness of the Arab Governments to order a cease-fire. He had previously announced, he stated, the readiness of the Provisional Government of Israel to order a cease-fire and the world was now awaiting the Arab answer to that primary question.

The President, speaking as the representative of the Ukrainian S.S.R., considered that the Mediator's actions and suggestions submitted to the parties

were responsible to a large extent for the renewal of hostilities. They were in contradiction to the Assembly's resolution of November 29, 1947, and jeopardized the legitimate interests of one party. His latest suggestion regarding a plebiscite would be tantamount to the liquidation of Israel and, of course, could never be accepted.

He criticized United Kingdom and United States policy in Palestine, and stated that the Ukrainian S.S.R. delegation, which firmly supported the immediate cessation of military action in Palestine, could not accede to those paragraphs of the United States draft resolution which openly undermined the authority of the United Nations and its decisions. Nor could his delegation support the Syrian draft resolution, which would remove the Palestine question from the competence of the United Nations.

The Council then proceeded to vote on the United States draft resolution paragraph by paragraph.

The representative of Syria submitted an amendment (S/901) to replace the first paragraph of the United States resolution by the following text:

"Taking into consideration the report of the United Nations Mediator dated 12 July 1948 (S/888)."

This amendment was rejected by 4 votes in favor (Argentina, Belgium, China, Syria), with 7 abstentions. The United Kingdom amendment to the first paragraph of the United States resolution providing for the deletion of the reference to the "Provisional Government of Israel" was then rejected by a vote of 3 (Belgium, Colombia, United Kingdom) to 1 (Syria), with 7 abstentions. The first paragraph of the United States resolution was adopted by a vote of 8 to 1 (Syria), with 2 abstentions (Argentina, China).

The second paragraph was adopted by the same vote.

Concerning the third paragraph of the United States resolution, the Mediator expressed doubt as to whether it would be possible to have an adequate organization to supervise the truce set up within three days, the time limit which was fixed in the United States resolution for the coming into effect of the truce. The representative of Canada therefore submitted an amendment stating that the truce should "take effect at such early date as the Mediator, taking into account his responsibilities for supervising the observation of the truce, may determine and notify to the respective parties". This amendment was rejected by 5 votes in favor (Argentina, Belgium, Canada, China, Colombia) with 6 abstentions. The third paragraph of the

United States resolution was then adopted by a vote of 9 to 1 (Syria), with 1 abstention (Argentina). The phrase "pursuant to Article 40 of the Charter of the United Nations" was first put to the vote separately at the request of the representative of Argentina and was adopted by a vote of 8 to 1 (Syria), with 2 abstentions (Argentina, China).

The fourth paragraph was adopted also by a vote of 8 to 1, with 2 abstentions.

The phrase "pursuant to Article 40 of the Charter" in the fifth paragraph of the resolution was again voted separately and was rejected by a vote of 6 to 1 (Syria), with 4 abstentions (Argentina, China, Ukrainian S.S.R., U.S.S.R.). Subject to this amendment paragraph 5 was adopted by 9 votes in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

Paragraph 6 was adopted unanimously.

The U.S.S.R. amendment to paragraph 7 (S/896) was rejected by a vote of 2 in favor (Ukrainian S.S.R., U.S.S.R.) to 1 (Syria), with 8 abstentions. The original text of the United States resolution was adopted by a vote of 8 in favor, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.).

Paragraph 8 of the United States resolution was adopted by a vote of 9 in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.), after the representative of the United States had accepted the United Kingdom amendment to insert a reference to breaches of the truce "since 11 June 1948".

The last paragraph of the United States draft resolution was adopted by a vote of 8 to 1, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

The Council then discussed the Chinese amendment to add an appeal to the parties to seek in cooperation with the Mediator a solution through mutual concessions both in regard to the political organization of Palestine and in regard to immigration (S/897). After some discussion the representative of China accepted an alternative text proposed by the representative of the United States, as follows:

"Reiterates the appeal to the parties contained in the last paragraph of its resolution of 22 May" and urges upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concession in order that all points under dispute may be settled peacefully."

The Council adopted this text by a vote of 9 in favor, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

By 8 votes in favor, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.), the Council finally

adopted two additional paragraphs proposed by the Secretariat, which read as follows:

"Requests the Secretary-General to provide the Mediator with the necessary staff and facilities to assist in carrying out the functions assigned to him under the resolution of the General Assembly of 14 May and under this resolution; and

"Requests that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution."

The amended United States resolution (S/902) as a whole was then adopted on July 15, 1948, by a vote of 7 to 1 (Syria), with 3 abstentions (Argentina, Ukrainian S.S.R., U.S.S.R.).³³

p. ACCEPTANCE BY THE PARTIES OF THE TRUCE RENEWAL

By a cablegram dated July 16 (S/903) the Foreign Minister of the Provisional Government of Israel informed the United Nations that the Provisional Government had decided to comply with the Security Council's request for a resumption of the truce in Palestine and for an immediate unconditional cease-fire in Jerusalem contained in the Council's resolution of July 15 (S/902). The Provisional Government of Israel would issue the necessary orders as soon as it was notified that all Arab Governments and authorities concerned had likewise accepted the truce in Palestine and the immediate cease-fire in Jerusalem and had issued orders for these arrangements to take effect.

In a cablegram dated July 17, 1948 (S/906), the Secretary-General of the Arab League informed the United Nations that as evidence of their great concern for the safety of the Holy Places the Arab States had decided to accept that part of the Security Council's resolution of July 15 concerning the cease-fire in Jerusalem.

A further telegram dated July 18 (S/908) from the Secretary-General of the Arab League, in reply to the Security Council's resolution of July 15, stated that the Arab Governments were surprised at the attitude the Security Council had adopted in regarding the situation in Palestine as a threat to the peace subject to the provisions of Chapter VII of the Charter of the United Nations and entailing the application of sanctions against the Arab States if they refused to cease fire in Palestine. The telegram went on to state that, had it not been for the military intervention of the Arab States in response

³³See p. 422.

³⁴The text of the original United States resolution indicating the two minor amendments adopted as a result of the Council's deliberations is given above on p. 436. The three additional paragraphs adopted by the Council are quoted on this page.

to the appeal of the Palestinian Arabs to put an end to the anarchy caused by the Zionist terrorist bands, security throughout the Middle East would have been seriously jeopardized. To call the deliverers of Palestine, therefore, the aggressors and to describe the gradual restoration of order in Palestine by the Arab States as a breach of the peace and violation of the Charter would, in the opinion of the Arab States, be a complete reversal of the true position.

Repeating Arab charges that the Zionists had violated the previous truce and that they had benefited by it at the expense of the Arabs, the Secretary-General of the Arab League informed the Security Council that the Arab States felt that a renewed truce must be subject to conditions which would remedy the situation which obtained during the four-week truce. These conditions included the following: that all Jewish immigration should be stopped during the truce and that Arab refugees be enabled to return home and that their lives and property be guaranteed; also that the duration of the truce should be limited with a view to making a last effort to reach the peaceful solution desired.

The telegram then stated that in view of the fact that the Security Council persisted in considering the continuation of hostilities in Palestine to be a breach of the peace and because it expressly threatened to apply sanctions to the Arab States if they refused to cease fire, the Arab States had no other alternative than to accept the Security Council's resolution of July 15. The cessation of hostilities, however, would not bring true peace to that part of the world, the Arab States declared.

Finally the Arab States through the Secretary-General of the Arab League protested against the fact that the Security Council's resolution had "recognized the Zionist bands as a provisional government" and asserted that such recognition went beyond the limits of neutrality which the Security Council should observe in regard to the conflict in Palestine.

In accordance with paragraph 3 of the resolution of July 15, the Mediator informed the parties by a cablegram dated July 16 (S/907) that the cease-fire would take effect at 3 P.M., G.M.T., on July 18. In response, the Arab States and the Provisional Government of Israel informed the Mediator that they had issued the requisite cease-fire orders to their forces (S/907).

The Syrian proposal, to request the International Court of Justice to give an advisory opinion regarding the post-Mandate status of Palestine (S/894),²⁴ was considered further by the Security

Council at its 339th and 340th meetings on July 27, 1948.

The representative of Syria declared that while there were undoubtedly political aspects to the Palestine question there was an even more fundamental legal issue regarding the exact status of Palestine in international law. The Court itself could refuse to consider the request for an advisory opinion if it agreed with those who thought the Palestine problem was first and foremost a political issue. Referring the question to the Court, moreover, need not at all delay the conciliatory efforts of the United Nations Mediator. As things now stood the Arabs felt that the United Nations had passed an illegal resolution on the partition of Palestine and they were defending what they regarded as an eminently just cause. But if, the representative of Syria concluded, the International Court of Justice should, contrary to expectations, hold that the Arabs were wrong, then, no doubt, "all the opposing and conflicting parties would submit and yield to that resolution".

The representative of Colombia proposed to add a new paragraph to the Syrian proposal to the effect that the request for an advisory opinion from the Court should be made provided it would not "delay or impair the normal process of mediation". With such a formula, he observed, the actual decision to approach the Court and the timing of that decision could, if desired, be delegated to the Mediator himself.

The Syrian representative accepted the Colombian amendment, and the amended draft resolution was supported by the representatives of Argentina, United Kingdom, China and Egypt.

Opposition to the proposal was expressed by the representatives of Canada, the United States, the U.S.S.R. and Israel. The representatives of Canada and the United States felt that the draft resolution could not but hinder and delay the process of mediation, thus serving no useful purpose. The representative of the U.S.S.R. saw in the Syrian proposal a "belated and ill-masked attempt to turn back the clock" on Palestine.

The representative of Israel held that the question of the existence of a State of Israel was not a question of law but rather of fact; besides, he stated, the question of statehood was irrelevant to the issue of aggression, since the Charter did not specify that an act of international aggression, to constitute aggression, need be directed against a state. Recalling that Syria had opposed an approach to the International Court of Justice in the dispute

²⁴For text of the proposal, see p. 437.

involving the Anglo-Egyptian Sudan, Indonesia and the treatment of Indians in South Africa, and further that all Arab States had withheld their support from the Assembly resolution of November 14, 1947, recommending more frequent recourse in general to the Court, the representative of Israel stated that the proposal to refer the Palestine question to the Court took on the aspect of a political manoeuvre which must inevitably further becloud the whole problem.

The Syrian resolution as amended by the representative of Colombia was then put to a vote. It failed of adoption, receiving 6 votes in favor, 1 against (Ukrainian S.S.R.), and 4 abstentions (Canada, France, U.S.S.R., United States).

9. QUESTIONS OF TRUCE VIOLATIONS

Dispersed throughout the Council's consideration of the Palestine question were discussions arising out of truce violations reported by the Mediator and allegations of such violations by the two parties concerned.

In a dispatch to the Council (S/955) on August 7, the Mediator reported that he had instructed his Observers to be guided by a number of considerations, the most important of which was that no party might unilaterally put an end to the truce, or take retaliatory measures for alleged or real local breaches of the truce, the Security Council alone being competent to decide what measures should be taken against truce violators. Should one party find itself under unprovoked attack, it should limit its self-defence to operations necessary to repulse such attack, pending action by the Observers. Whatever the result of operations undertaken in self-defence, the *status quo ante* must be restored.

The Mediator also reported that the situation in Jerusalem was "particularly tense", with sniping continuing. He stated that he had urged both parties to begin negotiations aimed at demilitarizing Jerusalem, under the auspices of United Nations representatives. Such negotiations would soon start.

In a subsequent communication (S/961) dated August 12, the Mediator informed the Council that he had requested both Arab and Jewish commanders in Jerusalem to issue the following order:

"Firing of any kind even in answer to firing by the other party shall be forbidden as from Friday, 13 August, at 4:00 A.M. Arab time (6 A.M. Jewish time)."

The Arabs had accepted this request, and the Mediator expected a Jewish answer the following day (August 13). The Mediator added:

"Should the request not be complied with by one party

after it has been accepted, responsibilities will be easier to assess. It results from impartial reports that the Jews have generally speaking though not on all occasions been the more aggressive party since the renewal of the truce. Reports received from United Nations observers concerning last night's [August 11/12] firing support this appreciation, since firing began from the Jewish side."

As regards the water supply of Jerusalem, the Mediator, in the same report, declared that repairs to the Latrun water pumping station, then "in United Nations hands", were to start at once and were expected to be completed in two days.

The Mediator declared that he had informed the Provisional Government of Israel of his decision that the Arab inhabitants of the villages of Ajanjul and Buweiriya must be permitted to return to their homes unarmed, following the immediate evacuation of both places, which, investigation had shown, had been occupied by Jewish forces following the commencement of the second truce. He expected strongly that the Provisional Government of Israel would accept this decision.

Shortly afterwards, i.e., on the same date of August 12, the Mediator cabled (S/963) that the Latrun pumping station had been completely destroyed during the night of August 11/12, by Arab irregulars, according to first reports. Pending an investigation now in progress, he had authorized the Provisional Government of Israel to postpone compliance with his decision regarding the Israeli evacuation of Ajanjul and Buweiriya villages in the Latrun sector.

The Council was also notified of the wrecking of the Latrun pumping station in a cablegram, dated August 12, by Moshe Shertok, Israeli Foreign Minister.

The subject matters dealt with in these communications were discussed by the Council at its 349th meeting on August 13. Eventually the Council decided, by a vote of 8 to 1, with 2 abstentions, to authorize the President to dispatch a message to the Mediator informing him that the Security Council had taken note of the telegram of August 12, concerning the destruction of the water pumping station at Latrun, and asking him to make all efforts and take steps to ensure water supply to the population of Jerusalem.³⁵

The negative vote was cast by the representative of Syria, who explained that he disagreed with the practice of singling out from the Mediator's communications the one topic of the Jerusalem water supply, rather than offer the Council's comments on all the important matters raised in the Medi-

³⁵Concerning the question of the Jerusalem water supply, see also p. 309.

ator's dispatches, as, for example, the demilitarization of Jerusalem. The representatives of China and Argentina abstained, the former explaining that he regarded the dispatch of the message to the Mediator as superfluous.

The question of the truce, as such, was broached at the 352nd meeting on August 18, by the representative of the United States. Noting rumors that one or the other of the two parties to the Palestine dispute was considering an abrogation of the truce, he stated that, in the view of his Government, the truce could be terminated only by the Security Council and not by one of the states or a group of the states concerned. He was not aware, the United States representative continued, of any circumstances which would incline the Security Council to revoke or modify its resolution of July 15 unless it should be necessary to order measures under Chapter VII against any party which repudiated the truce and resorted to war.

He also emphasized that both parties were under obligation to co-operate with the Mediator regarding the demilitarization of Jerusalem. Finally, he stated his belief that the Security Council would also wish to remind all governments in the world that they were called upon by the resolution of July 15, which included a reference to the resolution of May 29, to co-operate in preventing breaches of the truce which might occur through shipments of war material to Palestine.

The representative of Canada said the Council could not let pass unnoticed a statement released to the press by the representative of Israel as coming from the Israeli Foreign Minister on August 13 which contained the suggestion that the truce in Palestine might not be continued. In this connection the Canadian representative associated himself with the remarks of the representative of the United States, as did also the representative of Belgium.

Commenting upon these statements, the representative of Israel declared, *inter alia*, that the Provisional Government of Israel had advocated the early replacement of the truce by peace negotiations. So long as the truce was in force, however, the Provisional Government of Israel would observe it in strict accordance with the resolution of July 15. At the same time, the Provisional Government of Israel would urge the Council to investigate the merit of fixing an early time limit, at the end of which the whole situation of the truce might be reconsidered. Before the expiration of this time limit every influence should be brought to bear upon the parties concerned to open direct and peaceful negotiations. His Government, the repre-

sentative of Israel said, was most anxious and willing to begin peace negotiations at any time.

At the 354th meeting on August 19, the Council examined a cable dated August 18 from the Mediator (S/977), which stated, *inter alia*, that not only had firing practically never ceased in Jerusalem, but the situation there was gradually getting out of hand. Under prevailing conditions it was difficult to assess responsibilities because both parties had come deliberately to ignore the authority of the United Nations. Further deterioration of the situation in Jerusalem might lead to a general resumption of hostilities. The Mediator therefore requested that the Security Council take prompt action with a view to giving effect to its resolution of July 15. Should the action of the Security Council take the form of warning, he suggested that it should clearly be pointed out to the parties

(1) that responsibility would be assessed whether violations were due to members of opposing armies or to dissident elements or irregulars;

(2) that each party had a duty to bring to justice its own dissident elements and irregulars when they violated the truce;

(3) that reprisals and retaliations were not permitted,

(4) that no party would be allowed to gain by any violation of truce.

In connection with this cable from the Mediator, the representatives of Canada, France, the United Kingdom and the United States jointly introduced a draft resolution (S/981) embodying the Mediator's suggestions. The resolution read:

"The Security Council,

"Taking into account communications from the Mediator concerning the situation in Jerusalem,

"Directs the attention of the governments and authorities concerned to the Resolution of the Security Council of 15 July 1948, and

"Decides pursuant to its Resolution of 15 July 1948, and so informs the governments and authorities concerned, that:

"(a) Each party is responsible for the actions of both regular and irregular forces operating under its authority or in territory under its control;

"(b) Each party has the obligation to use all means at its disposal to prevent action violating the Truce by individuals or groups who are subject to its authority or who are in territory under its control;

"(c) Each party has the obligation to bring to speedy trial and in case of conviction to punishment, any and all persons within their jurisdiction who are involved in a breach of the Truce;

"(d) No party is permitted to violate the Truce on the ground that it is undertaking reprisals or retaliations against the other party;

"(e) No party is entitled to gain military or political advantage through violation of the Truce."

Referring to sub-paragraph (d) of the joint draft resolution, the representative of Israel stated his belief that if this provision was to be inter-

puted as not being in conflict with an earlier ruling of the Mediator, i.e., that a party finding itself under unprovoked attack should limit its self-defence to operations necessary to repulse such attack pending action by United Nations Observers, he shared the belief of the sponsors of the proposal that the substance of the joint draft resolution was not controversial. In passing he welcomed the shift of the Mediator's opinion regarding the responsibility for the hostilities in Jerusalem, noting that whereas the Mediator had previously (see above) inclined to the view that the Jews had proved to be more aggressive, he now held both parties equally responsible.

The representative of the United States confirmed the correctness of the Israeli representative's understanding of the sub-paragraph (d) of the draft resolution.

The representative of the Ukrainian S.S.R. stated that he could not see much point in adopting the draft resolution. The Mediator's cable, he declared, showed the failure of that United Nations official. The present draft resolution would not change matters greatly.

The representative of the U.S.S.R., indicating similar skepticism, declared that he could accept the resolution through sub-paragraph (b), but could not support sub-paragraphs (d) and (e), which were needlessly repetitious of earlier resolutions, while sub-paragraph (c) might be thought to be in conflict with the "domestic jurisdiction" clause of the Charter (Article 2, paragraph 7).

The representative of Egypt held that the draft resolution erred mostly by omission inasmuch as the Zionists had received huge amounts of armaments and other military assets, in violation of the truce; yet the ban on such contraband material was not singled out for emphasis in the proposal; also it contained nothing about Arab refugees, despite the urgency of their plight.

Upon being submitted to the vote, the draft resolution up to and including sub-paragraph (b) was adopted by a vote of 10 to 0, with 1 abstention (Syria). Sub-paragraphs (c) and (e) were approved by separate but identical votes of 8 to 0, with 3 abstentions (Syria, Ukrainian S.S.R., U.S.S.R.), while sub-paragraph (d) was approved by a vote of 7 to 0, with 4 abstentions (Colombia, Syria, Ukrainian S.S.R., U.S.S.R.). The draft resolution as a whole was declared approved, without being submitted to a vote as such.

The representative of Syria declared that he had abstained from voting because he had opposed the resolution of July 15, to which the present resolution referred, and also because it made no mention

of refugees nor of the demilitarization of Jerusalem, although the Mediator had indicated the importance of those two points, which the Syrian representative himself considered to be essential to the preservation of the truce and to any final peaceful adjustment of the future situation in Palestine.

Following the adoption of the resolution, the representative of China, referring to a communication from the Mediator (S/979) dated August 19, dealing with the demilitarization of Jerusalem, asked whether the Council was content to accept without comment the statement of the Mediator that he entertained serious doubts whether demilitarization could be obtained in the near future.

The Mediator's doubts were due to his belief that the difficulties of reaching agreement on the demilitarization resulted more from political reasons relating to the future status of Jerusalem than from mere military considerations regarding the present conflict.

The representative of China suggested that the Council might wish to request the Mediator to redouble his efforts to bring about the demilitarization of Jerusalem in spite of all the difficulties. He was supported by the representative of France, and there was no opposition to the Chinese suggestion.

The Council resolved not to meet again, except in an emergency, until its members reconvened in Paris, in September.

A further meeting—the 356th—was, however, convened on August 30 by the President to consider a communication (S/985) from the Foreign Minister of the Provisional Government of Israel, requesting an interpretation of sub-paragraphs (d) and (e) of the resolution adopted on August 19 (see above).³⁶ After an exchange of views, the Council failed to adopt the agenda, only two members (U.S.S.R., Ukrainian S.S.R.) voting in favor, the remaining nine members abstaining on the ground that the agenda did not warrant emergency consideration. Before the meeting was adjourned, the Council was informed that two French observers in Palestine—Captain Jennel of the French Air Force and Lieutenant-Colonel Queru of the French Army—had been killed at Gaza (Palestine) on August 28. The Council expressed its sympathy and condolences to the families of the two officers and to the French Government.

7. QUESTION OF REFUGEES

At the 343rd meeting of the Security Council on August 2, 1948, the representative of the United

³⁶The Council convened at this meeting also to consider a communication (S/987) from the United Nations Commission for India and Pakistan, requesting the appointment of military observers in Kashmir.

Kingdom stated that his Government felt strongly that there were two aspects of the Palestine problem that directly affected the chances of finding a solution for it: the fate of the large number of displaced persons in Europe for whom no home had yet been found; and the existence of a large body of Arab refugees in Palestine itself and in adjacent countries.

While there remained in European displaced persons camps some 200,000 Jews, the number of Arab refugees was estimated to be at least 250,000, with other estimates ranging as high as 550,000. Of the Arab refugees about four fifths had sought shelter in Transjordan, Lebanon, Syria and Iraq, the remainder in Arab-held parts of Palestine.

The representative of the United Kingdom hoped the Security Council would impress upon the Mediator the gravity and importance of the Arab refugee problem. Although the Mediator was aware of the matter and had begun to give it his consideration, it might strengthen his hand if the Council were to lay special emphasis upon it.

The question of short-term relief for the Arab refugees, the representative of the United Kingdom considered, was particularly urgent. As a first step, he therefore suggested that the Council ask the International Red Cross to send a small party at once to Palestine and the neighboring Arab States to examine the scope of the problem and formulate recommendations. Should these recommendations, as might be anticipated, include a request for additional relief funds, the United Kingdom would be willing to provide its due share, on the assumption that other countries would also make appropriate contributions. In fact, the Government of the United Kingdom would be ready to advance up to £100,000 immediately in order to enable the investigation to start without delay or to provide urgently needed tents and medical supplies.

The President thought the Council would wish to obtain information from the Mediator in connection with the questions raised by the representative of the United Kingdom, adding that he deemed it appropriate to transmit the text of the latter's statement to the Mediator. It might then prove possible for the Mediator to solve the question with the participation of Israeli and Arab authorities, obviating the need for further Council consideration.

The United Kingdom representative indicated that this suggestion was acceptable to him, but hoped that in forwarding his own statement to the Mediator, the Council might wish to endorse what

he had said about the grave importance of the question of Arab refugees.

The representative of Syria agreed that the problem of Arab refugees stood in "very intimate connection and relation with the peace and security in Palestine". The majority of the refugees, he stated, had been expelled from their homes before May 15, i.e., before the termination of the Mandate and before the Arab States had "interfered militarily in Palestine". Indeed the Arab States had expressly stated that one of the reasons for their interference had been their desire to bring about the repatriation of those refugees. He agreed with the suggestion of the President to call the Mediator's attention to the statement and suggestions made by the representative of the United Kingdom.

The representative of the Ukrainian S.S.R., while agreeing to the President's suggestion, further suggested that requests for information, both as regards Arab and Jewish displaced persons, including Jews in camps on the island of Cyprus, be addressed to the governments and authorities concerned.

The representative of Israel stated that he intended to raise the question of the Cyprus internees before the Council. As for the Arab refugees, he said the matter was being discussed between the Mediator and the Provisional Government of Israel. The latter had already explained why, in its view, a full settlement of that problem was not feasible during the truce when a renewal of hostilities might still be expected.

The representative of France said he had no objection to the course suggested by the President and the representative of the Ukrainian S.S.R. He considered, however, that in communicating with the Mediator about the United Kingdom statement, the impression should not be created that he would be expected to deal with the question of refugees as a matter of priority. The question was part and parcel of the whole settlement which the Mediator was supposed to seek.

The representative of Egypt recalled that the Mediator in reply to a question had stated on July 14 in the Security Council that, in his opinion, "there should not be any conditions whatsoever for the Arab refugees to return to their homes, if they wish to do so". Apparently this view was being challenged by the "Zionist spokesman" and the representative of France, who had referred to the Arab refugee problem as being related to other aspects of the Palestine truce. The representative of Egypt held that the Mediator had been right on this point, and that there could be no question of attaching any conditions to the return of the Arab refugees who had been driven from their homes.

The Egyptian representative also referred to the "driving away from the table of the Security Council the representative of the Arabs of Palestine". This, he held, was no mere point of procedure, but one of substance: to justify the continued practice²⁷ which had led to the absence of the representative of the Arab Higher Committee on the grounds that it had become "established" appeared to be untenable. The representative of Egypt regarded this question as still open, saying he would welcome an opportunity of discussing it.

The President denied that the representative of the Arab Higher Committee had ever been driven from the Council table; on the contrary, he had been, and was being, invited to attend every meeting on the Palestine question, and if he chose not to do so, the fault was not the Council's.

At the conclusion of the 343rd meeting the President, summing up the questions which had been raised, stated that "information should be requested from the Governments and authorities concerned and of the Mediator regarding all four items which were raised today; these being the displaced persons of Jewish nationality in Europe, Arab refugees, and the matter of the Jews detained by the United Kingdom authorities in a camp in Cyprus".

Replies to letters sent by the Acting Secretary-General on August 3, 1948, requesting information regarding (i) Jewish displaced persons in Europe, (ii) Arab displaced persons in Palestine and adjacent countries, (iii) assistance to such Arab displaced persons and (iv) the Cyprus internees, were received from the United Nations Mediator (S/948, S/964), the Arab Higher Committee (S/957) and the Provisional Government of Israel (S/946, S/949, S/965). The Council also received a communication (S/962) from the representative of the United Kingdom stating that his Government had notified the Mediator of its readiness to provide for the relief of Arab refugees tentage and medical supplies from British military stocks in the Middle East up to £100,000.

The positions of those who replied to the four questions may be summed up briefly as follows:

(i) Jewish Displaced Persons.

In the opinion of the Arab Higher Committee the problem of the refugees in Europe had no relation to the Palestine problem.

In the opinion of the Provisional Government of Israel, Jewish refugees in Europe, estimated to number 250,000, should be permitted to immigrate into Palestine.

The Mediator did not comment upon the ques-

tion of Jewish displaced persons in Europe in his reply to the Security Council.

(ii) and (iii) Arab Displaced Persons and Assistance to Them.

According to the Arab Higher Committee, some 550,000 Palestinian Arabs had been forced to leave their homes as a result of Jewish attacks. About 300,000 Arabs from Palestine had sought refuge in neighboring Arab countries; the remaining 250,000 were still living in Palestine. The great majority of these refugees were penniless and not in a position to earn their livelihood.

According to the Provisional Government of Israel, the number of Arab refugees was about 300,000. Most of these, it was stated, had left Palestine during recent months in the wake of the war launched against Israel by neighboring Arab States, partly in obedience to direct orders by local Arab military commanders, and partly as a result of the panic campaign spread among Palestinian Arabs by the leaders of the invading Arab States. Before a peace settlement was reached, Israel would be unable to readmit Arab refugees apart from exceptional cases on compassionate grounds, as their return would create a most acute security and economic problem. The refugee question could come up for a permanent constructive solution only as part of the general peace settlement and with due regard to Jewish counter-claims for the destruction of life and property caused by Arab aggression as well as to the position of Jewish communities in Arab countries and other relevant considerations.

The United Nations Mediator expressed the view that the right of the refugees to return to their homes at the earliest practicable date should be affirmed. At the same time he stated that he was taking active steps to give prompt aid to "the refugee victims of this conflict", and would call upon all appropriate international organizations and agencies for assistance.

(iv) The Cyprus Internees.

The Arab Higher Committee stated that the refugees in Cyprus were illegal Jewish immigrants who had tried to land in Palestine during the period of the Mandate. They should be returned to their country of origin or place of embarkation. Moreover, during the past year all women and children previously held in Cyprus had been admitted to Palestine. Those who remained were able-bodied

²⁷I.e., the designation "representative of the State of Israel" which had been used for the first time by the President of the Security Council in July rather than the previously-employed "representative of the Jewish Agency". (See p. 433.)

young men who were purposely picked from militarily trained groups. It would be a violation of the letter and spirit of the Security Council's truce resolution to allow them to proceed to Palestine in order to increase Jewish manpower and fighting personnel.

According to the Provisional Government of Israel, the refusal to permit the 7,500 men between the ages of 18 and 45 years held in Cyprus to proceed to Palestine was contrary to the terms of the Security Council's resolution of May 29, which allowed men of military age to enter the country provided that they were not conscripted nor trained for military service. The Mediator had not requested detention of these refugees as essential for the maintenance of the truce. The Provisional Government of Israel therefore protested against this "lawless procedure" and breach of the truce agreement.

The Mediator expressed the opinion that the admission to Palestine of Jewish refugees detained in Cyprus must be governed by general rules in force concerning the observation of the truce, particularly regarding non-admission of fighting personnel and conditions for the admission of men of military age.

At the 349th meeting of the Security Council on August 13, the representative of Egypt and Syria supported the views contained in the reply of the Arab Higher Committee, and urged the Council to devote greater and more urgent attention to these matters. The representative of Israel elaborated upon the views expressed in the reply of the Provisional Government with regard to Cyprus. He challenged the statement by the representative of the United Kingdom that British policy concerning Cyprus was entirely consonant with the relevant terms of the successive truce resolutions of the Council.

The question of the Arab refugees was again discussed in the course of the Council's 352nd meeting on August 18. The representative of the U.S.S.R. declared that the responsibility for the plight of the Arab refugees must be shared in varying degrees by the United Kingdom, the United States and the Arab States, because of their overt or covert attempts to undermine the General Assembly's partition resolution of November 29, 1947. The refugee problem, he considered, could only be solved by implementing this resolution.

The representative of Egypt expressed the hope that the Security Council would do something about the refugee problem very soon so as not to allow "the seeds of trouble to take root and grow".

The representative of Belgium considered that

the Security Council would fail in its duty if it did not try to settle this question in the very near future.

In the course of the 354th meeting on August 19, the Security Council agreed to a suggestion of the representative of the United Kingdom that the records of the Council's discussion on the displaced persons aspect of the Palestine problem be transmitted at once to the Economic and Social Council and the International Refugee Organization. The United Kingdom representative stated that his Government would shortly submit to the Council in writing certain details and figures showing what the United Kingdom had done to shoulder its share of the common burden. He urged the Council to take prompt action to furnish relief to both Arab and Jewish displaced persons lest the difficulties of the Council's task in Palestine be aggravated.

5. ABDUCTION OF FIVE BRITISH NATIONALS

In a message dated July 14, 1948 (S/898), the Palestine Truce Commission informed the Security Council that the Acting Manager and four other members of the staff of the Jerusalem Electric Corporation, all of them British nationals, had been arrested on July 6 by members of the dissident Irgun Zvai Leumi who had posed as Jewish Army personnel and that these five men had been held ever since, despite protests by the Chairman of the Truce Commission.

The Irgun Zvai Leumi was said to be collecting evidence of spying against the five British members of the Jerusalem Electric Corporation, while Jewish authorities were reported to be negotiating to have them handed over to the government at Tel Aviv.

If the Jews would not release the five staff members within a reasonable time, then the Commission would, it had informed the Jews, ask the Security Council to take such action as it deemed appropriate.

(In May 1948 the members of the Truce Commission had agreed to afford the protection of their respective flags to the Jerusalem Electric Corporation's local power station. The five officials were said to have been arrested on the premises of that power station, thus involving the question of United Nations authority.)

In a subsequent message (S/905), dated July 16, the Truce Commission informed the Security Council that no satisfactory reply had been received from the Jews and the Commission therefore was now handing the problem over to the Security Council for appropriate action.

In a further communication (S/915, p. 3(V)),

the Chairman of the Truce Commission, under date of July 17, informed the Council that the five abducted men had been turned over to the Commandant of the Jewish forces at Jerusalem the previous day, presumably to be taken immediately to Tel Aviv for trial by a military court.

The question of the abduction of the five British nationals was raised at the 340th meeting of the Security Council, on July 27, by the representative of the United Kingdom. He declared that his Government regarded the incident as being of urgent importance and one which constituted an affront to the prestige of the Truce Commission, and, through it, of the United Nations. Among the issues raised by the matter, he said, was the question of whether the Jewish authorities in Tel Aviv claimed to exercise, or did in fact exercise, any control at all over organizations such as the Irgun Zvai Leumi. If so, then the Council would surely be entitled to ask the Jewish representative whether his authorities could give any promise that the security of individuals of whatever nationality, and the inviolability of premises protected by the special authority of the United Nations, would be respected in the future. He also wished to know if the Jewish authorities in Tel Aviv had authorized the abductions, before or after they occurred, and whether they were now condoning them in any way.

The representative of the United Kingdom then presented a draft resolution (S/923) which read as follows:

"The Security Council,

"Having considered the messages sent by the Palestine Truce Commission on 14, 15 and 17 July on the subject of the five employees of the Jerusalem Electric Corporation abducted by the Irgun Zvai Leumi,

"Supports the demand of the Truce Commission for the release of the five men and calls for their surrender to the Truce Commission in Jerusalem."

The representative of Israel stated that the main concern of the Provisional Government of Israel following the taking into custody of the five men "by certain forces in Jerusalem", had been to bring these men under "authorized control". The sole point at issue, it appeared to him, was whether jurisdiction to investigate the conduct of the five detained men belonged to the Provisional Government of Israel or to the Truce Commission. He doubted that the Security Council could, at this stage, pronounce itself on this conflict of jurisdiction.

While the Provisional Government of Israel had not been in any way associated with the arrest of the five men, nevertheless, once they had come within its custody and jurisdiction, it appeared that the charges against them could not be entirely and

immediately ignored, and constituted a *prima facie* case for further investigation.

As to the Truce Commission, the Provisional Government of Israel was of the opinion that it had no judicial rights or functions in any part of Palestinian territory, that it could not confer immunity on anybody not in its direct employ^{and} and that it was not competent to exercise functions of custody or investigation.

The wisest course under the circumstances would be, the representative of Israel stated, to allow the judicial processes now under way to take their course, the more so since they were proceeding in public. In this connection he informed the Council that when the five men had appeared before a civil court in Tel Aviv on July 27, the court had ruled that unless more specific charges could be adduced within a brief period of time, the case of the prosecution would be deemed insufficient and the men would be released forthwith.

The representative of the Ukrainian S.S.R. held that the matter was one within the domestic jurisdiction of Israel and was therefore not within the Council's competence.

The representative of the United States, noting that the safety of the five men now seemed assured, since they were in the custody of the Provisional Government of Israel and could rely on fair judicial processes, stated that the Security Council might feel that it was not necessary to adopt the resolution suggested by the representative of the United Kingdom either for the purpose of assuring the safety of these individuals or for the purposes of maintaining the authority and prestige of the Truce Commission.

The representative of Syria expressed his full support of the United Kingdom draft resolution, which he considered very moderate and which, he stated, he had never thought would meet with any opposition from any Council member. A similar view was expressed by the representative of Belgium.

The representative of the U.S.S.R., sharing the views of the representative of the Ukrainian S.S.R., held that the matter was outside the Council's competence, being entirely within the domestic jurisdiction of the State of Israel. Therefore, he said, he could not support the United Kingdom proposal.

The representative of France, declaring that he was not in a position to vote on the United Kingdom draft resolution, asked that a decision thereon be postponed. He stated that the matter offered some grave difficulties from a legal point of view, one of these being that it did not seem to be the role of the Truce Commission to grant protection

to British subjects any more than, for instance, to French subjects, or Ukrainian subjects or any other citizens.

The representative of the United Kingdom declared that he had no objection to a postponement of a vote on his proposal, as suggested by the representative of France.

At the 343rd meeting of the Council on August 2, two communications bearing on the question were read. The first (S/936/Corr.1) was a letter from the representative of the Provisional Government of Israel, stating that the law governing the trial of the five men was that in force during the British Mandate, since no new enactments had been made "relevant to this branch of legislation" and enumerating in detail the measures which the courts of Israel were applying.

The letter also stated that the Provisional Government of Israel regarded this case as being *sub judice*, and accordingly considered that it would be contrary to legal principle to comment on the merits of the case itself.

The second communication (S/937) likewise from the representative of the Provisional Government of Israel, informed the Council that, contrary to what had been stated in the previous discussion, it had now been established that the five men had not been taken from the power station of the Jerusalem Electric Corporation itself, i.e., from the building under the protection of the Truce Commission, but from their nearby private dwellings. This, the representative of Israel declared, made it clear that no issue affecting the status of the Truce Commission or of United Nations premises arose at all.

Both the representatives of the United Kingdom and of the Provisional Government of Israel declared that they had no further information on the question of the five British nationals, and the Council decided to defer consideration until a later date, after the representative of the United Kingdom, in reply to a question asked by the President and arising out of a statement by the Ukrainian representative that the latter would like to see the question dropped from the agenda, declared that he was not prepared to withdraw either his draft resolution or the matter to which it referred.

A. TRIBUTES TO COUNT BERNADOTTE AND COLONEL SEROT

On September 17, 1948, the United Nations Mediator in Palestine, Count Folke Bernadotte, and United Nations Observer Colonel André Serot (France) were assassinated in a part of the City of Jerusalem which was under Jewish control.

The following day, at the 358th meeting of the Security Council, the President stated that he felt sure that the Council as a whole would wish to express its horror at this senseless and disastrous crime. He added that it was a tragedy for the world as a whole that death had cut short the work which Count Bernadotte had so devotedly begun. The task of the United Nations in Palestine, he continued, remained to be done, and there could be no question of relinquishing it. It must rather be the Council's duty to redouble its efforts to bring peace to that distracted and desecrated land and to build on the foundation which Count Bernadotte had already laid.

In the name of the Security Council, the President said, he would send a message of condolence to Countess Bernadotte and members of the Count's family, as well as to the King and Government of Sweden. He also proposed to arrange, in consultation with the Secretary-General, for the proper representation of the Security Council at the funeral of Count Bernadotte in Stockholm.

The President also extended the sympathy of the Security Council in the loss of Colonel Serot to the French representative and, through him, to Colonel Serot's family and to the French Government.

The President informed the Council that with his approval the Secretary-General had sent two telegrams (S/1003). The first of these empowered Ralph Bunche, of the Secretariat, to assume full authority over the Palestine Mission until further notice. The second requested General Aage Lundstrom, Chief of Staff of Truce Supervision, to make the fullest investigation of the circumstances of the shooting of Count Bernadotte, and also to cable immediately all details in his possession and to continue sending by urgent cable every additional detail as soon as received. The President further proposed, and the Council agreed, that copies of these two telegrams be sent to the Chairman of the Security Council's Truce Commission in Jerusalem, together with a request that he give his fullest co-operation to Mr. Bunche and to General Lundstrom.

The Secretary-General stated that the murder of Count Bernadotte and Colonel Serot could only be interpreted as a direct act of attempted interference with the effort of the United Nations to settle the Palestine question. Praising the work of both men, the Secretary-General said their murder demanded an answer to the question of what should be done in future to protect those who served the United Nations as its representatives in such operations as the one which it had been required to undertake in connection with Palestine. No steps must be left untaken to prevent future recurrences of such trag

edies. Sentiments similar to those expressed by the President and Secretary-General were also voiced by all the members of the Council.

The representative of Argentina proposed the following draft resolution (see S/P.V.358), which was unanimously adopted by the Security Council:

"The Security Council,

"Deeply shocked by the tragic death of the United Nations Mediator in Palestine, Count Folke Bernadotte, as the result of a cowardly act which appears to have been committed by a criminal group of terrorists in Jerusalem while the United Nations representative was fulfilling his peace-seeking mission in the Holy Land,

"Resolves

"First, to request the Secretary-General to keep the flag of the United Nations at half-mast for a period of three days;

"Second, to authorize the Secretary-General to meet from the working capital fund all expenses connected with the death and burial of the United Nations Mediator,

"Third, to be represented at the interment by the President or a person whom he may appoint for the occasion."

Following the adoption of that resolution, the Security Council members, prior to adjourning the meeting, stood for a moment in silent tribute to the memory of Count Bernadotte.

7. The Czechoslovak Question

a. COMMUNICATION DATED MARCH 12, 1948, FROM THE REPRESENTATIVE OF CHILE

By letter dated March 12, 1948 (S/694), the representative of Chile informed the Secretary-General that his Government had noted that, on March 10, 1948, Jan Papanek, permanent representative of Czechoslovakia, had sent a communication to the Secretary-General. Mr. Papanek had alleged that the political independence of Czechoslovakia had been violated by the threat of the use of force by the U.S.S.R., and that this situation endangered the maintenance of international peace and security and should be brought to the attention of the Security Council. The Secretary-General had decided that this letter could not be treated as a request from a Member Government. In accordance with Article 35, paragraph 1, the representative of Chile, therefore, requested the Secretary-General to refer to the Security Council the question raised in Mr. Papanek's letter. In the name of his Government, he requested that the Council should investigate the situation in accordance with Article 34.

b. INCLUSION OF THE COMMUNICATION IN THE AGENDA

The Chilean communication dated March 12, 1948 (S/694), was included in the provisional

agenda for the 268th meeting on March 17, 1948.

The representative of the U.S.S.R. protested categorically against the inclusion in the agenda of the Security Council of the Chilean application. He declared that discussion of the application would constitute gross interference in the internal affairs of Czechoslovakia and be a violation of Article 2, paragraph 7, of the Charter of the United Nations. No one had any right, he stated, to interfere in the internal affairs of other countries or to foist upon any people a particular conception of governmental organization. The Chilean statement, he charged, was an attempt at precisely this type of interference; it contained not a single fact and was completely unfounded. It merely repeated the ridiculous assertions of those American newspapers which had made it their business to spread slanderous inventions about the U.S.S.R. and the other countries of Eastern Europe, including Czechoslovakia, and the impotent and senseless utterings of the former representative of Czechoslovakia to the United Nations—a traitor to his country and to his people—who had been dismissed by the Czechoslovak Government from his post.

He rejected the allegation in the Chilean document of interference by the U.S.S.R. as a gross libel. He stressed that the situation in Czechoslovakia was completely outside the scope of the Security Council's powers, and any consideration of the question would be a gross violation of the principles of the United Nations safeguarding the sovereignty of states and would transform the United Nations into a centre of political intrigue and provocation directed against the U.S.S.R. and other nations of Eastern Europe. The discussion of the libelous Chilean application would bring not benefit but harm to the United Nations, since the split within the United Nations, which some states represented in the Security Council were seeking, would only bring grist to the mill of the warmongers. They had already used the issue raised by Chile to aggravate still further the campaign of lies and slander against the Soviet Union, to poison relations between states—and particularly between the Great Powers—still further, to deepen still more the mistrust and suspicion between the various states and aggravate the war fever which was, he stated, seriously afflicting certain circles in some countries, especially the United States.

The representatives of the United Kingdom, Syria, Colombia, France, the United States and Belgium spoke in favor of including this item in the agenda. It was pointed out that nobody had asked the United Nations to intervene in Czechoslovakia in matters of domestic jurisdiction. On the

contrary, the Council was confronted with the very serious charge that the Soviet Union had intervened with the threat of use of force, in violation of Article 2, paragraph 4, of the Charter. The Council had the duty to investigate such serious charges.

By a vote of 9 to 2 (Ukrainian S.S.R., U.S.S.R.) the Council decided to include the communication from the representative of Chile in the agenda.

It was also decided by 9 votes to 2 to invite the representative of Chile to participate in the Council's discussion.

c. GENERAL DISCUSSION

The Council opened consideration of the Czechoslovak question at its 268th meeting on March 17, and continued its discussion at the 272nd, 273rd, 276th and 278th meetings on March 22, 23 and 31 and April 6.

The representative of Chile stated that *prima facie* the complaint directed against the U.S.S.R. by Mr. Papanek appeared well founded.

He cited facts in corroboration of Mr. Papanek's charges, and concluded that there was adequate material available to satisfy the conditions of Article 34 and justify an investigation. He recognized that a mission would probably not be received in Czechoslovakia but it would be possible, he stated, to conduct an investigation elsewhere in Europe or at Lake Success. He requested the Council to invite Mr. Papanek to make a statement.

The representative of the Ukrainian S.S.R. objected to inviting Mr. Papanek to make a statement to the Security Council. The Council should not hear or consider slanderous statements by unattached private individuals, particularly by a person relieved of his post for treachery to his people.

The Council, however, decided by 9 votes to 2 (Ukrainian S.S.R., U.S.S.R.) to invite Mr. Papanek to take part in the discussion.

Mr. Papanek referred to postwar events in Czechoslovakia which in his view demonstrated persistent Communist efforts to gain control over Czechoslovakia. The February coup, he stated, had become necessary from the Communist point of view because it was clear that the Communist party would suffer losses in the coming elections. He charged that the coup was directed from the U.S.S.R., which was guilty of indirect aggression and political infiltration. In this connection, he described the circumstances attending the visit of the U.S.S.R. Deputy Foreign Minister Zorin to Prague, the roles played by President Benes and Foreign Minister Masaryk and U.S.S.R. troop movements on the border of Czechoslovakia. He con-

cluded that, in the light of world-wide Communist ambitions, the situation in Czechoslovakia was a threat to international peace and security under Article 34, and that the Council should make a investigation.

The representative of the United Kingdom said that, in view of the grave charges and counter-charges, the Council had the duty to determine the truth of the matter and should ask for proof in support of the allegations that had been made. The United Kingdom delegation did not pretend, he stated, that they possessed absolute proof. He drew certain conclusions, however, in the light of evidence from other countries which had succumbed to ruthless Communist minorities. Everyone was aware, he stated, that the Czechs had been passionate believers in parliamentary democracy. When President Benes returned to Czechoslovakia after the war he was the symbol of the free democracy from which he drew his power. There was every evidence that he had the overwhelming majority of the nation in his support and Masaryk himself often boasted that there was no "iron curtain" in Czechoslovakia.

If the Czechoslovak people, therefore, had freely accepted the change in government there could be no doubt, the representative of the United Kingdom considered, that their leaders, Benes and Masaryk, would have told the nation why the change had been required and would have asked them to accept it. Yet Masaryk had given his life to prove to all the world that this change had been forced upon his nation and President Benes had so far made no declaration to his people or to the world. Meanwhile the propaganda of the new Czechoslovak Government tried to persuade the people that the Western Powers were the enemies of Czechoslovakia. This was, the representative of the United Kingdom concluded, the usual technique of stirring up international hatred employed in other countries of Eastern Europe, and, above all, in the Soviet Union itself.

The representative of the Ukrainian S.S.R. said that the Czechoslovak question had been raised to divert attention from the political and economic interference of the United States and the United Kingdom in the internal affairs of Czechoslovakia and from their interest in promoting a reactionary coup in that country as well as by the failure of those states to include Czechoslovakia in a military bloc of Western European states. Soviet forces had been evacuated from Czechoslovakia long ago, and the people had been left in complete freedom to choose their form of government and decide upon their political, economic and social development.

In conclusion he rejected the contention that Czechoslovakia was no longer a democracy simply because its political structure was not in accordance with United States standards of democracy.

At the 273rd meeting on March 23, the representative of France said that it was well known that a minority had taken power in Czechoslovakia by force and manifestly against the will of the chief of state. It was clear, he considered, that, without the immediate proximity of the Soviet forces, a minority *coup d'état* could not even have been attempted; accordingly, the Security Council should attach full importance to the Chilean communication.

The representative of the U.S.S.R. said that in raising the "Czechoslovak question" Chile was acting as the puppet of those Wall Street kings of industry and finance who kept the reins of Chilean economy securely in their hands and completely controlled Chile's domestic and foreign policy.

In recent years, he stated, United States and United Kingdom politicians had considered Czechoslovakia as an easy potential gain. The Czechoslovak people, however, had wrecked the plans of influential circles in the United States and the United Kingdom. These plans had been based on the fallacy that certain reactionary and venal leaders in Czechoslovakia would be victorious; that they would succeed in deceiving their people and that with their help it would be possible to draw Czechoslovakia into the so-called "Marshall Plan", the object of which was the enslavement of other countries and peoples and their subordination to the interests of United States monopolies. The people of Czechoslovakia had refused to allow that yoke to be placed on their necks and as a result the Czechoslovak Government had been reorganized by including new political leaders—patriots who hearkened to the voice and the heartbeat of their people—in place of those persons who had resigned or had compromised themselves in the eyes of the people.

The economy of Czechoslovakia was being reorganized on democratic principles. Industry was being nationalized; large farms were being abolished and the land distributed among landless peasants and small holders. Rather than live on American remittances offered under the label of the "Marshall Plan", Czechoslovakia had decided to develop her economy and culture by using her own resources and co-operating with all other states desirous of co-operating with her on an equal footing in the maintenance of peace and security. She was, for example, successfully co-operating with the U.S.S.R. on the basis of trade agreements to the mutual profit of both countries.

The representative of the U.S.S.R. considered that allegations that the changes in the Czechoslovak Government had been caused by the interference on the part of the U.S.S.R. were absurd. He stated that the submission of the Czechoslovak question for discussion in the Security Council could be rightly understood in the light of Anglo-American policy in Europe. That policy, which had latterly been applied under the trade mark of the so-called "Marshall Plan", was based on the attempt to subordinate the economy and policy of other European countries to the economic requirements and policies of the United States, and, to some degree, of the United Kingdom. That question had also been raised for the purpose of further poisoning relations between the Great Powers and striking a further blow at the United Nations.

The representative of the United States said that the representatives of the U.S.S.R. and the Ukrainian S.S.R. had made no answer to the many serious accusations directed against the U.S.S.R. He considered that recent events in Czechoslovakia were not in the character of the Czechoslovak people or in keeping with their tradition, and bore a too striking similarity with events in neighboring countries for the Council to be satisfied with perfunctory denials. If the charges were established, they would constitute indirect aggression. The United Nations, he concluded, would then be called upon to develop effective measures for the preservation of the territorial integrity and political independence of states, however small.

At the 276th meeting on March 31, the representative of Chile said that the representative of the U.S.S.R. had passed over the case of Czechoslovakia and raised a smoke-screen of counter-charges. He offered to supply the names of witnesses ready to present further evidence and documents. He was of the opinion that the Council possessed more than enough evidence to order an investigation and had a great moral obligation to do so. He suggested that it might be appropriate to set up an investigating body similar to the sub-committee on Spain appointed on April 25, 1946.

The representative of Canada said that no satisfactory answers had been received to the serious and pertinent questions which had been asked in the Council. Instead, members had heard counter-charges and references to the motives of those who had been trying to establish the facts. Tracing the major stages in the crisis he said that they were too similar to earlier developments in other states to avoid the conclusion that they had occurred with the knowledge and approval of and with some help

from the U.S.S.R. In his opinion, it was the Council's duty to hear witnesses on this question.

The representative of China said that, after an initial reluctance, he had favored inclusion of this question in the agenda because he had felt that, if the accusations were true, the world might as well face the crisis immediately. He thought that recent events in Czechoslovakia deserved thorough investigation by the Council.

The representative of Syria considered that the Chilean Government had full authority under Article 35 to bring the situation to the Council's attention. It was necessary to obtain information that the coup had resulted from external pressure; he believed it would be convenient for the Council to constitute a fact-finding sub-committee composed of not more than three members.

The representative of the Ukrainian S.S.R., replying to the statements of the representatives of the United Kingdom and France, said that no one—not even the United Kingdom or French representatives—had any proof in support of the Chilean calumny, and that their attempts to establish the legality of the Security Council's intervention in the domestic affairs of Czechoslovakia were based on their hostility to the internal order in Czechoslovakia. He contrasted this with the attitude adopted towards Franco Spain, which showed, he said, that the foreign policies of the United States, United Kingdom and French Governments were based on the desire to preserve and restore reactionary governments and regimes.

At the 278th meeting on April 6, 1948, the representative of the United States submitted a draft resolution inviting the Czechoslovak Government to participate in the discussion of the question without vote.³⁸

The representative of Argentina said that his country's foreign policy had always been opposed to interference in the internal affairs of any country. Because of the seriousness of the charges which had been made, the Council must do its best to determine the facts objectively and without becoming involved in the atmosphere of war psychosis.

The United States draft resolution (S/711) was adopted as amended by 9 votes in favor, with 2 abstentions, as follows:

"The Government of Czechoslovakia is invited to participate without vote in the discussion of the Czechoslovak question now under consideration by the Security Council, and the Secretary-General is instructed to notify the Czechoslovak representative to the United Nations accordingly."

This notification was made, and in his reply (S/718) the representative of Czechoslovakia

stated that his Government did not find it possible in any way to take part in the discussion. The matters involved, the Czechoslovak representative's letter stated, were exclusively within the domestic jurisdiction of Czechoslovakia, which rejected with indignation the unfounded complaint which had been put before the Council. Discussion of these internal questions was contrary to the Charter and was merely a pretext to promote the hostile campaign of the Western Powers against the U.S.S.R. and other states of Eastern Europe.

d. CHILEAN DRAFT RESOLUTION

At the 281st meeting on April 12 the representative of Chile submitted a draft resolution for the appointment of a sub-committee, with a membership to be determined by the Council, to receive and hear statements and testimony and to report to the Council at the earliest possible time, this action to be without prejudice to any decisions which might be taken in accordance with Article 34.

The representative of the U.S.S.R. stated that the representative of Chile, as well as those of the United States, the United Kingdom, France and some other countries, had repeated in their speeches the slanderous fabrications of a Czechoslovakian traitor; he rejected allegations that the recent changes in the Czechoslovak Government had taken place as a result of interference by the U.S.S.R., and that Deputy Minister of Foreign Affairs of the U.S.S.R. Zorin, who had been visiting Prague, had exerted pressure to influence the political situation in Czechoslovakia.

He stated that Mr. Zorin's journey and its purposes had been made widely known by the reports published in the Czechoslovak press. For example, the Czechoslovak newspapers announced on February 20 that Zorin had arrived to supervise deliveries of U.S.S.R. grain to Czechoslovakia, and that he was to take part in the celebrations on the occasion of the republican conference of the Union of Friends of the U.S.S.R. and the Society for Cultural Relations with the U.S.S.R. in Czechoslovakia, which took place on February 21 and 22.

It was further announced that immediately on his arrival Zorin visited the Minister of Foreign Affairs, Masaryk, and the Minister of Supplies, Mayer, a right-wing Socialist, with whom he discussed the question of deliveries of Soviet grain to Czechoslovakia. On February 21 he visited the Minister of Communications, the Slovak Democrat

³⁸On March 15, 1948, Vladimír Houdek was accredited as permanent representative of Czechoslovakia, replacing Mr. Papánek.

Peter, in whose Ministry a conference took place on the question of the transport of grain. On February 22, Zorin attended the republican conference on Soviet-Czechoslovak friendship, and on February 23, he visited the celebration in the House of Defence on the occasion of the thirtieth anniversary of the Soviet Army. On the evening of February 23, he attended a reception in the Soviet Embassy, organized in connection with that celebration. The Czechoslovak newspapers of February 27 published a communiqué on the conferences which had been taking place for some days with the participation of Zorin and the competent Soviet and Czechoslovak representatives, and on the decisions taken during those conferences for expediting the delivery of grain and in particular of seed wheat. The Soviet representative stated that the facts fully refuted the fabricated charges of the representatives of the United States, the United Kingdom and other countries, and demonstrated their unwarranted and slanderous nature in regard to the U.S.S.R. and Czechoslovakia.

The purpose of these fabrications and allegations of so-called "Soviet expansion" was to distract the attention of world public opinion from the imperialistic expansion of the United States in Europe and from the real plans of the United States with regard to Czechoslovakia. He also adduced numerous facts to show how the Government of the United States was attempting to exploit reactionary, mercenary politicians in Czechoslovakia in order to deal a mortal blow to the Czechoslovak Republic.

For example, the Prague newspapers *Svobodni Slovo* and *Lidova Demokracie*, which had only recently drawn attention to their close relations with influential American circles, reported on February 11, 1948, that the American Ambassador to Czechoslovakia, Steinhardt, was attempting, in accordance with his latest instructions from Washington, to interfere actively in Czechoslovak domestic politics, and the Czechoslovak right-wing parties were counting on securing their revenge, with the support of the United States, at the forthcoming parliamentary elections. These newspapers also reported that the United States Government had promised to grant Czechoslovakia a loan of twenty million dollars, and pointed out that the right-wing parties considered this loan as being specifically intended to favor them in the forthcoming parliamentary elections. These intrigues of the United States Government in connection with Czechoslovakia, and the efforts of United States agents within the country, the U.S.S.R. representative stated, had led to a crisis in the Czechoslovak Government, organized by Czechoslovak reaction-

aries under foreign orders. He stated further that on February 13 the representatives of the National Socialist Party, the People's Party and the Slovak Democrats in the Government had demanded changes in the leadership of the National Security Police, with a view to creating a situation which would enable them to seize power. On February 17, these representatives declared that they would refuse to participate in debates on any questions until it had been explained why their demands had not been fulfilled, thereby creating a governmental crisis. At that moment, said the U.S.S.R. representative, the United States Government openly interfered in the domestic affairs of Czechoslovakia through the agency of its Ambassador to Czechoslovakia, Mr. Steinhardt. On arriving in Prague on February 19, Mr. Steinhardt at once called a news conference of Czechoslovak correspondents and informed them that he still hoped the Czechoslovak Government would revise its decision on the Marshall Plan. That declaration showed that the reactionary elements in the right-wing groups could count upon United States support for their activities.

On February 20 the representatives of the three right-wing parties announced their resignations, in an attempt to wreck the Czechoslovak National Front Government and force a new political line on Czechoslovakia on the eve of the elections. At the same time, military committees of the right-wing National Socialist Party formed armed detachments and prepared to seize the Prague radio station and other government institutions.

The U.S.S.R. representative maintained that the facts showed convincingly that the changes in the Czechoslovak Government had been carried out by strictly constitutional means—a fact which the Governments of the United States, the United Kingdom and other countries were attempting to conceal from their peoples. The newly constituted Czechoslovak Government had been approved by President Benes, and its program endorsed unanimously by the Czechoslovak National Legislative Assembly.

He stated that the allegations were part of a hostile campaign against the U.S.S.R. and Czechoslovakia, started on the initiative of the United States and the United Kingdom. That campaign concealed the true purposes of certain foreign circles in their efforts to achieve a counter-revolution in Czechoslovakia in February 1948. Their aims were to prevent the strengthening of democracy in Czechoslovakia, to wreck the independent policy of the Czechoslovak Government and to transform Czechoslovakia into a political and economic ap-

pendage of the United States and, in the final resort, into a base for the military, political and economic expansion of the United States against the countries of Eastern Europe and the U.S.S.R.

The people of Czechoslovakia wrecked the United States Government's plans for Czechoslovakia.

The U.S.S.R. representative went on to point out that there were no grounds for referring to the late Mr. Masaryk, Czechoslovak Minister for Foreign Affairs, for backing in this campaign, and cited a number of facts. For example, in an interview which appeared on February 29 in the French paper *L'Ordre*, Mr. Masaryk stated that he was strongly opposed to the theory that the country could be ruled without the Communists or in spite of them, and emphasized that after the February crisis the Government had been established constitutionally and would rule democratically and in accordance with the Constitution.

He objected to the proposal to institute investigations in connection with the assertions contained in the Chilean statement on alleged Soviet interference in the domestic affairs of Czechoslovakia. Inasmuch as changes in the composition of the Czechoslovak Government were within the domestic jurisdiction of Czechoslovakia, there were no grounds, he considered, to demand any sort of inquiry, and all such demands should be categorically rejected.

The representative of the United Kingdom stated that the discussion had shown that there was much that needed investigation, and he considered that the Council should adopt some adequate means of testing any evidence that might be submitted to it.

The representative of the United States supported the proposal for the creation of a sub-committee to hear witnesses as a convenient method to make it easier for the Security Council to understand the Czechoslovak situation. He then asked a number of questions relating to events in Czechoslovakia. What were the events that led up to the death of Foreign Minister Masaryk and to the numerous resignations of Czechoslovak diplomatic representatives? Why was there along the Czechoslovak frontier an unusually heavy frontier guard? And what was the significance of the flight of numerous refugees, and particularly political figures whose reputations were not drawn into question prior to the rise of the new regime?

He then summarized certain facts on the developments in Czechoslovakia as constituting the framework of internal developments against which the charges of external interference should be considered, describing the origins of the Czechoslovak Government crisis. He stated that the Com-

munists had seized upon this crisis as an occasion for breaking the opposition and discrediting its leaders and taking over full control of the Government. At the time of the crisis, the Communist Party was already in control of the security police and the state broadcasting apparatus, and had also obtained important influence in the armed forces. The Communists had managed to secure key posts in the Cabinet, giving them a dominant position entirely out of proportion to their popular support. With these and other illegal advantages enjoyed by the Communist Party it was yet unable to obtain a majority, for 62 per cent of the vote in the postwar election went to the non-Communist parties. Nevertheless, the Communists ignored the fact that they were a minority. They had given evidence that they would not tolerate any political opposition, which they identified as treason to the state. This was brought out at the time of the coup by the immediate formation of Action Committees, the appearance of well-disciplined and fully-armed militia in Prague and the swift and ruthless purge of the non-Communist leaders.

At the time of the coup, the tension in Czechoslovakia was heightened by reports of Soviet intervention and of the presence of a large number of Soviet agents in the country. The Czechoslovak story assumed added significance when compared with developments which had taken place throughout east-central Europe, where the general pattern had been the same. What was the significance of the fact that after the Czechoslovak Government had indicated its readiness to participate in the Marshall Plan, its decision was reversed following a telephone call to Prague from Moscow, where the Czechoslovak Prime Minister had been summoned?

All of these circumstances led to the basic question: Had the Government of Czechoslovakia been submerged with the assistance, direct or indirect, of an outside Power? Notwithstanding all these specific facts which had been cited, many of which were well known, the representative of the U.S.S.R. had spoken of fabrications and slander. If the regimes in Czechoslovakia and the U.S.S.R. had a clear conscience, surely, he stated, they would seize the opportunity of presenting their case to the Security Council and to any sub-committee. He suggested that the sub-committee should consist of representatives of five members of the Council and that it should be authorized to hear the testimony of Czechoslovak political leaders.

At the 288th meeting on April 29, the representative of Argentina asked that the Chilean proposal be put to the vote under the last paragraph of

rule 38. He suggested that the sub-committee should comprise three members of the Council.

The representative of Belgium said that his delegation attached great importance to Article 2, paragraph 4, of the Charter and, in view of the grave charges which had been made, considered that an investigation was necessary. The proposed elucidation of the facts was a condition of any decision by the Council, particularly of any decision as to competence.

At its 300th meeting on May 21, 1948, the Council decided by 8 votes in favor, 2 against (U.S.S.R., Ukrainian S.S.R.) and 1 abstention (Argentina), to invite Mr. Papanek to the Council table to make a supplementary statement.

Mr. Papanek said that the representatives of the U.S.S.R. and the Ukrainian S.S.R. had not succeeded in refuting the facts he had submitted. He submitted further facts concerning the Soviet Union's support of Czechoslovak Communists at the time of the crisis, Soviet pressure on the Czechoslovak delegation at the San Francisco Conference and in the General Assembly, Soviet troop movements, etc. In conclusion, he suggested a number of prominent witnesses who would be able to give evidence.

e. DECISIONS OF THE COUNCIL OF MAY 24, 1948

At the 303rd meeting, the representative of the U.S.S.R. argued that the Chilean draft resolution concerned the substance of the question. If there was any difference of opinion on this point, he demanded that the Council first decide whether the resolution was procedural or substantive.

The President agreed to this procedure, and put the following question to the vote: "Is the vote that we shall take upon the draft resolution to be considered as a matter of procedure?"

There were 8 votes in favor, 2 against (Ukrainian S.S.R., U.S.S.R.) and 1 abstention (France).

The President (representative of France) stated that, since he represented one of the permanent members, he could not disregard the four-Power declaration. According to the final paragraph of this declaration, an affirmative decision could be taken only with the concurring votes of the permanent members. Since a permanent member had voted against the proposal, he interpreted the above decision as a vote to regard the draft resolution as a matter of substance.

The representatives of Argentina, Canada, Belgium and Colombia opposed this interpretation.

The representative of the United Kingdom said that, in the circumstances, he did not think the

President's ruling was incorrect, since there was a difference of opinion as to whether the question was one of procedure or substance. However, he felt strongly that the difference should never have arisen, since it was perfectly clear that the question was one of procedure under the Charter, the rules of procedure and the four-Power declaration of San Francisco.³⁹

The President then put his ruling to the vote.

Six votes were cast to annul the presidential ruling, 2 votes to uphold it (Ukrainian S.S.R., U.S.S.R.) and 3 abstentions (France, United Kingdom, United States). The President announced therefore that his ruling stood.

The Chilean draft resolution, formally submitted by the representative of Argentina (a member of the Council—see S/P.V. 303, p.136), was put to the vote, as follows:

"Whereas the attention of the Security Council has been drawn by a Member of the United Nations, in accordance with Articles 34 and 35 of the Charter, to the situation in Czechoslovakia which may endanger international peace and security; and the Security Council has been asked to investigate this situation; and

"Whereas during the debate which took place in the Council the existence of further testimonial and documentary evidence with regard to this situation has been announced;

"Whereas the Security Council considers it advisable that such further testimonial and documentary evidence should be heard,

"Therefore, to this end, and without prejudice of any decisions which may be taken in accordance with Article 34 of the Charter,

"The Security Council

"Resolves to appoint a sub-committee of three members and instructs this sub-committee to receive or to hear such evidence, statements and testimonies and to report to the Security Council at the earliest possible time."

The result of the vote was 9 votes in favor and 2 against (Ukrainian S.S.R., U.S.S.R.).

The President stated that the draft resolution was not adopted, since one of the opposing votes had been that of a permanent member.

The representative of the United States said that his Government had not changed its attitude on the "veto" question as set forth in the four-Power declaration, but that it reserved its right to do so. The United States was convinced that the draft resolution which had just been voted upon was clearly procedural under the Charter, which could not be changed by the "double veto". Consequently, the United States would not recognize this act as a precedent. The use of the "veto" in this case was an attempt, he considered, to defeat the funda-

³⁹For text of the declaration, see *Yearbook of the United Nations*, 1946-47, pp. 23-25.

mental purpose of securing the fairest possible presentation to the world of all aspects of the Czechoslovak question. The Government of the United States therefore was prepared to obtain statements from Czechoslovak refugees who had information relevant to the case, and to make these statements available to the Council. He hoped that other members would take similar action.

In reply, the representative of the U.S.S.R. stressed the binding obligation imposed by the four-Power declaration, and said that the U.S.S.R. had used its voting right to prevent interference in the internal affairs of Czechoslovakia by the United States and the majority of the Council.

The representative of Chile said that the wish of nine of the eleven members of the Council had been frustrated by the "veto" of the representative of the country against which such serious evidence had been presented. In the name of his Government, he protested against this abuse of the United Nations and this violation of the Charter. It was clear that the draft resolution had merely been in application of Article 29 of the Charter and was of a procedural nature. Furthermore, the U.S.S.R. was a party to the dispute and should have abstained from voting under Article 27, paragraph 3.

At the 305th meeting on May 26 the representative of the United Kingdom said that he was shocked at this misuse of the "double veto". His Government stood by the four-Power declaration, but he did not know how his Government would be affected by this use of one paragraph of the declaration to nullify another. He stated that his Government would be prepared to make available to the Security Council in due course certain sworn statements by Czechoslovak personalities.

The representative of France also associated himself with the proposal to submit to the Council, in documentary form, the evidence of Czechoslovak statements.

The representative of Argentina submitted a draft resolution (S/782) stating that the Council considered it advisable to obtain further oral and written evidence regarding the situation in Czechoslovakia and entrusting the Council's Committee of Experts with the task of obtaining such evidence and reporting back at the earliest opportunity.

The representative of the U.S.S.R. said that this proposal could hardly be distinguished from the Chilean draft resolution, and had the same purpose of investigation. The U.S.S.R. delegation would not acquiesce in such an attempt to interfere in the internal affairs of Czechoslovakia.

Since its 305th meeting the Council had not held any further discussions on the Czechoslovak ques-

tion, which remained, however, on the list of matters with which the Council was seized at the end of the period under review.

8. *The Question of Hyderabad*

On August 21, the Government of Hyderabad cabled the Secretary-General (S/986), asking him to bring to the attention of the Security Council "the grave dispute which has arisen between Hyderabad and India".

The Secretary-General stated that he was not in a position to determine whether he was required by the rules of procedure to submit the communication to the Council, and therefore circulated the document for information and for "such action as the Council may desire to take".

Hyderabad's communication charged that the Princely State had been exposed to violent intimidation, threats of invasion, frontier violations and a crippling economic blockade "intended to coerce it into a renunciation of its independence". These actions, the cable said, threatened the peace of the Asiatic continent and the principles of the United Nations.

The complaint cited Article 35, paragraph 2, of the Charter, which provides that a state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the Charter.

On September 11, Hyderabad asked (S/996) to become a party to the Statute of the International Court of Justice in order to facilitate a peaceful solution on the basis of international law.

Then, on September 12 and 13, messages from Hyderabad reported first the threat of invasion (S/998) and then an actual invasion by India (S/1000). The messages urged the Security Council to take up the matter immediately.

These communications came before the Council at its 357th meeting on September 16, 1948, its first meeting in Paris.

During discussion on the adoption of the agenda the representative of China asked for a four-day adjournment, stating that he had not yet received instructions from his Government. He took the view that the mere fact of placing a question on the agenda, while not prejudging the merits of the question, could nevertheless imply a certain view as to the competence of the Council and the judicial status of the parties to a dispute. In this case,

he did not consider adoption of the agenda a simple procedural matter.

Other speakers, however, felt that in order to discuss the question of the competence of the Council, it was necessary to include the item in the agenda.

The representative of the U.S.S.R. wanted to know more about Hyderabad's status. He asked the representative of the United Kingdom for information on Hyderabad's status under the Declaration of Independence of India of August 15, 1947, and on the rights and obligations incumbent on India and Hyderabad under the agreement between them. He also thought it would be useful to have information regarding the relations between Hyderabad and the British Commonwealth of Nations, and in particular, as to whether there were any official British advisers attached to the Hyderabad Administration.

The representative of the United Kingdom replied that on August 15, 1947, the suzerainty of the Crown in the United Kingdom over Hyderabad, and all other Indian states, had come to an end. None of the powers previously exercised by the Crown had been transferred to the Governments of the two new Dominions, India and Pakistan. Hyderabad had not subsequently acceded to either of those Dominions, but on November 29, 1947, the Nizam of Hyderabad had entered into a standstill agreement with the Government of India for a period of twelve months.

One effect of that agreement, he said, had been to place, during its currency, the conduct of Hyderabad's external affairs in the hands of India. There had been frequent allegations on both sides of breaches of the agreement, but no resort had been made to the arbitration provided for in the standstill agreement.

The representative of the United Kingdom added that no British official advisers were now in Hyderabad.

The Chinese proposal for adjournment was defeated, receiving only one vote, that of the representative of China, the other ten members abstaining. The agenda was then adopted by a vote of 8 to 0, with 3 abstentions, on the understanding, as expressed by the President, that the action did not decide or affect in any way the question of the Council's competence. China, the Ukrainian S.S.R. and the U.S.S.R. abstained from voting.

Following the adoption of the agenda, the Council heard statements from the representatives of Hyderabad and India.

The representative of Hyderabad declared that since Indian mechanized forces were already op-

erating on Hyderabad's territory, in a "premeditated act of war", immediate action by the Security Council was necessary, not only under Chapter VI of the Charter, relating to the peaceful settlement of disputes, but also under Chapter VII, which provides for enforcement measures.

He argued that Hyderabad's independence and its complete legal right to independence had been fully conceded by Great Britain, whose suzerainty over Hyderabad had come to an end on August 15, 1947. Representatives of the Indian Government had occasionally admitted that right as well.

The representative of Hyderabad reaffirmed his Government's offer of a plebiscite, under the supervision of the United Nations, on the question of accession to India in matters of defence, external affairs and communications, provided that Indian troops were first withdrawn.

He denied that this matter was exclusively within the domestic jurisdiction of India. In his view, such a contention was tantamount to a claim that India had already annexed Hyderabad. He also denied that there was no legal foundation for bringing the dispute before the Council. Such an argument would imply that, under the standstill agreement, Hyderabad had temporarily renounced the right to conduct its foreign relations, including the submission of disputes to an international agency. But one of the main purposes of the appeal to the Council, in addition to vindicating the independence of Hyderabad, was to obtain an impartial finding as to the interpretation and application of the disputed clauses of that agreement.

The representative of India, in a brief preliminary statement, presented India's view that "Hyderabad is not competent to bring any question before the Security Council; that it is not a state, that it is not independent; that never in all its history did it have the status of independence; that neither in the remote past nor before August 1947, nor under any declaration made by the United Kingdom nor any act passed by the British Parliament, has it acquired the status of independence which would entitle it to come in its own right to present a case before the Security Council".

The Indian representative stated that his Government did not consider it proper to go into the allegations made by Hyderabad, but emphasized, lest a wrong impression should be created in world opinion, that his Government had repeatedly considered whether it was necessary to intervene at all in Hyderabad until events had at last obliged it to take action.

Inquiries had amply confirmed "harrowing tales of death, of arson, of loot, of rape, by what were

called the private armies in Hyderabad, private armies nevertheless encouraged or countenanced by the Government of Hyderabad".

He stated that he was not prepared to go into such details, but was limiting himself at the time to the question of the Council's competence to consider the matter at all.

When the Council met again on September 20, for its 359th meeting, the President said that the members undoubtedly had all seen press reports on the surrender of Hyderabad to Indian forces, but that he had received no official communication since the previous meeting.

The representative of Hyderabad told the Council that he had not received any instructions directly emanating from the Nizam. He suggested that the Council might postpone discussions for a few days, in view of the "confused situation".

The representative of India, however, stated that he had received a telegram containing the Nizam's instructions to the head of the Hyderabad delegation to withdraw the complaint from the Council. There had been no pressure on the part of India to withdraw the case, he said; the order had come freely from the Nizam himself.

India had had to enter Hyderabad to suppress atrocities and lawlessness which might have spread to surrounding areas, he continued. Now, order had been restored, and, in the circumstances, he considered the case closed.

During the brief discussion that followed, the representative of the United States pointed out that the use of force did not alter legal rights, and so from that point of view, the situation had not been materially affected by the events in Hyderabad.

He added that his Government had noted with interest a press report of a proclamation of the Indian Army Command to the people of Hyderabad, in these words: "As soon as our task is completed, the people of Hyderabad will be given the opportunity to decide their future both as regards internal government and relations with India."

The United States Government had no doubt that the Government of India, in giving effect to this declaration, would have in mind that all the Members of the United Nations, not just the members of the Security Council, would be watching with interest the developments in Hyderabad with the hope and expectation that the outcome would demonstrate loyal support of the principles of the Charter.

The representative of Argentina remarked that the Council was still waiting for proof of the view that it was not competent in this case. On behalf of the small and medium-sized nations, he wanted an opportunity afforded to all members of the Council to discuss the substance of the question.

The march of Indian troops into Hyderabad might remind one of the march of Italian troops into Ethiopia some years ago, also with the announced intention of bringing order to the country. It was not surprising that the Indian army in Hyderabad had received full co-operation from the authorities there, since it was not very difficult to obtain such full co-operation at the point of pistols and bayonets. The representative of India, so concerned about the rights of the Indian minority in South Africa, had not, he stated, even mentioned the rights of the minority in Hyderabad.

The representative of Colombia raised the question as to what the Council might do if confronted with "the disappearance of the Government and the State of Hyderabad", and if placed in a situation in which the question could no longer be examined by the Council and would have to be considered as closed. His delegation would oppose with energy any "solution" of that sort, on the grounds that two of the main principles of the United Nations had been completely violated: first, the principle that there should be no acquisition of territory by force; second, the principle of the self-determination of peoples.

Following this exchange of views, the Council decided without a vote to keep the case on its agenda, pending receipt of additional information from the parties concerned.

E. QUESTIONS CONCERNING THE CONTROL OF ATOMIC ENERGY AND THE GENERAL REGULATION AND REDUCTION OF ARMAMENTS

1. Atomic Energy Commission

By resolution 1(I) of January 24, 1946, the General Assembly established an Atomic Energy Commission, composed of the States represented on the Security Council and of Canada when the latter is not a member of the Security Council, to deal with the problems raised by the discovery of atomic energy and other related matters. The Commission was to receive instructions from and report to the Security Council.⁴⁰

a. FIRST REPORT OF THE ATOMIC ENERGY COMMISSION

On December 31, 1946, the Atomic Energy Commission submitted its first report (AEC/18/-Rev. 1) to the Security Council. The report contained a number of "Findings" (Part II) and "Recommendations" (Part III), which proposed among other things the establishment of an international agency for the control of atomic energy whose scope and functions should be defined by a treaty or convention in which all Member States of the United Nations would participate.

The Security Council considered the Commission's report during February and March 1947. On March 10 the Council adopted a resolution (S/296) urging the Commission to continue its inquiry into all phases of the problem of the international control of atomic energy and in due course to prepare and to submit to the Council a draft treaty or treaties, or convention or conventions, incorporating its ultimate proposals. It also asked the Commission to submit a second report to the Council before the second session of the General Assembly.⁴¹

b. PREPARATION AND ADOPTION OF SECOND REPORT OF THE ATOMIC ENERGY COMMISSION

The Atomic Energy Commission, which had not held any meetings during the Council's consideration of its first report, met on March 19 and adopted a resolution (AEC/21) requesting its committees, and in particular the Working Committee and Committee 2,⁴² to consider the questions following from the Council's resolution, and especially the question relating to the establish-

ment of international control of atomic energy on which agreement among its members had not been reached.

The Working Committee, in turn, on March 31, adopted a resolution (AEC/C.1/14) requesting Committee 2 to "proceed on its part by means of formal or informal meetings and conversations with the study of the various questions following from the resolutions of the Atomic Energy Commission and the Security Council", and in particular to work out specific proposals for the international control of atomic energy on the basis of the Commission's first report (AEC/18/Rev. 1) to the Security Council.

On April 10, 1947, Committee 2 adopted the following "Summary of Principal Subjects to be Incorporated in Specific Proposals for the International Control of Atomic Energy" (AEC/C.2/-16) to serve as the basis of its future deliberations:

"A. Subjects required to establish the initial framework of a draft treaty or convention (many of these subjects might be discussed concurrently).

"1. Definition of terms to be used in the treaty.

"2. Operational and developmental functions of the international agency and its relation to planning, coordination, and direction of atomic activities:

"(a) Functions of the international agency in relation to research and development activities.

"(b) Functions of the international agency in relation to location and mining of ores.

"(c) Functions of the international agency in relation to processing and purification of source material.

"(d) Functions of the international agency in relation to stockpiling, production, and distribution of nuclear fuels.

"(e) Functions of the international agency in relation to the design, construction and operation of isotope separation plants.

"(f) Functions of the international agency in relation to the design, construction and operation of reactors.

"(g) Rights of, and limitations on, the agency and its personnel with respect to inspection, operation and other control functions.

⁴⁰See *Yearbook of the United Nations*, 1946-47, pp. 64-66.

⁴¹For details, see *ibid.*, pp. 444-51.

⁴²*ibid.*, p. 445. The Working Committee was established by the Commission in June 1946 to consider all proposals and suggestions which had been made to the Commission and to appoint such other committees as seemed necessary. Committee 2 is one of the Committees which was accordingly established in July 1946 by the Working Committee. Both the Working Committee and Committee 2 include all members of the Atomic Energy Commission.

"3. Organization and administration of the international agency:

"(a) Organizational structure.

"(b) Relations to other organs of the United Nations, to other international agencies, and to individual nations and their national agencies.

"(c) Status of the agency and its personnel in its operations within individual nations.

"(d) Definition of types of operating decisions subject to review and those not subject to review.

"(e) Determination of review body or bodies and of principles governing review.

"B. Subjects which can only be discussed effectively in the framework of decisions reached on subjects listed under A above.

"1. Principles governing the geographical location of dangerous activities and stockpiling.

"2. Financial and budgetary organization:

"(a) Determination of sources of funds and types of expenditures.

"(b) Estimates of the financial burden to be borne by individual nations.

"(c) Principles governing the allocation of expenses to individual nations.

"(d) Principles governing the financing of both facilities owned and facilities not owned by the agency.

"3. Prohibitions and enforcement.

"(a) Definition of individual and national prohibitions.

"(b) Examination of the nature of direct international jurisdiction over individuals and the principles governing the application of individual punishments.

"(c) Examination of the problems related to the application of sanctions against nations, including the veto problem:

(i) Method of determining violations.

(ii) Application of economic and other non-military sanctions.

(iii) Application of military sanctions.

"4. Examination of the stages by which transition will be accomplished from conditions of national control to the final conditions of predominantly international control."

Between April 16 and May 5, Committee 2 discussed in informal meetings the items in A-1, A-2(a) and A-2(b) above. As a result of its discussion of item A-1, it established on April 16 a permanent sub-committee on definitions (AEC/C.2/19).

On May 5, Committee 2, at the suggestion of its President (United States), adopted a new working plan which consisted of appointing working groups to draw up working papers on the various topics in the "Summary of Principal Subjects". The usual procedure was to have a preliminary discussion on a topic at an informal conversation of Committee 2. A working group would then be appointed to draft a paper, which generally would then be considered at another informal conversation. The draft paper was then revised in the working group to reflect the discussion in the informal conversation.

The papers were then forwarded to Committee 2 for formal consideration.

In accordance with this plan Committee 2 held informal conversations on the items contained in Part A of the "Summary of Principal Subjects", and seven working groups were appointed; six of these working groups reported and the seventh did preliminary work on organization and administration. Committee 2 began informal discussion of the working papers on the subjects contained in Part A-2 on June 4, 1947, but formal discussion was postponed until after August 25 to enable the representatives to secure the official views of their governments on these documents (AEC/C.2/36/Rev. 2, 37/Rev. 2, 38/Rev. 2, 39/Rev. 2, 44/Rev. 2, 61/Rev. 2).

These documents concerning the "Operational and developmental functions of the international control agency" (item A-2) were considered formally by Committee 2 on August 27 and 29. Certain amendments (AEC/C.2/85-105,107) were submitted by the representatives of Australia, Canada, China, France, Poland, United Kingdom and United States which were considered by Committee 2 on September 4 and voted upon on September 8. The documents were revised accordingly for submission to the Working Committee and the Atomic Energy Commission.

These documents on the "Operational and developmental functions of the international control agency" as revised and adopted by the Commission on September 11 form Part II of the second report of the Commission to the Security Council (AEC/C.2/26). To prepare the other portions of the report the Working Committee had, on August 4, appointed a drafting sub-committee. This drafting sub-committee, which was composed of Canada (Chairman), Australia, Belgium, France, U.S.S.R., United Kingdom and United States, in collaboration with the Secretariat, drafted the other parts of the report, as follows:

Introduction

Part I Proceedings of the Atomic Energy Commission from 1 January to 10 September, 1947.

Part III Report on the deliberations of the Working Committee of the Atomic Energy Commission concerning the amendments and additions to the first report submitted by the representative of the U.S.S.R. at the 108th meeting of the Security Council.

Part IV Report on the consideration of the proposals of the U.S.S.R. of 11 June, 1947.^a

These portions of the report were adopted by the

^aFor questions covered by Part III of the report, see below, pp. 466-68, for those covered by Part IV, see below, pp. 468-71.

Working Committee also on September 8. The whole report was considered by the Atomic Energy Commission on September 10 and 11, 1947. At the conclusion of the debate the report was adopted by a vote of 10 to 1 (U.S.S.R.), with 1 abstention (Poland). The report was then forwarded to the Security Council, which, however, did not discuss it.

The Atomic Energy Commission and its committees did not meet during the second session of the General Assembly (September to December 1947), and the next meeting which took place was that of the Working Committee on December 18, 1947, which considered the allocation of the work confronting the Commission. The Working Committee decided that Committee 2 should continue to examine the "Summary of Principal Subjects" starting with item A-3, "Organization and administration of the international agency".

In resuming its work accordingly, Committee 2, on January 19, 1948, agreed that for the time being it should confine its activity to sub-head A-3 (a), "Organizational structure", and invite appropriate experts on staffing and organization to give evidence. Two formal and a number of informal meetings were held in this connection.

At the meeting of Committee 2 held on March 30, 1948, the majority of representatives expressed the view that the question of organization could not be clearly defined unless there was prior agreement upon the functions and powers of the international control agency. Without taking a formal decision, therefore, Committee 2 adjourned *sine die*.

c. SUBSTANCE OF THE MAJORITY PROPOSALS

In its introduction to its second report to the Security Council (AEC/26) the Atomic Energy Commission stated that the specific proposals contained in Part II of the report dealing with the functions and powers of an international agency for the control of atomic energy gave expression to certain basic principles, including the following:

"1. Decisions concerning the production and use of atomic energy should not be left in the hands of nations.

"2. Policies concerning the production and use of atomic energy which substantially affect world security should be governed by principles established in the treaty or convention which the agency would be obligated to carry out.

"3. Nations must undertake in the treaty or convention to grant to the agency rights of inspection of any part of their territory, subject to appropriate procedural requirements and limitations."

In implementing these principles, the Commission stated further, the following basic measures were provided in the report:

"(a) production quotas based on principles and policies specified in the treaty or convention;

"(b) ownership by the agency of nuclear fuel and source material;

"(c) ownership, management, and operation by the agency of dangerous facilities;

"(d) licensing by the agency of non-dangerous facilities to be operated by nations; and

"(e) inspection by the agency to prevent or detect clandestine activities."

The report stated further that "the majority of the Commission concludes that the specific proposals of this report which define the functions and powers of an international agency, taken together with the 'General Findings' and 'Recommendations' of the first report, provide the essential basis for the establishment of an effective system of control to ensure the use of atomic energy only for peaceful purposes and to protect complying states against the hazards of violations and evasions".

Concerning the subjects outlined in the "Summary of Principal Subjects" which were not dealt with in the second report (i.e., organization and administration of the agency, stages of transition from conditions of national to predominantly international control, geographical location of dangerous activities and stockpiling, financial and budgetary organization, prohibition and enforcement), the majority of the Atomic Energy Commission expressed the view that these could for the most part be discussed effectively only in the framework of conclusions reached with regard to the functions and powers of the international agency. Until unanimous agreement was reached on the functions and powers of the international agency, there would be limitations on the extent to which proposals on other topics could be worked out in detail.

On the basis of the "General Findings" and "Recommendations" of the first report and the Introduction and Part II of the second report, the representative of France subsequently (May 1948) circulated a "Summary of the Majority Plan of Control", which the Commission included as an annex in its third report to the Security Council (AEC/31/Rev. 1, Annex 2). The text of this summary follows:

A SCOPE OF THE PROBLEM

"As outlined in Part IV of the first report, the fundamental technical facts are:

"1. The substances uranium and thorium play a unique role in the domain of atomic energy, since as far as is known these are the only raw materials from which the nuclear fuel required for the development of atomic energy can be obtained.

"2. Whether the ultimate nuclear fuel be destined for peaceful or destructive uses, the productive processes are identical and inseparable up to a very advanced stage of manufacture.

"The dangers that must be met are diversion of materials, clandestine operations, and seizure of materials or facilities. Since nuclear fuel once produced, even for peaceful purposes, lends itself readily to the manufacture of atomic weapons, these dangers must be effectively met if the peaceful development of atomic energy is to be promoted in an atmosphere of confidence and general trust. Seizure will always be a danger of such magnitude that it should be recognized by all nations to mean that a most serious violation of the treaty has taken place and that a nation is about to embark on atomic warfare.

B. AN INTERNATIONAL CONTROL AGENCY ESTABLISHED BY TREATY

"To cope with these dangers and to fulfil the objectives set forth in its terms of reference, the Commission has recognized that there should be a strong and comprehensive international system of control, defined by treaty.

"Such a system of control should be administered by an international control agency, the staff of which would be selected on an international basis and its scope and functions defined by the treaty.

"As the only way to eliminate national rivalries in this field and the resultant possibility of one nation or group of nations achieving potential military supremacy, it is recognized that decisions concerning production and use of atomic energy must not be left in the hands of individual nations.

"In other words, it is recognized that the development and use of atomic energy are not essentially matters of domestic concern of individual nations, but rather have predominantly international implications and repercussions.

"Signatory nations would insist that policies that substantially affect world security should be defined in the treaty. The treaty must therefore establish the policies concerning the production and use of atomic energy that the agency would be obligated to carry out.

"One of the most important examples is that policies concerning production and stockpiling of nuclear fuels should be dictated primarily by security considerations. These require that nuclear fuel should not be produced in quantity beyond that required for actual beneficial use, including research and development. Such restriction would be written into the treaty itself and would remain in force until new technical findings and considerations of world security warranted revision of this provision by amendment of the treaty.

"The treaty should lay down the general principles to be followed in the distribution of materials and facilities and should even go so far, in certain cases, as to prescribe mining and production quotas.

C. FUNCTIONS AND POWERS OF THE AGENCY

"Within the above framework, an effective control requires that the agency exercise positive functions with regard to all phases of atomic energy activities. Only in this way can the agency discharge the responsibilities placed upon it, keep abreast of developments in the field of atomic energy, and carry out necessary inspections without undue interference with normal national and private activities. Only in this way can the elimination of atomic weapons from national armaments be made effective.

1. Functions with regard to production facilities

"The effectiveness of the control of atomic energy depends upon the effectiveness of the control established

over the production and use of uranium, thorium, and their fissionable derivatives. Appropriate controls to prevent their diversion to improper uses must be applied throughout the various stages of the processes from the time that uranium and thorium ores are severed from the ground to the time they become nuclear fuels and are consumed.

"From the conclusion that decisions regarding the production and use of atomic energy should not be left in the hands of nations, it follows that all activities in this field must either be carried on by the agency itself under powers of operation and management and under rights of ownership or by nations only under licence from the agency.

"After consideration of various technical factors, the Commission has determined that mines, mills, and dumps may be operated by nations or persons under licence from the agency. However, the agency would acquire ownership of all source material from the moment it is removed from its place of deposit in nature and would specify the concentration at which it would take possession. The agency would have the authority to determine, in each case, whether it would own, operate and manage any source material refinery or whether it would license the operation. The agency would own, operate and manage all chemical and metallurgical plants for treating key substances and all facilities capable of producing nuclear fuel, including isotope separation plants, primary reactors and secondary reactors. The agency would own all nuclear fuel, whether produced in its own facilities or in non-dangerous facilities licensed by the agency.

"In those instances where the treaty gives the agency the power to decide whether an activity or a facility is non-dangerous—that is to say non-dangerous in terms of world security—and can therefore be licensed, the agency would be obligated to take into account:

"(a) The quantity and quality of materials in each case;

"(b) The possibility of diversion;

"(c) The ease with which the materials can be used or converted to produce atomic weapons;

"(d) The total supply and distribution of such materials in existence;

"(e) The design and operating characteristics of the facilities involved;

"(f) The ease of altering those facilities;

"(g) Possible combinations with other facilities;

"(h) Scientific and technical advances which have been made; and

"(i) The degree to which the agency has achieved security in the control of atomic energy.

"In the case of operations licensed by the agency, the agency would carry out certain specified control measures to prevent the misuse of facilities or the diversion of materials. For example, the agency might make inspections, conduct accountings, require certain operating procedures, and maintain guards. The agency would reserve the power to modify the provisions of the lease or licence and, in case of violation, to suspend or revoke the lease or licence and take possession of the nuclear fuel involved. If a suspension or revocation should take place, the agency would have the right to maintain its control measures over any facilities involved.

"In order to assure to the agency the final right of decision in regard to the production and disposition of source materials and nuclear fuels, and the allocation, construction and operation of plants under its manage-

ment, it was found necessary to vest, subject to the terms of the treaty, ownership of these materials and plants in the agency, in the sense of a trust exercised on behalf of signatory States jointly.

"Ownership by the agency of source materials or nuclear fuels includes the exclusive right to move or lease the materials, the right to use them and to produce energy from them, and the same rights for all products formed from them. The useful and non-dangerous products would be made available to nations under fair and equitable arrangements. Ownership also includes the principle that no disposition of material can be made without the permission of the agency. Ownership by the agency of facilities includes rights of possession, operation and disposition.

2. Functions with regard to the detection of secret activities

"By requiring that all activities and facilities in this field must either be managed or licensed by the agency, the detection of clandestine activities is greatly simplified. The agency need not be concerned with the motives of those carrying on unauthorized activities in this field, for it is the very existence of such activities that is illegal.

"In order to allow the exercise of the powers necessary for the detection of secret activities, nations must undertake in the treaty to grant to the agency rights of inspection of any part of their territory subject to appropriate procedural requirements and limitations designed to prevent possible abuse of the powers given to the agency. However, the amount of inspection required and the attendant interferences would be much less than would be necessary under a control system which sought to depend on inspection alone.

"The agency would, nevertheless, have to conduct various kinds of inspection. For example, in order to appraise the possibility of a nation engaging in clandestine activities, the agency would have the duty to conduct or to arrange with nations for the conduct of surveys and explorations to discover and determine world supplies of source material. It would also have rights of conducting routine air surveys over areas which are known to contain source material. For the same purpose, the agency would have the authority to require periodic reports from nations regarding specialized equipment and supplies directly related to the production and use of atomic energy and to check on such reports.

3. Functions with regard to research

"The agency should have positive research and developmental responsibilities in order to remain in the forefront of atomic knowledge so as to render the agency more effective in promoting the beneficial uses of atomic energy and in eliminating its destructive ones. The exclusive right to carry on research on the destructive properties of atomic energy should be vested in the agency.

"Research in nuclear physics having a direct bearing on the use of atomic energy should be subject to appropriate safeguards established by the agency in accordance with the treaty. Such safeguards should not interfere with the prosecution of pure scientific research, or the publication of its results, provided no dangerous use or purpose is involved.

"It is by control of the actual materials, not by the prohibition of research, that their misuse can be prevented; the strict control of all potentially dangerous

materials must be the central objective of the agency. Once this is fully achieved, the futility of secrecy would be evident and there could be full publication of research and full international collaboration among scientists. The agency would promote among all nations the exchange of basic scientific information on atomic energy for peaceful ends.

D. PROHIBITION OF WEAPONS

"The terms of reference of the Commission call for the elimination from national armaments of atomic weapons.

"An international agreement to outlaw the national production, possession and use of atomic weapons is an essential part of any effective international system of control. But an international treaty to this effect, if standing alone, would fail (a) to ensure the use of atomic energy only for peaceful purposes, and (b) to provide for effective safeguards by way of inspection and other means to protect complying States against the hazards of violations and evasions, and thus would fail to meet the requirements of the terms of reference of the Commission. To be effective, such agreement must be embodied in a treaty providing for a comprehensive international system of control, and including guarantees and safeguards adequate to ensure the carrying out of the terms of the treaty and to protect complying States against the hazards of violations and evasions.

"As an integral part of such a comprehensive system of control, the treaty would:

"1. Prohibit the manufacture, possession and use of atomic weapons by all nations parties thereto and by all persons under their jurisdiction;

"2. Provide for the disposal of any existing stocks of atomic weapons and for the proper use of nuclear fuel adaptable for use in weapons.

"The first and second reports present specific proposals which elaborate the principles summarized above.

"For the reasons given in Part I of this report, certain questions have not been extensively studied thus far. However, in the course of its work, the Commission has made certain general findings which bear upon most of these topics and, based upon those findings, has made certain recommendations in the first report which are along the following lines. (Cf. Part III of the first report.)

E. GENERAL OPERATIONAL RELATIONSHIPS

"The relations of the international control agency to the several organs of the United Nations should be clearly established and defined by the treaty.

"The treaty would provide that the rule of unanimity of the permanent members, which in certain circumstances exists in the Security Council, would have no relation to the work of the agency. No Government would possess any right of veto over the fulfillment by the agency of the obligations imposed upon it by the treaty, nor would any Government have the power, through the exercise of any right of veto or otherwise, to obstruct the course of control or inspection.

"Decisions of the agency, pursuant to the powers conferred upon it by the treaty, should govern the operations of national agencies for atomic energy. In carrying out its prescribed functions, however, the agency should interfere as little as necessary with the operations of national agencies for atomic energy, or with the economic plans and the private, corporate and State relationships in the several countries.

F. STAGES OF TRANSITION TO INTERNATIONAL CONTROL

"The treaty should embrace the entire programme for putting the international system of control into effect and should provide a schedule for the completion of the transitional process over a period of time, step by step, in an orderly and agreed sequence leading to the full and effective establishment of international control of atomic energy. In order that the transition may be accomplished as rapidly as possible, and with safety and equity to all, the United Nations Atomic Energy Commission should supervise the transitional process, as prescribed in the treaty, and should be empowered to determine when a particular stage or stages have been completed and subsequent ones are to commence.

G. ENFORCEMENT AND SANCTIONS

"The treaty should include provisions specifying the means and methods of determining violations of its terms, setting forth such violations as would constitute international crimes, and establishing the nature of the measures of enforcement and punishment to be imposed upon persons and upon nations guilty of violating the terms of the treaty.

"The judicial or other processes for determination of violations of the treaty, and of punishment therefor, should be swift and certain. Serious violations of the treaty would be reported immediately by the agency to the nations parties to the treaty, to the General Assembly, and to the Security Council. Once the violations constituting international crimes have been defined and the measures of enforcement and punishment therefor agreed to in the treaty, there would be no legal right, by veto or otherwise, whereby a wilful violator of the terms of the treaty could be protected from the consequences of violation of its terms.

"In consideration of the problem of violation of the terms of the treaty, it should also be borne in mind that a violation might be of so grave a character as to give rise to the inherent right of self-defence recognized in Article 51 of the Charter of the United Nations."

d. CONSIDERATION OF U.S.S.R. PROPOSALS

(1) U.S.S.R. Amendments and Additions to the First Report of the Atomic Energy Commission

From the outset of the Atomic Energy Commission's deliberations, the U.S.S.R. delegation had contended that the primary and most urgent task of the Commission was the prohibition of atomic weapons and on June 19, 1946, had submitted a "draft international convention to prohibit the production and employment of weapons based on the use of atomic energy for the purpose of mass destruction" (AEC/8), the text* of which follows:

"Being profoundly aware of the vast significance of the great scientific discoveries connected with the splitting of the atom and the obtaining and use of atomic energy for the purpose of promoting the welfare and raising the standard of living of the peoples of the world, as well as for the development of culture and science for the benefit of mankind;

"Animated by the desire to promote in every way the fullest possible utilization by all peoples of scientific discoveries in the sphere of atomic energy for the purpose

of improving the conditions of life of the peoples of the world and promoting their welfare and the further progress of human culture;

"Fully realizing that the great scientific discoveries in the sphere of atomic energy carry with them a great danger, above all, for peaceful towns and the civilian population in the event of these discoveries being used in the form of atomic weapons for the purpose of mass destruction;

"Recognizing the great significance of the fact that international agreements have already prohibited the use in warfare of asphyxiating, poisonous, and other similar gases, as well as all similar liquids, substances, and processes, and likewise bacteriological means, rightly condemned by the public opinion of the civilized world, and considering that the international prohibition of the use of atomic weapons for the mass destruction of human beings corresponds in still greater measure to the aspirations and the conscience of the peoples of the whole world;

"Being firmly resolved to avert the danger of these scientific discoveries being used to the detriment and against the interests of mankind;

"Resolved to conclude a convention to prohibit the production and the employment of weapons based on the use of atomic energy, and for this purpose appointed as their plenipotentiaries (*here follows the list of plenipotentiaries*) who, after presenting their credentials found to be in good and due form, agreed as follows:

Article 1

"The High Contracting Parties solemnly declare that they are unanimously resolved to prohibit the production and the employment of weapons based on the use of atomic energy, and for this purpose assume the following obligations:

"(a) Not to use atomic weapons in any circumstances whatsoever;

"(b) To prohibit the production and storing of weapons based on the use of atomic energy;

"(c) To destroy, within a period of three months from the day of the entry into force of the present convention, all stocks of atomic energy weapons whether in a finished or unfinished condition.

Article 2

"The High Contracting States declare that any violation of article 1 of the present convention is a most serious international crime against humanity.

Article 3

"The High Contracting States shall, within a period of six months from the day of the entry into force of the present convention, pass legislation providing severe penalties for violators of the statutes of the present convention.

Article 4

"The present convention shall be of indefinite duration.

Article 5

"The present convention shall be open for the adherence of any State whether a Member or a non member of the United Nations.

Article 6

"The present convention shall come into force after

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approval by the Security Council and after the ratification and delivery of ratification documents to the Secretary-General for safekeeping by one half of the signatory States, including all the Member States of the United Nations named in Article 23 of the Charter of the Organization.

Article 7

"After the entry into force of the present convention it shall be binding on all States whether Members or non-members of the United Nations.

Article 8

"The present convention, of which the Russian, Chinese, French, English and Spanish texts shall be authentic, is drawn up in one copy and shall be kept in the archives of the Secretary-General of the United Nations. The Secretary-General shall communicate certified copies to all the parties to the convention."

The delegation of the U.S.S.R. had insisted further that any international system of control of atomic energy to be established subsequently by separate convention must be set up "within the framework of the Security Council", according to the resolution of the General Assembly on "Principles governing the general regulation and reduction of armaments" adopted on December 14, 1946.

In its first report to the Security Council (AEC/-18/Rev.1) the Atomic Energy Commission rejected by a majority the views of the U.S.S.R. delegation on the conclusion of the above-mentioned convention as well as on a number of other issues. The U.S.S.R. delegation therefore had abstained from voting on the first report.

In the course of the Security Council's consideration of the Commission's first report, the representative of the U.S.S.R. at the 108th meeting of the Council on February 18, submitted twelve proposed amendments and additions (S/283) designed to bring Part II C ("General Findings") and Part III ("Recommendations") of the report more in line with the views of the U.S.S.R. delegation as stated in the course of the Council's discussion (see S/P.V. 106,115).⁴⁴

After considering the question of the disposition of the Atomic Energy Commission's report, it was agreed by the majority of the Council's members that no useful purpose would be served by a detailed examination in the Security Council of the U.S.S.R. amendments and additions and that it was not appropriate for the Security Council to amend the report. It was the sense of the Council that it would be preferable for the Commission to attempt to resolve the existing differences.

The Atomic Energy Commission accordingly, in its resolution of March 19, 1947 (see above), instructed its committees to study particularly those questions relating to the control of atomic energy

on which agreement among its members had not yet been reached.

On March 31 the Working Committee resolved "to consider at its meetings the points of disagreement outlined in the statements of the representative of the U.S.S.R. in the Security Council" (AEC/C.1/14).

Between April 8 and July 23, 1947, the Working Committee devoted twenty meetings to a detailed discussion of the U.S.S.R. amendments and additions (AEC/C.1/12/Rev.1) to the Commission's first report. When the discussion of each amendment was completed, the results of such discussion were indicated by specific resolutions (AEC/C.1/34, 36) or by reference to the record. In instances where differences were not resolved, the issues were postponed for later consideration.

On July 23 the Working Committee instructed the Secretariat to prepare a synopsis of the discussion to date for approval by the Working Committee. On the basis of this synopsis, a detailed account of the consideration in the Working Committee of the U.S.S.R. amendments and additions was included as Part III in the second report of the Atomic Energy Commission to the Security Council (see above). In this part of the report it is indicated that no agreement was reached on the following main questions of principle raised by the U.S.S.R. amendments:

(a) The question of control and inspection on the part of an international organ, which should be applied in regard to all existing plants for the production of final atomic materials (nuclear fuel) immediately after an appropriate convention or conventions have been put into effect;

(b) The question of the necessity of establishing an effective international system of control of atomic energy by means of multilateral conventions, which must be administered within the framework of the Security Council;

(c) The question of the urgency of the conclusion of an international convention outlawing the production, possession and use of atomic weapons, as an essential part of any system of international control of atomic energy. To be effective, such a convention must provide for the establishment of a comprehensive system of international control "to ensure the carrying out of the terms of the convention";

(d) The question of the undesirability of granting to the control agency the right to conduct research on atomic weapons;

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(b) The question of the necessity of establishing an effective international system of control of atomic energy by means of multilateral conventions, which must be administered within the framework of the Security Council;

(c) The question of the urgency of the conclusion of an international convention outlawing the production, possession and use of atomic weapons, as an essential part of any system of international control of atomic energy. To be effective, such a convention must provide for the establishment of a comprehensive system of international control "to ensure the carrying out of the terms of the convention";

(d) The question of the undesirability of granting to the control agency the right to conduct research on atomic weapons;

⁴⁴See Security Council, *Official Records, Second Year, Supplements No. 13 and No. 22.*

(e) The question of the conclusion of several treaties or conventions including a Convention on Prohibition of Atomic Weapons to be concluded as the first one;

(f) The question of the irrelevancy of the reference to the "veto" contained in the first report of the Atomic Energy Commission;

(g) The question of the stages of transition from existing conditions to international control and the question of providing for destruction of stocks of manufactured and unfinished weapons.

The introduction to the second report states that discussion of the U.S.S.R. amendments had not led the Commission to revise the "General Findings" and "Recommendations" of the first report.

(2) U.S.S.R. Proposals of June 11, 1947

At the meeting of the Atomic Energy Commission of June 11, 1947, the representative of the U.S.S.R. presented for the Commission's consideration certain "basic provisions on which an international agreement or convention on atomic energy control should be based", as follows (AEC/24):

"The Soviet Union Government, in addition to and in development of its proposal on the conclusion of an international convention on the prohibition of atomic and other major weapons of mass destruction, submitted for the consideration of the Atomic Energy Commission on 19 June 1946, presents for the consideration of the above-mentioned Commission the following basic provisions on which an international agreement or convention on atomic energy control should be based.

"1. To ensure the use of atomic energy for peaceful purposes only, in accordance with the international convention on the prohibition of atomic and other major weapons of mass destruction and also with the purpose of preventing violations of the convention on the prohibition of atomic weapons and for the protection of complying States against hazards of violations and evasions, strict international control shall be established simultaneously over all facilities engaged in the mining of atomic raw materials and in the production of atomic materials and atomic energy.

"2. To carry out measures of control of atomic energy facilities, there shall be established, within the framework of the Security Council, an international commission for atomic energy control to be called the International Control Commission.

"3. The International Control Commission shall have its own machinery for inspection.

"4. The terms and organizational principles of the international control of atomic energy, and also the composition, rights, and obligations of the International Control Commission, as well as provisions on the basis of which it shall carry out its activities, shall be determined by a special international convention on atomic energy control, which is to be concluded in accordance with the convention on the prohibition of atomic weapons.

"5. In order to ensure the effectiveness of international control of atomic energy, the convention on the control of atomic energy shall be based on the following fundamental provisions:

"(a) The International Control Commission shall be composed of the representatives of States members of the Atomic Energy Commission established by the General Assembly decision of 24 January 1946, and may create such subsidiary organs as it finds necessary for the fulfilment of its functions.

"(b) The International Control Commission shall establish its own rules of procedure.

"(c) The personnel of the International Control Commission shall be selected on an international basis.

"(d) The International Control Commission shall periodically carry out inspection of facilities for the mining of atomic raw materials and for the production of atomic materials and atomic energy.

"6. In carrying out the inspection of atomic energy facilities, the International Control Commission shall undertake the following measures:

"(a) Investigate the activities of facilities for mining atomic raw materials and for the production of atomic materials and atomic energy, and check their accounts;

"(b) Check existing stocks of atomic raw materials, atomic materials, and unfinished products,

"(c) Study production operations to the extent necessary for the control of the use of atomic materials and atomic energy;

"(d) Observe the fulfilment of the rules of technical exploitation of the facilities prescribed by the convention on control, and work out and prescribe the rules of technological control of such facilities;

"(e) Collect and analyse data on the mining of atomic raw materials and on the production of atomic materials and atomic energy;

"(f) Carry out special investigations in cases when suspicion of violations of the convention on the prohibition of atomic weapons arises;

"(g) Make recommendations to Governments on questions relating to the production, stockpiling, and use of atomic materials and atomic energy;

"(h) Make recommendations to the Security Council on measures for prevention and suppression with regard to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

"7. For the fulfilment of the tasks of control and inspection entrusted to the International Control Commission, the latter shall have the right of:

"(a) Access to any facilities for mining, production, and stockpiling of atomic raw materials and atomic materials, as well as to the facilities for the exploitation of atomic energy;

"(b) Acquaintance with the production operations of the atomic energy facilities, to the extent necessary for the control of the use of atomic materials and atomic energy;

"(c) Carrying out weighing, measurements, and various analyses of atomic raw materials, atomic materials, and unfinished products;

"(d) Requesting from the Government of any nation, and checking, various data and reports on the activities of atomic energy facilities;

"(e) Requesting various explanations on the questions relating to the activities of atomic energy facilities;

"(f) Making recommendations and presenting suggestions to Governments on matters concerning the production and use of atomic energy;

"(g) Submitting recommendations for the consider-

ation of the Security Council on measures in regard to violators of the conventions on the prohibition of atomic weapons and on the control of atomic energy.

"8. In accordance with the tasks of international control of atomic energy, scientific research activities in the field of atomic energy shall be based on the following provisions:

"(a) Scientific research activities in the field of atomic energy must comply with the necessity of carrying out the convention on the prohibition of atomic weapons and with the necessity of preventing its use for military purposes.

"(b) Signatory States to the convention on the prohibition of atomic weapons must have the right to carry on unrestricted scientific research activities in the field of atomic energy, directed towards discovery of methods of its use for peaceful purposes.

"(c) In the interests of an effective fulfilment of its control and inspectorial functions, the International Control Commission must have the possibility to carry out scientific research activities in the field of discovery of methods for the use of atomic energy for peaceful purposes. The carrying out of such activities will enable the Commission to keep itself informed on the latest achievements in this field and to have its own skilled international personnel, which is required by the Commission for practical execution of the measures of control and inspection.

"(d) In conducting scientific research in the field of atomic energy, one of the most important tasks of the International Control Commission should be to ensure a wide exchange of information among nations in this field and to render necessary assistance, through advice, to the countries parties to the convention, which may request such assistance.

"(e) The International Control Commission must have at its disposal material facilities, including research laboratories and experimental installations, necessary for the proper organization of the research activities to be conducted by it."

As regards the procedure to be followed in the consideration of these proposals the Atomic Energy Commission decided to refer them initially to the Working Committee, leaving further disposition to that Committee. After discussion at two meetings on June 12 and 17, the Working Committee agreed that certain portions of the U.S.S.R. proposals should be considered by Committee 2, while other questions, such as the question of the "veto", would be considered in the Working Committee.

Committee 2 accordingly, at meetings held on August 6, 8 and 11, embarked upon a preliminary debate of the U.S.S.R. proposals of June 11, in the course of which each delegation made a general statement concerning the proposals in the light of the contents of the working papers then being considered by Committee 2 at informal meetings (see above).

At meetings held on August 13 and 15, Committee 2 discussed the formulation of a statement referring to the U.S.S.R. proposals for inclusion in the Atomic Energy Commission's second report to

the Security Council. On August 15, Committee 2 adopted by ten affirmative votes a resolution (AEC/C.2/73) proposed by the representative of Canada to the effect that "the proposals as they now stand and the explanations given thereon do not provide an adequate basis for the development by the Committee of specific proposals for an effective system of international control of atomic energy and therefore do not call for a change in the program of work of the committee". Noting, however, that certain points in the U.S.S.R. proposals were not covered in the working papers so far submitted to Committee 2, the resolution went on to state that these points, "as well as any new elaborations of the proposals already considered" would be taken up "in due course under the plan of work already adopted".

The representative of the U.S.S.R. objected to the adoption of this resolution on the ground that the U.S.S.R. proposals had not yet been considered point by point, and that it was therefore impossible to determine on which of the provisions of these proposals agreement had or had not been reached. Adoption of the resolution, he maintained, indicated reluctance on the part of the Committee to attempt to find common ground as between the U.S.S.R. proposals and those of other delegations and could only have a negative effect on the Committee's further deliberations.

In view of the conclusion arrived at by Committee 2 concerning the U.S.S.R. proposals, the Atomic Energy Commission in the introduction to its second report to the Security Council (AEC/26) stated that it was evident that the discussion of these proposals had not led to a reconciliation of the views of the U.S.S.R. with those of the majority of the Commission on major points of principle.

In the course of the discussion in Committee 2 of the U.S.S.R. proposals of June 11, several delegations had expressed a desire to have various points clarified. On August 11, therefore, the representative of the United Kingdom addressed a letter (AEC/C.2/71) to the representative of the U.S.S.R. containing eleven questions. These were answered by the representative of the U.S.S.R. in a letter dated September 5, 1947 (AEC/C.2/109). At the meeting of the Atomic Energy Commission held on September 10, 1947, the representative of the United Kingdom expressed the hope that the other delegations would join in a detailed study of the questions and answers, which, in his opinion, constituted an "elaboration" of the U.S.S.R. proposals within the meaning of the resolution (AEC/C.2/73) adopted by Committee 2 on August 15, 1947. Discussion of the matter, however,

did not take place until after the second session of the General Assembly.

On December 18, 1947, the Working Committee decided that in the immediate future it would further study the U.S.S.R. proposals, with particular reference to the answers to the United Kingdom questions. It began this study on January 16, 1948, and devoted seven meetings to a detailed consideration of the proposals. At the conclusion of the detailed discussion the Committee proceeded to review the proposals as a whole, devoting three additional meetings to this task.

On March 29 the representative of the United Kingdom presented on behalf of his own delegation and those of Canada, China and France a joint report analyzing the U.S.S.R. proposals (AEC/C.1/76).

Any effective plan for international control of atomic energy, it was set forth in the report, must provide against the danger of misuse of atomic materials through (1) their diversion from legitimate uses and (2) secret manufacture. The U.S.S.R. proposals, the report stated, did not face these basic problems, inasmuch as the powers and functions of the proposed international control commission were to be limited to "periodic inspection" and "special investigations", the latter to be undertaken only in case of suspicion of clandestine activities.

Periodic inspection, the report stated, was an inadequate safeguard against diversion of nuclear materials from "declared" plants. Only management of the plant by the international organization itself would enable it to keep check on the nuclear fuels involved. As regards the "special investigations" in case of suspicion of violation, the report stated that in view of the restricted scope of inspection there would in practice be no opportunity for the international control commission to become suspicious.

Even if the international control commission, by the inadequate methods at its disposal, should detect violations of the convention on the control of atomic energy, it would not, the report explained further, possess any powers to prevent or correct such violations. The only power granted the international control commission under the U.S.S.R. proposals was that of making recommendations to the Security Council. It would not possess any independent powers of enforcing its decisions. At best this would result in delays during which illegal activities could continue unchecked.

Referring finally to the fact that the Government of the U.S.S.R. considered that prohibition and destruction of atomic weapons should take place before the conclusion of an international agreement

to enforce that prohibition and prevent the misuse of atomic energy by means of an international control system, the report asserted that a convention on prohibition standing alone could give no assurance:

(a) that nations which are known to possess atomic weapons would in fact destroy all or indeed any of them;

(b) that nations not known to have atomic weapons, but which might have them, would carry out their obligations;

(c) that nations would be prevented from manufacturing atomic weapons in the future.

In the opinion of the authors of the report on the U.S.S.R. proposals, the prohibition of atomic weapons could only be brought about through a system of control whereby that prohibition could be enforced. The report therefore concluded that:

"The Soviet Union proposals are not an acceptable basis for the international control of atomic energy. The United Nations Atomic Energy Commission cannot endorse any scheme which would not prevent the diversion of atomic material, which provides no effective means for the detection of clandestine activities and which has no provision for prompt and effective enforcement action. The Soviet Union Government has not only proposed a scheme that is fundamentally inadequate for the control of atomic energy, but at the same time has made the overriding stipulation that they will not agree to establish even such a feeble scheme of control until all atomic weapons have been prohibited and destroyed. It is completely unrealistic to expect any nation to renounce atomic weapons without any assurance that all nations will be prevented from producing them."

In view of this conclusion the following resolution was recommended by the authors of the joint report for the consideration of the Working Committee:

"The Working Committee,

"Having examined in detail and as a whole the Soviet Union proposals of 11 June 1947 and the elaborations thereon, and in view of the conclusions set out in the preceding paragraphs,

"Finds that the Soviet Union proposals ignore the existing technical knowledge of the problem of atomic energy control, do not provide an adequate basis for the effective international control of atomic energy and the elimination from national armaments of atomic weapons, and therefore, do not conform to the terms of reference of the Atomic Energy Commission.

"The Working Committee concludes that no useful purpose can be served by further discussion of these proposals in the Working Committee."

The Working Committee adopted the report on the U.S.S.R. proposals on April 5, 1948. At the same meeting the representative of the U.S.S.R. replied to the arguments contained in the report. Concerning the question of "periodic inspection" he stated that there could not be any inspection other than a periodic one. Any measures which had

to be applied continuously in respect of productive facilities and to sources of raw materials could not be regarded as inspection, but must be regarded as management or supervision. The United States proposals on management, supervision and licensing of atomic facilities, which had been adopted by the majority of the Atomic Energy Commission, however, were not acceptable to the U.S.S.R. delegation.

The representative of the U.S.S.R. further stated that there was no basis for any "special investigation" in the absence of any suspicion with respect to a country or certain countries. Special investigators should not be regarded as tourists who could go to any place quite freely without any basis.

In the opinion of the U.S.S.R. representative, inspection and special investigations, together with some other measures provided for in the U.S.S.R. proposals, but not mentioned in the report adopted by the Working Committee, would provide the international control organ with the necessary powers to exercise its functions effectively and to prevent the misuse of atomic energy.

Concerning the question of the prohibition of atomic weapons, the representative of the U.S.S.R. stated that a convention prohibiting such weapons should be concluded as a first step in the system of establishment of international control, to be followed by other important steps, such as the conclusion of another convention to ensure fulfilment of the first convention through measures of control and inspection. International control of atomic energy as such would be useless in the absence of a convention prohibiting atomic weapons. If the convention on the prohibition of atomic weapons were concluded, the U.S.S.R. Government would do its best to reach the completion of negotiations on the second convention, but without knowing the terms of such a convention the U.S.S.R. Government could not give any advance assurance of its acceptance. Some delegations might advance absolutely unacceptable proposals concerning management, supervision and licensing of atomic facilities.

With regard to the criticism contained in the report adopted by the Working Committee as to the lack of powers of enforcement on the part of the international control organ, the representative of the U.S.S.R. maintained that the question of sanctions was entirely within the jurisdiction and scope of the Security Council. To entrust the international control organ, or any other organ of the United Nations, with such powers, would be contrary to the letter and spirit of the Charter of the United Nations.

e. THIRD REPORT OF THE ATOMIC ENERGY COMMISSION TO THE SECURITY COUNCIL

The Atomic Energy Commission convened on May 7, 1948, to receive and discuss a statement presented by the representative of France on behalf of his own delegation and those of the United Kingdom and the United States. At the same time the representative of France circulated a "Summary of the Majority Plan of Control".⁴⁵ The joint statement was further considered by the Atomic Energy Commission on May 17, 1948, and was adopted by a vote of 9 to 2 (Ukrainian S.S.R., U.S.S.R.). This statement adopted by the Commission forms the substance of the Commission's third report to the Security Council (AEC/31/Rev.1), i.e., Part I, entitled "Report and Recommendations of the Atomic Energy Commission". (Part II contains a brief account of the proceedings of the Atomic Energy Commission from September 10, 1947, to May 17, 1948. The "Summary of the Majority Plan of Control" circulated by the representative of France was included in the report as an annex.)

"The Atomic Energy Commission reports that it has reached an impasse", the Commission's third report states at the outset. It goes on to state that

"In almost two years of work, the Commission has accomplished much and has succeeded in making clear the essentials of a plan for the control of atomic energy, in fulfilment of the objectives of the resolution of the General Assembly of 24 January 1946. Nevertheless it considers that it cannot now prepare a draft treaty 'incorporating its ultimate proposals' as urged by the resolution of the Security Council of 10 March 1947."

Explaining the reasons for the Commission's failure, the report states that

"The difficulties which confront the Commission were first evidenced when the plan under consideration by most of the Governments members of the Commission was rejected by the Soviet Union 'either as a whole or in its separate parts,' on the ground that such a plan constituted an unwarranted infringement of national sovereignty. For its part the Soviet Union insisted that a convention outlawing atomic weapons and providing for the destruction of existing weapons must precede any control agreement. The majority of the Commission considered that such a convention, without safeguards, would offer no protection against non-compliance."

This initial divergency of view, the report states, did not deter the Commission from pursuing its task in the hope that the disagreement might be resolved as a result of further study. Accordingly, the Commission had decided to defer the consideration of the political aspects of the problem of the control of atomic energy until it had first studied its scientific and technical aspects.

⁴⁵See pp. 463-66.

The Commission now considered that the analysis of the technical requirements of atomic energy control had been pursued as far as possible. Unfortunately, this analysis, the Commission reported, had not led to agreement even on the technical aspects of control. Until agreement on the basic principles of control had been reached, however, the Commission considered that it would be unrealistic and would serve no useful purpose to discuss other aspects of the problem, such as organization and administration of the international control agency, financing, strategic balance, prohibition and enforcement and the stages of transition from conditions of national control to the final conditions of predominantly international control.⁴⁶

The majority of the Commission considered, however, that by concentrating on the technical facts, which, irrespective of any political situation, must be met by any satisfactory plan of control, the Commission had prepared findings and recommendations, which would stand as the basis of any further study of this subject.

Speaking in more general terms, the Commission stated in its third report that:

"The principles submitted in the two previous reports of the Commission provide an alternative to the armaments race that results from the absence of international control and which would not be prevented by the establishment of an inadequate system of control. These principles require that atomic energy must not be developed on the basis of national interests and needs, means and resources, but that its planning and operation be made a common enterprise in all its phases.

"Only if traditional economic and political practices are adapted to the over-riding requirements of international security, can these proposals be implemented. Traditional conceptions of the economic exploitation of the resources of nature for private or national advantage would then be replaced in this field by a new pattern of co-operation in international relations."

The report goes on to state that:

"The majority of the Commission is fully aware of the impact of its plan on traditional prerogatives of national sovereignty. But in the face of the realities of the problem it sees no alternative to the voluntary sharing by nations of their sovereignty in this field to the extent required by its proposals. It finds no other solution which will meet the facts, prevent national rivalries in this most dangerous field, and fulfil the Commission's terms of reference."

The Commission, however, had been unable to secure the agreement of the U.S.S.R. "to even those elements of effective control considered essential from the technical point of view, let alone their acceptance of the nature and extent of participation in the world community required of all nations in this field by the first and second reports of the Atomic Energy Commission". In this situation, the Commission concluded that no useful

purpose could be served by continuing negotiations at the Commission level and it therefore recommended that, until such time as the General Assembly found that this situation no longer existed, or until such time as the permanent members of the Atomic Energy Commission (the permanent members of the Security Council and Canada) found through prior consultation that there existed a basis for agreement on the international control of atomic energy, negotiations in the Atomic Energy Commission be suspended.

Finally, the Atomic Energy Commission recommended that the Security Council should transmit this report, together with the Commission's two previous reports, to the next regular session of the General Assembly as a matter of special concern.

f. CONSIDERATION BY THE SECURITY COUNCIL OF THE ATOMIC ENERGY COMMISSION'S THIRD REPORT

The Security Council considered the third report of the Atomic Energy Commission (AEC/31/Rev.1) at its 318th, 321st and 325th meetings on June 11, 16 and 22.

At the 318th meeting, on June 11, the representative of the United States stated that, immediately after the use of atomic weapons, the United States had proposed international control in order to ensure that this new discovery might be used for peaceful purposes only. The efforts of the Atomic Energy Commission had resulted in the preparation of a plan which provided for an international control agency to be established by treaty, which would own all source material and nuclear fuel, own, operate and manage all dangerous facilities, license all non-dangerous activities in this field and conduct inspections to prevent diversions of material or clandestine operations.

Further, the plan of the majority provided that a system of quotas, assigning to each signatory state its specific proportion of atomic fuels and power plants, should be written into the treaty itself, so that the international agency would have no arbitrary powers in this respect, but would simply carry out the provisions of the treaty.

The Commission, the representative of the United States stated, had examined other solutions and had rejected them because, in its opinion, these solutions did not meet the known facts of the problem created by the discovery of atomic energy. Prolonged study and many debates, however, had not enabled the majority to secure the agreement of the U.S.S.R. to the first and second reports of the Atomic Energy Commission.

⁴⁶For "Summary of Principal Subjects", see pp. 461-62.

In view of the nature of the impasse in the Atomic Energy Commission, the representative of the United States submitted the following draft resolution (S/836):

"The Security Council,

"Having received and examined the First, the Second, and the Third Reports of the United Nations Atomic Energy Commission,

"Accepts these Reports and,

"Approves the General Findings (Part II C) and Recommendations (Part III) of the First Report, and the Specific Proposals of Part II of the Second Report as constituting the necessary basis for establishing an effective system of international control of atomic energy in accordance with the terms of reference of the United Nations Atomic Energy Commission and,

"Approves the 'Report and Recommendations of the Atomic Energy Commission' (Part I) of the Third Report of the United Nations Atomic Energy Commission, and

"Directs the Secretary-General to transmit to the General Assembly and to the Member nations of the United Nations, the First, Second and Third Reports of the United Nations Atomic Energy Commission, together with the record of the Security Council's approval thereof."

The representative of the United Kingdom declared himself in favor of a suspension of the work of the Atomic Energy Commission. He emphasized the careful thought that had been given to the technical problem of atomic energy control and the significance of the first and second reports. He expressed the opinion that the Atomic Energy Commission could not by itself dissolve a deadlock which was fundamentally political, and that it was useless to continue further detailed discussion in the Commission until, at a higher level, it was possible to produce an atmosphere of confidence.

The representative of Canada felt that the situation did not call for recrimination, but for a serious effort to face realities. The divergence of views had arisen because of the insistence of the U.S.S.R. that a convention outlawing atomic weapons and providing for their destruction must precede any agreement for the establishment of a system of international control. The majority of the Commission, on the other hand, continued to hold the view that such a convention, unless accompanied simultaneously by effective safeguards, would offer no protection to the nations of the world. If the work of the Atomic Energy Commission were to be suspended, the challenge to the peoples of the world to find a solution to the problem of the control of this force, potentially so destructive to mankind, still remained. The reports of the Commission must be a stimulus to further effort.

At the 321st meeting on June 16, the represent-

ative of the U.S.S.R. stated that the chief problem in connection with the control of atomic energy was that of prohibiting the production of atomic weapons. All complementary measures, including measures for inspection of enterprises which deal with the production of atomic weapons, had to be subordinated to this basic problem. In insisting on the prohibition of atomic weapons, the U.S.S.R. Government based itself on the evident fact that atomic weapons are aggressive weapons and are designed to exterminate peaceful populations, mainly those of large cities.

The prohibition of atomic weapons and the establishment of effective international control was the task of the Atomic Energy Commission and of the Security Council, which were supposed to carry out practical measures to that end. The Atomic Energy Commission had been unable to carry out its task because certain states—in particular the United States—confronted this proposal negatively, and were attempting to drown the question of the prohibition of atomic weapons and to divert the attention of the Atomic Energy Commission from this task to the consideration of all kinds of proposals which were contradictory to the General Assembly's resolution of December 14, 1946, and to the basic principles of the Charter.

The United States had adopted a negative attitude towards the draft international convention submitted on June 19, 1946, by the U.S.S.R. delegation, which provided for a ban on the production and use of atomic weapons.

The U.S.S.R. delegation considered it essential to draw the Council's attention again to the fact that there was no justification for the position of the opponents of a convention for the prohibition of atomic weapons, who made the conclusion of such a convention conditional upon the adoption of the United States plan. Such a position merely bore witness to the reluctance of some states to carry out the decision of the General Assembly for the control over atomic energy.

It was clear that the responsibility in this connection was borne by the United States, whose leading circles had their own schemes linked with the absence of international control over atomic energy and with the opportunity for unlimited production of atomic weapons.

The representative of the U.S.S.R. also stated that it was clear that the question of the prohibition of atomic weapons could not be separated from the question of the destruction of the extant stockpiles of such weapons, since it was inconceivable that the prohibition of atomic weapons would be carried through while the hoarded stock-

piles of these weapons continued in existence. It would seem that, if agreement were to be reached regarding the necessity of prohibiting atomic weapons, then it must follow that the convention or the conventions must provide for the destruction of stockpiles of atomic weapons and of unfinished atomic weapons, and that the utilization of nuclear fuel contained in such weapons should be only for peaceful purposes. There were other questions on which it had been impossible to reach agreement: a time for the establishment of international control and inspection, the time limits for the stages in the introduction of atomic control and inspection over enterprises which deal with the production of finished atomic materials (nuclear fuel).

The Baruch proposals were silent on this subject, although they did contain a detailed program for the establishment of control and inspection over the sources of raw material and a broadly detailed program for the transformation of the United States, or, to be more precise, of United States monopolistic cartels and trusts, into the masters of the whole atomic industry of the world.

The United States proposals did not even attempt to raise the question of the time limits for the stages of the introduction of atomic control and inspection and, when the U.S.S.R. delegation raised this question, the United States had objected to its consideration. Therefore, not only the first report of the Atomic Energy Commission, but even the second and third reports did not deal with this question at all. The representative of the United States also decisively objected to the U.S.S.R. proposal for the simultaneous introduction of control over and inspection of all enterprises for the production of finished atomic materials, as well as of the sources of raw materials, because he wanted to confine himself only to the control over the sources of raw material.

On June 11, 1947, the delegation of the U.S.S.R. had submitted proposals for the control of atomic energy, which, together with the convention for the prohibition of atomic weapons proposed on June 19, 1946, would secure the establishment of effective control and, at the same time, would not jeopardize the sovereignty and independence of states parties to the control system.

On the other hand, the United States proposals were incompatible with the sovereignty of states. In practice, the adoption of the United States proposals would mean that the United States would receive additional opportunities to interfere in the internal economic life of other states through international control over atomic energy. The

United States proposals were not even calculated to secure agreement. The experience of the work of the Atomic Energy Commission had shown that these proposals were designed to wreck the whole cause of the establishment of international control over atomic energy. The proposals were also contradictory to the principle of the unanimity of the permanent members of the Security Council. The representative of the U.S.S.R. considered that the Government of the United States, in submitting a draft resolution providing for approval by the Security Council of the conclusions and the recommendations contained in the previous reports of the Atomic Energy Commission—all unacceptable to the U.S.S.R.—was motivated by a desire to bring forth U.S.S.R. "vetoes".

The representative of France stated that the appearance of atomic weapons and the constant expansion of the field of action of bomber aircraft, as well as the burdens involved in preparation for war, which were so heavy as to threaten to undermine the social, economic and political institutions of those peoples which had so far resisted the ravages of time and war, required a new conception of international security. Although the Atomic Energy Commission had been unable to reach agreement, the representative of France considered that its efforts had not been useless. The control plan proposed by the majority constituted, in his view, a wedge driven deeply into the edifice of traditional conceptions of international relations, and although it appeared bold today, contained the true wisdom which the freeing of nuclear forces made essential on the part of the governments of the world.

Stating finally that a realistic and objective examination of the problem of atomic energy control was the only safeguard against the dangers confronting the United Nations, the representative of France supported the proposal to transmit the three reports of the Atomic Energy Commission to the General Assembly.

The representative of China stated that he was profoundly disturbed by the failure of the Atomic Energy Commission to reach agreement. The minority of the Commission had persistently opposed the majority plan of control on the ground—among others—that it involved serious violations of national sovereignty. In the view of the Chinese delegation, however, the proposals of the majority were a timid step compared with world government. Such mild limits upon the exercise of national sovereignty as were contemplated, moreover, would be imposed upon the governments of the world on the basis of strict equality.

The representative of China stated further that the United States would make greater sacrifices than any other country if the majority proposals were accepted. Any country which was responsible for the rejection of the United States proposals incurred a grave responsibility.

The representative of Belgium, referring to the U.S.S.R. proposals on atomic energy control, expressed the view that the conclusion of a convention which would confine itself to setting forth a prohibition as regards atomic weapons would constitute a vain if not dangerous gesture; such a prohibition could not possibly be dissociated from an effective system of control of which it ought to be an integral part.

As the work of the Atomic Energy Commission during the past two years had continued, the conviction was strengthened among the majority of the members, the representative of Belgium stated, that effective control of atomic energy could only be attained if a certain number of fundamental conditions were fulfilled. These conditions were set forth in the first two reports of the Atomic Energy Commission. They essentially indicated that the production and utilization of atomic energy should be removed from the province of national sovereignty and should become the object of a kind of international socialization.

The U.S.S.R. had opposed these conclusions, and inasmuch as the disagreement did not bear only on technical details, but upon fundamental principles, it had to be considered, the representative of Belgium concluded, as unbridgeable under present circumstances.

Nevertheless the representative of Belgium expressed the hope that the work of the Atomic Energy Commission would not prove utterly vain and futile. This work had allowed the data of the problem and the conditions upon which a satisfactory solution must depend to be clearly defined. It was now incumbent upon the nations represented in the appropriate organs of the United Nations to tell the world whether they were determined to inaugurate in their mutual relations the co-operation which their security and general prosperity required.

At the 325th meeting of the Security Council, the representative of the Ukrainian S.S.R. stated that adoption of the United States proposal calling for the suspension of the work of the Atomic Energy Commission was fraught with heavy political consequences. It would make possible more and more effective measures for war preparation which were being carried on by official quarters in the United States.

Throughout the two years of the work of the Atomic Energy Commission, the representative of the Ukrainian S.S.R. stated further, it had become abundantly clear that the United States did not want to achieve the prohibition of the manufacture of atomic weapons, and still less did it desire the establishment of effective control over the use of atomic energy to the end that it should be used for peaceful purposes exclusively. The authorities of the United States wished to achieve and to retain full monopolistic control over the manufacture and use of atomic energy the world over. They were, however, attempting to mask their refusal to admit any control over atomic energy under a cloak of reservations and conditions designed to make agreement on plans for the international control virtually impossible.

In the opinion of the Ukrainian delegation, the so-called Baruch plan, upon the adoption of which the United States insisted, was in direct contradiction to the Charter of the United Nations, because it would serve to cement and solidify the privileged position of the United States, it would violate the equality of large and small Powers, it would interfere with the internal affairs of states and would jeopardize their sovereignty. The only effective way to implement the decisions of the General Assembly of January 24 and December 14, 1946, was to adopt the U.S.S.R. proposals of June 19, 1946, and June 11, 1947. These proposals set forth the basic provisions of an international convention for the prohibition of atomic weapons in conjunction with effective control measures for the implementation of such a convention.

The representative of Colombia stated that the conclusions of the third report of the Atomic Energy Commission could not be more discouraging. World opinion would not be able to explain the reasons for the failure of the Atomic Energy Commission to reach agreement. Inasmuch as scientists called upon for their opinion were in accord that there were no reasons whatever of a technical character which could impede effective international control of atomic energy, the world would have to conclude that political expediency, selfish motives or secret aims were the obstacles in the way of reaching agreement. The United Nations would lose its prestige as a result.

The representative of Colombia considered that the only step left for the Atomic Energy Commission and the Security Council was to return to the General Assembly to confess their inability to reach a solution, and to enable world opinion, which alone was capable of solving problems which seem insoluble, to become acquainted with

the full scope of the facts, and so to help the Great Powers to arrive at an agreement.

The United States draft resolution (S/836) was then put to the vote. The result was 9 in favor and 2 against (Ukrainian S.S.R., U.S.S.R.), but since one of the two opposing members was a permanent member of the Security Council the resolution was not adopted.

The representative of Canada then proposed the following draft resolution (S/851):

"The Security Council,

"Having received and examined the First, the Second, and the Third Reports of the United Nations Atomic Energy Commission,

"Directs the Secretary-General to transmit to the General Assembly and to the Member nations of the United Nations, the First, Second and Third Reports of the Atomic Energy Commission, together with the record of the deliberations of the Security Council on this subject, as a matter of special concern"

The Chairman ruled that the transmittal of the reports to the General Assembly would be a procedural matter. He also ruled that the suspension of the work of the Atomic Energy Commission had not been accepted by the Security Council because it had rejected the United States draft resolution.

The Canadian draft resolution was then adopted by 9 votes to 0, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.).

2. Commission for Conventional Armaments

At its 105th meeting, on February 13, 1947, the Security Council established a Commission for Conventional Armaments in order to work out the practical measures for giving effect to the General Assembly's resolution 41(I) of December 14, 1946, concerning principles governing the general regulation and reduction of armaments.⁴⁷

At its 152nd meeting on July 8, 1947, the Security Council approved the following plan of work (S/387) which the Commission had adopted on June 18, 1947:

"1. Consider and make recommendations to the Security Council concerning armaments and armed forces which fall within the jurisdiction of the Commission for Conventional Armaments.

"2. Consideration and determination of general principles in connection with the regulation and reduction of armaments and armed forces.

"3. Consideration of practical and effective safeguards by means of an international system of control operating through special organs (and by other means) to protect complying States against the hazards of violations and evasions.

"4. Formulate practical proposals for the regulation and reduction of armaments and armed forces.

"5. Extension of the principles and proposals set forth in paragraphs 2, 3, and 4 above to States which are not Members of the United Nations.

"6. Submission of a report or reports to the Security Council including, if possible, a Draft Convention."

It was proposed that under the six headings listed above all of the topics suggested by the various delegations for the plan of work would be considered. It was also understood that the plan of work did not limit the freedom of the individual delegations to make additional suggestions at a later time.

The U.S.S.R., which together with Poland abstained from voting, referred to its alternative plan, which had been rejected by the Commission for Conventional Armaments. This alternative plan (S/C 3/SC.3/9) read as follows:

"1 The establishment of general principles for the reduction of armaments and armed forces and for the determination of the minimum requirements of each State with regard to all kinds of armaments and armed forces (land, sea and air), taking into account the prohibition of atomic weapons and other kinds of armaments adaptable to mass destruction.

"2 The establishment of the general principles which are to serve as a basis for the reduction of manufacturing war production and the determination of the maximum capacity of war production for each State, with a view to permitting the production and use of atomic energy for peaceful purposes only.

"3. The extension of the principles set forth in paragraphs 1 and 2 to States which are not Members of the United Nations.

"4. The establishment of limits for individual kinds of armaments and armed forces for each State, on the basis of the principles set forth in paragraph 1.

"5. The establishment of limits for various kinds of war production for each State, on the basis of the principles set forth in paragraph 2.

"6. The determination of the procedure and time limits for bringing the level of armaments and armed forces and also of war production for each State into conformity with the limits set forth in paragraphs 4 and 5.

"7. Problems of the distribution of armed forces and the question of the reduction of networks of military, naval and air bases.

"8. Measures relating to the prohibition of the use of non military industry and non-military means of transport for purposes of war, beyond the limits arising out of those set forth in paragraphs 4 and 5.

"9. The organization and the procedure for the establishment of a system of control to implement measures regarding the general reduction and regulation of armaments and armed forces and also of war industry and war production, taking into account the co-ordination of the aforementioned system of control with the system of control over the use of atomic energy.

"10 The working out of a draft convention."

⁴⁷See *Yearbook of the United Nations, 1946-47*, pp. 451-53. For text of the General Assembly's resolution, see *ibid.*, pp. 142-43.

At its tenth meeting on July 16, 1947, the Commission for Conventional Armaments by unanimous vote established a Working Committee of the whole and decided that the Committee should have as its terms of reference the plan of work approved by the Security Council at its 152nd meeting. The Working Committee was authorized to establish such sub-committees from time to time as it might deem necessary and to define their terms of reference. The Chairman of the Commission for Conventional Armaments was to act as the Chairman of the Working Committee.

The Working Committee met for the first time in closed session on August 20, 1947. Up until September 21, 1948, it had held twenty meetings.

At the first meeting the representative of the United States opened the substantive discussion of item 1 of the plan of work by proposing a resolution (S/C.3/SC.3/7/Rev.1) which defined weapons of mass destruction, in order to determine the jurisdiction of the Commission. The United States resolution, as revised somewhat as a result of the Committee's discussion, read as follows (S/C.3/SC.3/8):

"The Working Committee resolves to advise the Security Council

"(1) that it considers that all armaments and armed forces, except atomic weapons and weapons of mass destruction, fall within its jurisdiction and that weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above;

"(2) that it proposes to proceed with its work on the basis of the above definition."

At the fourth meeting of the Working Committee on September 9, 1947, the representative of the U.S.S.R. opposed the United States proposal, on the ground that it involved a separation of the general problem of the regulation and reduction of armaments into a problem concerning atomic weapons and other weapons of mass destruction and a problem concerning so-called conventional armaments; this separation, the U.S.S.R. representative held, was artificial and would divert the Commission from the preparation of proposals for practical measures for the general regulation and reduction of armaments and armed forces. The U.S.S.R. representative held that measures for the regulation and reduction of armaments and armed forces required not only the reduction of conventional armaments, but also the prohibition of the use of atomic and other weapons of mass destruction and the destruction of existing stocks of

atomic weapons. He also criticized as too restrictive the definition of weapons of mass destruction.

The Working Committee, however, at its fourth meeting on September 9, 1947, adopted the revised United States resolution by a vote of 7 to 2, with 2 abstentions.

At the first meeting of the Working Committee, the representatives of Syria and Australia had raised the issue of the General Assembly resolution concerning information on armed forces and had proposed the establishment of a sub-committee to advise the Working Committee on the scope of the information required and the measures which should be taken (S/C.3/SC.3/2). After consideration, however, this proposal was withdrawn at the second meeting, held on August 25. It was agreed that the suggestion was premature at that time, and that the question of information on armed forces should be considered in conjunction with the regulation and reduction of armaments and armed forces. Thereafter at the third meeting on September 6, two modified proposals were submitted by the Australian and Chinese delegations respectively (S/C.3/SC.3/5 and 6) relating to the collection of information. After further discussion, it was agreed that no vote should be taken on these draft resolutions, and that the decision should be postponed to a later date.

Discussion of item 2 of the plan of work, relating to general principles, began at the fourth meeting of the Working Committee, on September 9. The Committee considered a draft list of topics prepared by the Australian delegation (S/C.3/SC.3/4). At the fifth meeting on September 12, it was decided that the delegations should submit working papers stating the views of their governments with regard to both items 2 and 3 (the latter dealing with safeguards). Such papers were submitted by all delegations (for text, see S/C.3/27, pp. 9-35) and were later tabulated by the Secretariat in the form of a draft synopsis, which was placed before the Committee on October 10.

The subsequent meetings were devoted to a detailed discussion of the various sections of the draft synopsis, with emphasis on the relationship between the general regulation and reduction of armaments and armed forces and the factors affecting international confidence and security. At the twelfth meeting on December 9, 1947, a proposal was made by the representative of Australia to establish a drafting sub-committee to prepare a statement of those principles which had received general support. This proposal was withdrawn after some discussion, and the Committee was

seized of draft resolutions summarizing the majority opinion with regard to general principles submitted by France and Syria (S/C.3/SC.3/10), Australia (S/C.3/SC.3/11), and the United Kingdom (S/C.3/SC.3/12). After discussion, these texts were withdrawn in favor of a revised United Kingdom draft resolution (S/C.3/SC.3/12/Rev. 1). Amendments to this draft resolution submitted by the United States and Canada (S/C.3/SC.3/13 and 14) were accepted by the United Kingdom.

A suggestion made by the Colombian delegation to the effect that the Members of the United Nations commit themselves to nationalize, within a stated time limit, the manufacture of armaments and directly related industries (S/C.3/SC.3/16) was not pressed as an amendment to the United Kingdom resolution.

Following is the text of the revised United Kingdom resolution embodying the Canadian and United States amendments (S/C.3/SC.3/15):

"The Working Committee recommends that the following principles should govern the formulation of practical proposals for the establishment of a system for the regulation and reduction of armaments and armed forces:

"1. A system for the regulation and reduction of armaments and armed forces should provide for the adherence of all States. Initially it must include at least all States having substantial military resources.

"2. A system of regulation and reduction of armaments and armed forces can only be put into effect in an atmosphere of international confidence and security. Measures for the regulation and reduction of armaments which would follow the establishment of the necessary degree of confidence might in turn be expected to increase confidence and so justify further measures of regulation and reduction.

"3. Examples of conditions essential to such confidence and security are:

"(a) The establishment of an adequate system of agreements under Article 43 of the Charter. Until the agreed forces are pledged to the Security Council an essential step in establishing a system of collective security will not have been taken.

"(b) The establishment of international control of atomic energy. It is a basic assumption of the work of the Commission for Conventional Armaments that the Atomic Energy Commission will make specific proposals for the elimination from national armaments of atomic weapons and other weapons of mass destruction.

"(c) The conclusion of the peace settlements with Germany and Japan. Conditions of international peace and security will not be fully established until measures have been agreed upon which will prevent these States from undertaking aggressive action in the future.

"4. A system for the regulation and reduction of armaments and armed forces in order to make possible the least diversion for armaments of the world's human and economic resources pursuant to Article 26 of the Charter of the United Nations, must limit armaments

and armed forces to those which are consistent with and indispensable to the maintenance of international peace and security. Such armaments and armed forces should not exceed those necessary for the implementation of Members' obligations and the protection of their rights under the Charter of the United Nations.

"5. A system for the regulation and reduction of armaments and armed forces must include an adequate system of safeguards, which by including an agreed system of international supervision will ensure the observance of the provisions of the treaty or convention by all parties thereto. A system of safeguards cannot be adequate unless it possesses the following characteristics:

"(a) it is technically feasible and practical,

"(b) it is capable of detecting promptly the occurrence of violations;

"(c) it causes the minimum of interference with, and imposes the minimum burdens on, any aspect of the life of individual nations.

"6. Provision must be made for effective enforcement action in the event of violations."

The representative of the U.S.S.R. opposed the revised United Kingdom draft resolution, stating that its acceptance would in fact amount to a refusal to implement the General Assembly's resolution of December 14, 1946. That resolution, in the view of the U.S.S.R. delegation, required the Commission to formulate promptly practical measures for the regulation and reduction of armaments and armed forces and contained no conditions or prerequisites (such as the conclusion of agreements under Article 43 of the Charter) for the formulation or implementation of such practical measures. The representative of the U.S.S.R. stated his belief that, contrary to the point of view expressed in the revised and amended United Kingdom resolution, the establishment of international confidence and security was dependent on the speedy formulation and implementation of practical measures for the regulation and reduction of armaments and armed forces, including the prohibition of the manufacture of atomic weapons and other weapons of mass destruction. The stand taken by the United Kingdom and the United States, he stated, could only give rise to a new armaments race, an increase of armed forces, and increased budgetary expenditures for military purposes, and all the consequences that this would entail.

At the seventeenth meeting of the Working Committee on July 26, 1948, the representative of the U.S.S.R. introduced the following counter-proposals (S/C.3/SC.3/17) supplementing and elaborating paragraph 1 of the U.S.S.R. working paper (S/C.3/SC.3/9):

"1. The general regulation and reduction of armaments and armed forces should cover all countries and all kinds of armaments and armed forces.

"2. The general regulation and reduction of arma

ments and armed forces should provide for:

"(a) Reduction of armies, naval and air forces both in respect to strength and armaments.

"(b) Limitation of combat characteristics of certain kinds of armaments and the prohibition of separate kinds of armaments.

"(c) Reduction of war budgets and state expenditures on production of armaments.

"(d) Reduction of production of war materials.

"3. The general regulation and reduction of armaments and armed forces should provide, in the first place, for the entire prohibition of production and use of atomic and other kinds of weapons designed for mass destruction and the destruction of stocks of such weapons which have been made.

"4. In order to ensure the carrying out of measures for the regulation and reduction of armaments and armed forces there should be established within the framework of the Security Council and as a component part of the plan for such regulation and reduction, an international system of control, which should protect the states which fulfil their obligations against the danger of violations and evasions from the carrying out of the agreement on the reduction of armaments."

The Working Committee did not discuss the proposal of the U.S.S.R. but adopted a revised and amended United Kingdom resolution at the seventeenth meeting, after paragraph by paragraph discussion, by a vote of 9 to 2.

The Working Committee then decided to submit the two resolutions (S/C.3/24 and 25) it had adopted on September 9, 1947, and July 26, 1948, to the Commission for Conventional Armaments, together with a progress report.

The Commission began to consider the Working Committee's report (S/C.3/27) at its eleventh meeting on August 2 and continued its discussion at the twelfth and thirteenth meetings on August 9 and 12. The central issues of the discussion at these meetings, as at the meetings of the Working Committee, were: (1) the jurisdiction of the Commission in relation to atomic weapons and other weapons of mass destruction and (2) the relationship between the general regulation and reduction of armaments and armed forces and the factors affecting the present state of international relations (S/C.3/32, p. 10). The views of the majority of the Commission on these matters were reflected in the two resolutions which it had adopted (S/C.3/24 and 25).

At the twelfth meeting of the Commission on August 9, the representatives of the U.S.S.R. and the Ukrainian S.S.R. reiterated their inability to accept the aforementioned resolutions under items 1 and 2 of the plan of work for the following reasons:

(1) that the Commission's resolution concerning its jurisdiction, by excluding atomic weapons and other weapons of mass destruction from its

purview, contravened the General Assembly resolution of December 14, 1946, which in their opinion treated the regulation and reduction of armaments and armed forces as a single indivisible question and required the Commission to formulate practical measures not merely for the regulation and reduction of conventional armaments but also for the prohibition of use and manufacture of atomic weapons and other weapons of mass destruction and for destruction of existing stocks of such weapons;

(2) that the Commission's resolution on general principles contravened the General Assembly resolution of December 14, 1946, which, in their view, required the Commission to formulate promptly practical measures for the general regulation and reduction of armaments and armed forces and contained no conditions or prerequisites for the formulation or implementation of such practical measures;

(3) and particularly, that the general regulation and reduction of armaments and armed forces must necessarily provide for the complete prohibition of the atomic weapon as well as of other weapons adaptable to mass destruction, and that the opposition of the Governments of the United States and the United Kingdom to the prohibition of the atomic weapon prevented the taking of steps designed to bring about a general reduction of armaments and armed forces.

At this point, the representative of the U.S.S.R. reintroduced the proposals (S/C.3/SC.3/17) which the U.S.S.R. had submitted to the Working Committee at its seventeenth meeting.

At its thirteenth meeting on August 12, the Commission adopted the resolution (S/C.3/24) determining the Commission's jurisdiction in accordance with item 1 of the Working Committee's plan of work, by a vote of 8 to 2. The resolution concerning general principles (item 2 of the plan of work) was adopted by a vote of 9 to 2.

After adopting the two resolutions proposed by the Working Committee, the Commission for Conventional Armaments decided to submit a report to the Security Council, together with the two resolutions, and requested the Secretariat to draft the report.

The draft report prepared by the Secretariat (S/C.3/32) was considered paragraph by paragraph by the Commission at its fourteenth and fifteenth meetings on August 17, 1948, and a number of amendments were adopted. The Commission agreed to set September 15 as the deadline for any delegation to request a final reading

of the report. Failing such a request, the report was to be transmitted to the Security Council by the Chairman of the Commission.

By letter dated September 14, 1947, the representative of the U.S.S.R. informed the Chairman of the Commission for Conventional Armaments that the U.S.S.R. delegation was unable to agree to the draft report of the Commission to the Security Council, as this draft did not contain certain amendments put forward by the U.S.S.R. delega-

tion at the Commission's meeting on August 17, 1948, on the question of the growth of the armed forces and military budgets of certain states. The representative of the U.S.S.R. also recalled that he had voted against the two resolutions which the Commission had adopted on August 12 and which formed part of the report.

The Commission did not meet again to consider its report to the Security Council during the period under review.

F. OTHER QUESTIONS CONSIDERED BY THE COUNCIL

1. Admission of New Members

a. RECONSIDERATION OF APPLICATIONS RECEIVED IN 1946

Of nine countries which applied for membership in the United Nations during 1946, Sweden, Siam, Iceland and Afghanistan were admitted to membership by the General Assembly upon the recommendation of the Security Council. The Security Council, however, failed to recommend the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal for membership. The General Assembly, by resolution 35 (I) of November 19, 1946, recommended that the Security Council re-examine the applications of these five countries on their respective merits in accordance with the terms of the Charter.⁴⁸

The Security Council, at the 152nd meeting on July 8, 1947, referred the General Assembly's recommendation to the Committee on the Admission of New Members, requesting the Committee to re-examine the applications of the five above-mentioned states.

The Committee, accordingly, considered the applications and submitted its report (S/479)⁴⁹ to the Security Council on August 18, 1947.

The Council considered the Committee's report at its 186th meeting on August 18, 1947. The President, speaking as the representative of Syria, invited the Council's attention to a proposal his delegation had made in the Committee on the Admission of New Members to the effect that Albania, Mongolia, Transjordan, Portugal and Ireland, as well as those states whose applications the Council had not previously examined, should all be recommended for membership in the United Nations. This proposal was supported by the As-

sistant Secretary-General for Legal Affairs, speaking on behalf of the Secretary-General. As the representative of China, however, expressed the view that qualifications of states for membership should be examined individually, the President stated that he would not stress his proposal.

The Council then separately discussed and voted on the five applications as follows:

(1) Albania

The representative of the U.S.S.R., in supporting the application of Albania, stressed Albania's contribution to the Allied cause during the war and expressed the belief that Albania met all the requirements of the Charter for admission to membership in the United Nations.

The representative of the United Kingdom opposed Albania's admission, stating that the majority of the Council had found that the Corfu Channel could not have been mined without the knowledge of the Albanian Government.⁵⁰ He stated further that the Commission of Investigation concerning Greek Frontier Incidents had found Albania guilty of stirring up strife in Greece.⁵¹

The representative of the United States opposed Albania's admission on the same grounds. In addition, he stated that Albania had shown a careless disregard for its prewar international obligations; for example, bilateral treaties regarding the most ordinary things, such as postal money orders.

The representative of Poland supported the ap-

⁴⁸See *Yearbook of the United Nations*, 1946-47, pp 122-24.

⁴⁹This report deals also with the applications received and considered by the Council in 1947 with the exception of those of Pakistan and Finland, see below.

⁵⁰Concerning the dispute between the United Kingdom and Albania over the mining of the Corfu Channel, see *Yearbook of the United Nations*, 1946-47, pp 392-94. See also pp. 792-95.

⁵¹See pp. 338-39.

plication-of Albania and expressed the view that Albania was a peace-loving country which would accept the formal obligations of the Charter.

The vote on the application of Albania was 3 in favor, 4 against, with 4 abstentions.

(2) *Mongolia*

The representative of China opposed the application of Mongolia on the ground that Mongolia had recently been guilty of armed incursions into Chinese territory.

The representative of the U.S.S.R. supported the application of Mongolia. He stated that Mongolia had participated in the fight of the Allies against Japan and considered that the objections raised by the representative of China were unfounded.

The vote on Mongolia's application was 3 in favor (Poland, Syria, U.S.S.R.), 3 against (China, United Kingdom, United States), with 5 abstentions (Australia, Belgium, Brazil, Colombia, France).

(3) *Hashemite Kingdom of Transjordan*

The representatives of the United Kingdom and the United States supported Transjordan's application for membership.

In opposing Transjordan's application, the representative of the U.S.S.R. expressed doubt whether that country, which until recently was under British Mandate, was truly an independent state.

The vote on the application was 9 to 1 (U.S.S.R.), with 1 abstention (Poland). As the negative vote was cast by a permanent member of the Council, Transjordan was not recommended for membership in the United Nations.

(4) *Ireland*

The representative of the U.S.S.R. objected to the admission of Ireland on the ground that, during the Second World War, Ireland had had very friendly relations with the Axis powers and had not given any help whatsoever to the Allies in their struggle against the Fascist states. Besides, he stated, Ireland did not have normal relations with the U.S.S.R., whose role in the struggle against the aggressors and in the victory over these aggressors was well known.

The representative of the United Kingdom was of the opinion that the criteria cited by the representative of the U.S.S.R. were not those contained in the Charter.

The vote on the application of Ireland was 9 in favor, 1 against (U.S.S.R.), with 1 abstention (Poland). Since one of the permanent members of the Council voted against the application, it was rejected.

(5) *Portugal*

The representative of Brazil urged Portugal's admission to membership in the United Nations.

The representative of the United States stated that he warmly supported the application of Portugal, considering that country eminently qualified for membership in the United Nations. He stated that the Portuguese people had been in sympathy with the Allied cause during the war and the Portuguese Government had given material help to the Allies.

The representatives of Poland and the U.S.S.R. opposed Portugal's admission, stating that Portugal had aided the Franco forces in the rebellion against the legal Government of Spain and was still maintaining close relations with the Franco regime.

The vote on Portugal's application was 9 to 2 (Poland, U.S.S.R.). As a permanent member of the Council voted against the application, Portugal was not recommended for membership in the United Nations.

b. APPLICATIONS RECEIVED IN 1947

The following applications for membership in the United Nations were received during 1947:

Hungary, April 22, 1947 (S/333)
Italy, May 7, 1947 (S/355)
Austria, July 2, 1947 (S/403)
Roumania, July 10, 1947 (S/411)
Yemen, July 21, 1947 (S/436)
Bulgaria, July 26, 1947 (S/467)
Pakistan, August 15, 1947 (S/498)
Finland, September 19, 1947 (S/559)

The Security Council referred to the Committee on the Admission of New Members for study and report the applications of Hungary (132nd meeting, April 30, 1947), Italy (137th meeting, May 22, 1947), Austria (154th meeting, July 10, 1947), Roumania (161st meeting, July 18, 1947), Yemen (168th meeting, July 28, 1947) and Bulgaria (178th meeting, August 7, 1947).

The Committee duly considered the applications enumerated above and submitted its report (S/479) to the Security Council on August 18, 1947.

The applications of Pakistan and Finland, which were received after the Committee drew up its report to the Security Council, were considered by the Council without prior reference to the Committee on the Admission of New Members.

c. RECOMMENDATION OF YEMEN AND PAKISTAN FOR MEMBERSHIP IN THE UNITED NATIONS

At its 186th meeting on August 18, 1947, the Security Council decided unanimously to recom-

mend Yemen and Pakistan for membership in the United Nations. The representative of India, who under Article 31 of the Charter was invited to participate in the discussion, expressed his Government's support of the application of Pakistan. As no objection was raised by any member of the Council to the application of either Yemen or Pakistan, no further discussion took place in the Council.

d. CONSIDERATION OF THE APPLICATIONS OF HUNGARY, ITALY, AUSTRIA, ROUMANIA AND BULGARIA

At its 186th meeting on August 18, 1947, the Council, as well as reconsidering the applications of Albania, Mongolia, Transjordan, Portugal and Ireland and deciding on the recommendation of Yemen and Pakistan, also embarked upon a general discussion of the applications of Hungary, Italy, Austria, Roumania and Bulgaria.

The President expressed the belief that voting on the applications of countries with which peace treaties were still pending should be deferred until after the ratification of the treaties.

The representative of the U.S.S.R. proposed that the Council should not proceed to vote on the applications of Hungary, Roumania, Bulgaria and Italy in view of the fact that peace treaties with these countries were not yet in force, nor should it vote on the application of Austria, with which country a treaty had not yet been prepared. When these treaties came into force, the U.S.S.R. would support the applications of all or at least some of these States.

The representative of the United States opposed postponing consideration of the applications. He thought that each application should be voted on individually. There was nothing which imposed upon the Security Council the obligation to postpone consideration of membership applications until the entry into force, completion and enforcement of the peace treaties.

The representative of Australia supported the proposal that the Council should deal with each application separately.

The representative of the United Kingdom stated that, although it was true that none of these States could effectively become a Member of the United Nations until the entry into force of the respective peace treaty, he would have no objection to considering their applications separately, nor would he object even to provisional recommendations.

The representative of Poland took the view that

any decision or recommendation which might be made by the Security Council would be illegal. The United Nations was composed of sovereign states. Not one of these five States would be sovereign until the peace treaties had been ratified by the major Allies and by the States themselves.

By a vote of 4 (Belgium, Brazil, France, United States) to 3 in favor (Poland, Syria, U.S.S.R.), with 4 abstentions, the Council rejected a U.S.S.R. motion that consideration of these applications be postponed.

At its 190th meeting on August 21, 1947, the Security Council discussed and voted on each application separately as follows:

(1) Hungary

The representatives of the United States and the United Kingdom expressed opposition to the admission of Hungary. The representative of the United Kingdom stated that apart from the fact that the peace treaty with Hungary had not yet come into force, his Government was not satisfied that the Hungarian Government intended to observe sincerely their peace treaty obligations in the field of human rights. The representative of the United States expressed doubt as to whether the newly organized Government of Hungary was either able or willing to fulfil the obligations of the Charter.

The vote on the application of Hungary was 1 (Syria) in favor, 1 (United States) against, with 9 abstentions, and Hungary therefore was not recommended for membership in the United Nations.

(2) Italy

The representative of the United States expressed the belief that Italy fully deserved immediate admission to the United Nations. In comparison with the other ex-enemy states, he considered, Italy was in a unique position. He recalled that on August 13, 1943, the Premier of the U.S.S.R., the Prime Minister of the United Kingdom and the President of the United States had declared Italy to be a co-belligerent in the war against Germany. He further stated that Italy, for all practical purposes, was not restricted as to the exercise of its sovereignty, as the Allied Commission had been terminated on January 31, 1947, and as there was no military occupation except for token forces in Venezia Giulia and Udine. Furthermore, a number of states had exchanged full diplomatic representation with Italy.

The representative of the United States remarked that it was difficult to understand why the U.S.S.R. had failed to recognize the special position of Italy, since it had been a party to the de-

laration of co-belligerency and to the termination of the Allied Commission, and since it had been the first country to afford Italy full diplomatic recognition.

Finally, the representative of the United States stated that it would be patently unjust for a well-qualified country, such as Italy, to be kept from immediate admission to the United Nations, merely because one of the Great Powers (U.S.S.R.) had not seen fit to ratify the Peace Treaty. He appealed to the sense of fairness of the Council to recommend the immediate admission of Italy.

The representative of Australia expressed the view that Italy fulfilled the requirements of the Charter for admission to membership in the United Nations. In view of the fact, however, that some countries felt unable to vote for the admission of Italy so long as the Peace Treaty was not in force, the representative of Australia submitted a draft resolution intended to remove this difficulty. This draft resolution (see S/P.V. 190, p. 71), as somewhat revised at the suggestion of the representative of Belgium, provided that the Security Council

"Having noted that the treaty of peace with Italy, though not yet in force, has been ratified by Italy,

"Finds that in its judgment Italy is a peace-loving State, able and willing to carry out the obligations contained in the Charter of the United Nations, and

"Recommends that Italy be admitted to membership at such time and under such conditions as the General Assembly may deem appropriate."

The representative of the United Kingdom expressed regret that his Government could not support a recommendation for the immediate admission of Italy to the United Nations, because the Peace Treaty had not yet come into force, but stated that he would gladly support the Australian draft resolution.

The representative of the U.S.S.R. reiterated his view that the Council could not take a decision on the admission of any of the ex-enemy countries before peace treaties had been negotiated and come into force. In supporting requests for the immediate admission of any of these states the United States and the United Kingdom were deviating from the Potsdam Agreement, which provided that these states could be admitted to the United Nations only after the conclusion and coming into force of peace treaties. He opposed the Australian draft resolution on the ground that it by-passed the Security Council.

The representative of France supported the Australian draft resolution, stating that the Council must take into account the role played by Italy during the last phase of the war, the aid given by

Italy to the Allies, the resistance movement in the northern part of the country, and the fact that Italy since the war had rebuilt within its frontiers free and democratic institutions.

The representative of Brazil likewise supported the Australian draft resolution, considering that Italy fully met all the requirements for membership set forth in the Charter.

The vote on the Australian draft resolution was 9 to 1 (U.S.S.R.), with 1 abstention (Poland). As the negative vote was cast by a permanent member of the Council the resolution was not adopted.

(3) *Austria*

The representative of the United Kingdom stated that he could not support the proposal for the immediate admission of Austria to the United Nations, inasmuch as negotiations for a peace treaty had not yet been concluded. He would, however, be willing to support a resolution on the same lines as that proposed for Italy.

The representative of the United States believed that the status of Austria was such as to qualify it for immediate admission. He stressed, in the first instance, that the Allied Powers, in several international acts, had recognized Austria as a victim of Nazi aggression rather than as an ex-enemy state. He further expressed the view that although Austria was under military occupation this did not impair Austria's sovereignty in the field of international relations. The new Control Agreement for Austria, he stated, provided that Austria may establish diplomatic relations with Member Governments of the United Nations, enter into international agreements and exercise other attributes of statehood.

Finally, the representative of the United States stated that his Government had made every effort to expedite the conclusion of a peace treaty with Austria, but had been met by adamant positions on many points by one Great Power, the U.S.S.R. He concluded that the fact that one Power had not been able to come to an agreement with the other occupying Powers was no reason to penalize the people of Austria and to keep Austria from membership in the United Nations.

The representative of Australia, considering that Austria should be regarded in a similar manner to Italy, submitted a draft resolution (see S/P.V. 190, p. 81) stating that the Security Council

"Having noted that Austria is still under military occupation by the Allied and associated Powers,

"Finds that in its judgment Austria is a peace-loving State, able and willing to carry out the obligations contained in the Charter of the United Nations, and

"*Recommends* that Austria be admitted to membership at such time and under such conditions as the General Assembly may deem appropriate."

The vote on the Australian resolution was 8 to 1 (U.S.S.R.), with 2 abstentions (France, Poland). As the negative vote was cast by a permanent member of the Council the resolution was not adopted.

(4) Roumania

The representative of the United States and the United Kingdom expressed opposition to the admission of Roumania on the ground that Roumania had violated the provisions of the Peace Treaty, through flagrant violation and suppression of human rights.

The vote on Roumania's application was 1 in favor (Syria), with 10 abstentions. Roumania was therefore not recommended for membership in the United Nations.

(5) Bulgaria

The representatives of the United States and the United Kingdom opposed the application of Bulgaria on the same ground as they had opposed that of Hungary. In addition they based their opposition on the grounds that the Commission of Investigation concerning Greek Frontier Incidents had found Bulgaria guilty of assisting guerrillas fighting against the Greek Government and that Bulgaria had failed to co-operate with the Subsidary Group of the Commission.

The application of Bulgaria obtained 1 vote in favor (Syria), 1 against (United States), with 9 abstentions. Bulgaria was therefore not recommended for membership in the United Nations.

e. RESOLUTION OF AUGUST 21 CONCERNING THE APPLICATIONS RECONSIDERED OR CONSIDERED BY THE COUNCIL

At the conclusion of its reconsideration and consideration of the various applications before it, the Security Council, at its 190th meeting on August 21, unanimously adopted the following resolution (A/350) prepared by the President and the Secretariat:

"*The Security Council,*
Having received and considered the report submitted by the Committee on the Admission of New Members regarding the re-examination of the applications for membership in the United Nations of the People's Republic of Albania, the Mongolian People's Republic, the Hashemite Kingdom of Transjordan, Ireland and Portugal, and the examination of the applications of Hungary, Italy, Roumania, Austria, Yemen and Bulgaria;
Having received and considered the application of Pakistan; and

"*Having taken* due notice of the statements of opinion of the members of the Security Council in regard to these applications;

"*Recommends*

"To the General Assembly that it admit to membership in the United Nations the following applicants:
 "Yemen and Pakistan."

The Council decided (A/350) that in addition to this resolution, the report of the Committee on the Admission of New Members (S/479 and Corr. 1) and the verbatim records of the discussion on all applications (S/P.V.186 and 190) should constitute the Council's report to the General Assembly concerning the admission of new Members.

f. FURTHER CONSIDERATION OF APPLICATIONS BY THE COUNCIL

By a cablegram dated September 19, 1947 (S/559), the Minister of Foreign Affairs of Finland requested that Finland be admitted to membership in the United Nations.

The Council also received a letter dated September 20 from the deputy representative of the United States (S/562) requesting that the application of Italy be reconsidered, and a letter dated September 22 (S/563) from the Minister of Foreign Affairs of Poland requesting that the applications of Hungary, Italy, Roumania and Bulgaria be reconsidered and that Finland be admitted to membership in the United Nations.

The communications were discussed by the Council at its 204th, 205th and 206th meetings on September 25 and 29 and October 1.

The following draft resolution (S/565) was introduced by the representative of Poland:

"*The Security Council,*
Having received and examined the applications for membership in the United Nations of Hungary, Italy, Roumania, Bulgaria and Finland recommends to the General Assembly that these countries be admitted for membership in the United Nations."

The representatives of Poland and the U.S.S.R. were of the opinion that since the peace treaties with Italy, Hungary, Bulgaria, Roumania and Finland had come into force, the applications of these countries for membership in the United Nations could now be considered. All these five States were not only willing but also able to fulfil the obligations laid down by the Charter. The signatory Powers of the Potsdam Agreement, the United States, the United Kingdom and the U.S.S.R. had undertaken to support the applications of these countries for membership in the United Nations when the peace treaties had entered into force, and

all these countries should be admitted together. It was impossible to consider one case separately from other similar cases.

The representatives of Australia, the United States and the United Kingdom objected, however, to voting on the applications *en bloc*. They believed that every one of these cases had particular circumstances and that each should be treated individually on its merits. The Council should therefore vote separately on each application. In contesting the remarks made by the representative of the U.S.S.R. regarding the Potsdam Agreement and the peace treaties, they maintained that the pertinent provisions of the Potsdam Declaration and the peace treaties merely enabled the three Powers to support applications from the ex-enemy states, but did not bind them to do so. Each Government was accordingly free to approve or disapprove each application in the light of the applicant's qualifications for membership under Article 4 of the Charter of the United Nations.

The representatives of China, Belgium, France and Syria agreed with the suggestion that each of the applications should be voted on separately.

In accordance with the majority opinion, the Council then discussed each application separately in the order in which they had been submitted to the Security Council:

(1) Hungary

The representatives of the United States and the United Kingdom opposed the admission of Hungary on the same grounds as they had previously expressed in the Security Council (see above).

The representatives of France, Colombia and Syria supported the admission of Hungary on the basis of the desirability in principle of universal membership in the United Nations. The representative of France also thought that the European continent should be properly represented in the United Nations.

The representatives of Poland and the U.S.S.R. supported the admission of Hungary, considering that Hungary fully met the requirements of the Charter for membership in the United Nations.

(2) Italy

The representatives of Poland and the U.S.S.R. considered that all five applications were in the same category and could not be dealt with separately. They supported the admission of Italy on the condition of the simultaneous admission of Hungary, Bulgaria, Roumania and Finland.

The representatives of Australia, Belgium, Brazil, China, France, United States and United Kingdom supported the admission of Italy. They held that

Italy was a peace-loving State, able and willing to carry out the obligations of the Charter. Several representatives stated that it was contrary to the Charter to make the admission of Italy dependent on the admission of other states.

(3) Roumania

The representatives of the United States and the United Kingdom opposed the admission of Roumania on the same grounds as previously expressed in the Security Council (see above).

The representatives of China, France and Syria supported the admission of Roumania on the basis of the desirability of universal membership in the United Nations.

The representatives of Poland and the U.S.S.R. supported the admission of Roumania, stating that it fulfilled the requirements for membership laid down in the Charter.

(4) Bulgaria

The representatives of China, France, the United States and the United Kingdom opposed the admission of Bulgaria. Some of these representatives observed that a majority of the Commission of Investigation concerning Greek Frontier Incidents had found that the Bulgarian Government supported the activities of the guerrillas on the northern frontier of Greece, and that the Bulgarian Government had obstructed the work of the Subsidiary Group. It was also stated that the recent actions of the Bulgarian Government, especially the execution of the leader of the Agrarian Party, Nikolai Petkov, were incompatible with the purposes and principles of the Charter and with the human rights and fundamental freedoms which Bulgaria had undertaken to observe under the terms of the Peace Treaty.

The representative of Syria supported the admission of Bulgaria, expressing the view that a state would feel more bound to respect the principles of the United Nations as a Member than as a non-member.

The representatives of Poland and the U.S.S.R. supported the admission of Bulgaria as a peace-loving State, willing and able to undertake the obligations of the Charter. These representatives considered that the allegations made against Bulgaria had not been supported by facts and pointed out that there was a difference of opinion as to the responsibility for the deterioration of relations between Greece and its northern neighbors. The accusations against Bulgaria were a screen to cover rude interference of certain Great Powers in the internal affairs of the Balkan States.

(5) *Finland*

The representatives of Poland and the U.S.S.R. considered that Finland was willing and able to fulfil the obligations of the Charter, and supported the admission of Finland, together with the admission of Hungary, Italy, Bulgaria and Roumania, but could not agree that Finland should be set apart from the other states and admitted separately.

The representatives of Brazil, China, France, Syria, United Kingdom and United States supported the admission of Finland as a peace-loving State, fully qualified for membership.

After the discussion of individual applications, the representatives of Poland and the U.S.S.R. expressed the view that it would be more logical and proper to begin with the more general motion, the Polish resolution for the recommendation of all five candidates, and then, if that motion were not carried, to proceed to vote upon each application separately. The Council, however, adopted the following resolution (see S/P.V. 206, p. 66) submitted by the representative of Belgium:

"The Security Council

"Decides to vote separately and finally upon each application for membership."

The Council then proceeded to vote on each of the applications, and the results of the votes were as follows:

The application of *Hungary* obtained 5 votes in favor (Colombia, France, Poland, Syria, U.S.S.R.), with 6 abstentions. The application was not accepted, having failed to obtain the necessary majority.

The vote on the application of *Italy* was 9 to 2 (U.S.S.R., Poland). As one of the negative votes was cast by a permanent member of the Council, Italy was not recommended for membership in the United Nations.

The vote on the application of *Roumania* was 4 in favor (China, Colombia, France, Syria), with 7 abstentions. Having failed to obtain the necessary majority, Roumania was not recommended for membership in the United Nations.

There was 1 vote (Syria) in favor of the application for *Bulgaria*, 3 against (Belgium, France, United Kingdom) and 7 abstentions. Bulgaria was therefore not recommended for membership in the United Nations.

The vote on the application for *Finland* was the same as that on the application of Italy, i.e., 9 to 2 (U.S.S.R., Poland). As one of the negative votes was that of a permanent member of the Security

Council, the application of Finland was not accepted.

g. RECOMMENDATIONS OF THE GENERAL ASSEMBLY

On November 17, 1947, the General Assembly adopted resolution 113(II), in which it "determined that in its judgment" Ireland, Portugal, Transjordan, Italy, Finland and Austria were "peace-loving States within the meaning of the Charter and should therefore be admitted to membership in the United Nations". The Assembly requested the Council to reconsider the applications of the six countries concerned in the light of this determination, those of Italy and Transjordan to be re-examined before the end of the second session of the General Assembly.⁵²

b. RECONSIDERATION OF THE APPLICATIONS OF ITALY AND TRANSJORDAN

In accordance with the Assembly's request, the Security Council, at its 221st meeting on November 22, 1947, re-examined the applications of Transjordan and Italy. The President inquired whether there had been any change in the position of the members. The representative of the U.S.S.R. stated that the position of his delegation in regard to the applications of Transjordan and Italy remained unchanged.

Without further discussion the Council then agreed that the President should report to the General Assembly that the reconsideration of these applications indicated that none of the members had changed its position, that the recommendations of the General Assembly had therefore not produced any result and that the Security Council had postponed further reconsideration of those two applications in order to allow consultation among the permanent members.

i. FURTHER CONSIDERATION OF PREVIOUSLY REJECTED APPLICATIONS

By letters dated April 3 and 7, 1948, respectively, and jointly addressed to the President of the Security Council, the representatives of France, the United Kingdom and the United States requested the reconsideration of the applications of Italy and Transjordan (S/709) and of Ireland, Portugal and Austria (S/715). By letter dated April 5, 1948, addressed to the Secretary-General (S/712) the representative of the Ukrainian S.S.R. requested the reconsideration of the applications of Albania,

⁵²See *General Assembly*, pp. 44-45.

Bulgaria, Finland, Hungary, Italy, Mongolia and Roumania.

The representative of the United States reaffirmed the support of his Government for Italy's application. He added that Italy was entitled to special consideration since its record clearly merited its admission to the United Nations. In the opinion of his Government, the Security Council had not thus far given proper weight to the resolution on Italy's application which had been adopted at the second regular session of the General Assembly. The attempt of the U.S.S.R., in the past, to link Italy's application with the applications received from other ex-enemy states was completely unjustified. If the same tactics were again attempted by the U.S.S.R., the world could interpret the act as a lack of friendship for the people of Italy.

The representatives of France, the United Kingdom, Canada, Argentina, Belgium, China and Syria also supported the application of Italy.

It was the opinion of the representative of the U.S.S.R. that the proposal to consider Italy's application at the present time amounted to a tactical manoeuvre calculated to draw votes for the rightist parties in the elections scheduled to take place in Italy on April 18, 1948. Moreover, the United States wished to compel the U.S.S.R. again to apply the "veto" in respect to the application of Italy for admission to the United Nations. This manoeuvre of the United States and the United Kingdom could not fool the Italian people. The Government of the U.S.S.R. was in favor of admitting Italy to the United Nations, but it could not agree that the legitimate rights of Bulgaria, Hungary, Finland and Roumania, States which were actually on the same footing as Italy, should be jeopardized by the admission of Italy.

In the Potsdam Declaration and the peace treaties, the Governments of France, the United States and the United Kingdom had obligated themselves to support the applications of these countries subsequent to the conclusion of peace treaties with them. In objecting to the admission of these five States to the United Nations, the Governments of the United States and the United Kingdom were violating the obligations assumed under the Potsdam Agreement and the peace treaties.

The representative of the United Kingdom maintained that the Potsdam Declaration stated only that the conclusion of peace treaties would enable the signatories to support these applications. The same statement occurred in the preambles to the peace treaties. There was no obligation—only the removal of a previous disqualification. This

did not imply an absolute qualification in all other respects.

The Council then voted on the proposal to recommend the admission of Italy to the United Nations.

This proposal received 9 votes in favor and 2 against (Poland, U.S.S.R.). Since one of the dissenting votes was that of a permanent member, the recommendation was not adopted.

The representative of the United States after expressing his profound regret over the third "veto" by the U.S.S.R. on the application of Italy for membership in the United Nations, stated that, in these circumstances, it would seem desirable that consideration should be given to the possibility of devising means whereby certain states might be able to have a voice in the General Assembly of the United Nations. The General Assembly was master of its own house. It could therefore choose a method which would partially do away with the present unjust disqualification of nations which possessed every moral right to become Members of the United Nations.

The representative of the U.S.S.R. reiterated that the discussion of this question at that time, before the elections in Italy on April 18 was a manoeuvre in order to force a "veto" from the U.S.S.R. by that date. As to a formula which would permit the voice of Italy to be heard in the General Assembly, he submitted that such a formula could consist only of admitting Italy to the United Nations together with other countries with which peace treaties had been signed. Those who sought a formula of a different type were like the alchemists of olden times who spent themselves in the quest for a philosopher's stone and who, as was well known, remained unsuccessful.

At the 280th meeting, also held on April 10, 1948, the President inquired whether any member had changed his position in regard to the other ten applications.

Since none of the members had changed its position with regard to these applications, the Security Council decided to report this fact to the General Assembly and adjourned its discussion on the matter indefinitely.

j. APPLICATIONS RECEIVED IN 1948

(1) *Application of the Union of Burma*

By letter dated February 27, 1948 (S/687), and addressed to the Secretary-General, the Ambassador of the Union of Burma to the United States applied, on behalf of his Government, for admission to membership in the United Nations. On

March 17, 1948, a declaration of acceptance of the obligations contained in the Charter of the United Nations was also submitted. The application, together with the declaration, was circulated to the Members of the United Nations by the Secretary-General.

The Security Council, at its 261st meeting on March 3, 1948, referred the application of the Union of Burma to its Committee on the Admission of New Members, for examination and report.

The Committee on the Admission of New Members examined the application of the Union of Burma at its 24th meeting on March 29, 1948, and submitted its report (S/706) to the Security Council the following day.

At the 279th meeting on April 10, the Security Council considered the report of the Committee and adopted by 10 votes, with 1 abstention (Argentina), a draft resolution submitted by the representative of China as follows (S/717):

"The Security Council,

"Having received and considered the report submitted by the Committee on the Admission of New Members regarding the application of the Union of Burma,

"Having taken note of the unanimous approval by the members of the Council on the application of the Union of Burma for membership in the United Nations,

"Recommends:

"To the General Assembly that the Union of Burma be admitted to membership in the United Nations."

Before the vote was taken, the representative of Argentina stated that his delegation had no objection to the admission of the Union of Burma to membership in the United Nations, but he regretted that, since he had not received instructions from his Government, he would have to abstain from voting.

At the request of the representatives of China and India, the application of Burma was placed on the agenda of the special session of the General Assembly.

The recommendation of the Security Council was adopted by the General Assembly at its 131st plenary meeting on April 19, 1948.⁵³

(2) Application of Ceylon

By a letter dated May 25, 1948 (S/820), and addressed to the Secretary-General, the Prime Minister and Minister of External Affairs of Ceylon applied on behalf of his Government for the admission of Ceylon to membership in the United Nations. On June 16, 1948, a declaration of acceptance of the obligations contained in the Charter of the United Nations was also submitted.

The application, together with the declaration, was transmitted to the Members of the United Na-

tions by the Secretary-General in a note dated June 28, 1948.

The Security Council, at its 318th meeting on June 11, 1948, referred the application of Ceylon to its Committee on the Admission of New Members for examination and report.

The Committee met on June 29 and July 1 to examine the application, and submitted a report (S/859) to the Security Council.

The Committee's report was considered at the 351st meeting of the Council on August 18, 1948. Speaking in favor of the admission of Ceylon were the representatives of the United States, China, United Kingdom, Canada, Syria, Belgium and Colombia, all of whom held that Ceylon was an independent, peace-loving state, able and willing to carry out the obligations laid down in the Charter.

The representatives of the Ukrainian S.S.R. and of the U.S.S.R., on the other hand, expressed doubt regarding the degree of independence of Ceylon in the absence of fuller information on the matter. The representative of the U.S.S.R. formally moved (S/974) that the Council postpone a decision on the application, pending the receipt of additional information regarding Ceylon's status. The U.S.S.R. proposal, which was supported by the representative of the Ukrainian S.S.R., was rejected by a vote of 2 to 0, with 9 abstentions.

A Chinese motion for a Security Council recommendation to the General Assembly that Ceylon be admitted to membership in the United Nations received 9 votes in favor and 2 against (Ukrainian S.S.R., U.S.S.R.). Since one of the two negative votes was cast by a permanent member of the Council, Ceylon was not recommended for membership in the United Nations.

Following the vote, the representative of Argentina asked that all relevant documents be transmitted to the General Assembly, where, he declared, he hoped to prove that even if one of the permanent members voted against an application for membership, the Assembly still had it in his power to vote in favor thereof, thus enabling the applicant state to become a Member of the United Nations.

The President replied that in accordance with the rules of procedure the pertinent records would be transmitted to the General Assembly.

The representative of China protested against the use of the "veto" by the representative of the U.S.S.R. as arbitrary and unjustified in the case of Ceylon's application for membership. This "veto"

⁵³See General Assembly, pp. 258-59.

he stated, was a great blow to the aspirations of all Far Eastern peoples.

The representative of the U.S.S.R. rejected the Chinese protest as unfounded and in contradiction to the Charter. The U.S.S.R. delegation, he stated, would not assist in "the creation among the colonial peoples of illusions built on false independence, on which the Chinese delegation insists".

2. Rules Governing the Admission of New Members

By resolution 36(1), adopted at its 49th plenary meeting on November 19, 1946, the General Assembly requested the Security Council to appoint a committee to confer with a Committee on Procedure of the General Assembly with a view to preparing rules governing the admission of new Members which would be acceptable both to the General Assembly and to the Security Council.⁵⁴

At its 81st meeting on November 29, 1946, the Security Council instructed its Committee of Experts to appoint a committee from its membership "to listen to the proposals which the committee appointed by the Assembly might have to make". The Committee of Experts was further instructed to report those proposals back to the Council for instructions.⁵⁵

The Security Council Committee met three times in May and June 1947 with the Assembly Committee. On June 30, the latter transmitted its proposals to the Security Council Committee.

The Committee of Experts devoted three meetings to consideration of the proposals submitted by the Assembly Committee, and presented its report to the Security Council on August 25, 1947 (S/520). The Committee of Experts recommended that rule 58 of the Security Council's provisional rules of procedure should be amended so as to provide that the applicant state should submit together with its application for membership a formal instrument of adherence in which it accepted the obligations contained in the Charter, and that rule 113 of the rules of procedure of the General Assembly, identical with rule 58 of the Security Council rules, be similarly amended. (Under the rules so far in force the applicant state submitted its formal instrument of adherence to the Charter after the General Assembly had acted favorably on the application, and membership took effect on the day this instrument was presented). Moreover, the Committee of Experts recommended that rule 117 of the rules of procedure of the General Assembly be modified so as to specify that, if an application

for membership was approved, membership would become effective on the date of the General Assembly's decision.

The Committee of Experts agreed to the adoption of a new rule 116, proposed by the General Assembly Committee and, as a necessary accompanying consequence, the addition of two new paragraphs to rule 60 of the Security Council rules of procedure (second and third paragraphs). In the new rule 116, the General Assembly asserted the right to send back to the Council, for further consideration and recommendation or report, applications which had failed to obtain the Council's recommendation. The proposed addition to rule 60 of the Security Council's rules required the Council to forward to the General Assembly a complete record of the discussions if the Council recommended an applicant state for membership, and to submit a special report to the Assembly if the Council did not recommend such a state or if it postponed consideration of the application.

Finally, the Committee of Experts agreed that rule 114 of the General Assembly rules be re-drafted, as proposed by the General Assembly Committee, to make it obligatory for the Secretary-General to send a copy of the application to the Members of the United Nations.

At the 197th meeting on August 27, 1947, the Security Council adopted by 10 votes, with 1 abstention, the report of the Committee of Experts (S/520) and also a resolution (S/528) summing up the essential points of the report and instructing the Sub-Committee of the Committee of Experts to negotiate with the General Assembly Committee for acceptance of rule 58 of the Security Council rules as amended by the Committee of Experts, and for its agreement to effect the corresponding changes necessary in rules 113 and 117 of the General Assembly rules of procedure.

At the same meeting, the Australian representative submitted four amendments to the report of the Committee of Experts (S/520/Add.1). Those amendments tended mainly to limit the Security Council's consideration of applications for membership to the two following questions:

(a) Whether the applicant was a peace-loving state;

(b) Whether the applicant state was able to carry out the obligations contained in the Charter of the United Nations so far as such obligations related to the maintenance of international peace and security.

⁵⁴See *Yearbook of the United Nations, 1946-47*, pp. 125-26.

⁵⁵*Ibid.*, pp. 421-22.

These amendments were not adopted by the Council.

After a fourth joint meeting of the Security Council and the General Assembly Committee on Procedure, the latter accepted the changes made by the Security Council (A/384).

All these changes were accepted by the General Assembly at its 122nd plenary meeting on November 21, 1947.⁵⁶

On December 2, 1947, the Assistant Secretary-General in charge of Security Council Affairs addressed a letter (S/612) to the President of the Security Council bringing to the Council's attention the fact that the General Assembly had amended its rules of procedure concerning the admission of new Members, and suggesting that the Security Council should take action to include in its rules of procedure the rules on the admission of new Members which concern the Security Council as drafted in the Assembly Committee's report to the General Assembly (A/384). The Security Council decided at its 222nd meeting on December 9, 1947, to amend accordingly rules 58 and 60 of its rules of procedure.⁵⁷

3. *Respective Functions of the Security Council and the Trusteeship Council with regard to the Trusteeship System as Applied to Strategic Areas*

a. COMMUNICATION DATED NOVEMBER 7, 1947, FROM THE SECRETARY-GENERAL

At its 220th meeting on November 15, 1947, the Security Council took up the question which had arisen as a result of the entry into force, on July 18, 1947, of the Trusteeship Agreement⁵⁸ for the Territory of the Pacific Islands, formerly under Japanese Mandate. This question had been brought to the attention of the Council in a letter dated November 7, 1947 (S/599) which pointed out the necessity of formulating procedures to govern the detailed application of Articles 87 and 88 of the Charter to that strategic area.

b. DECISION OF THE COUNCIL REFERRING THE MATTER TO THE COMMITTEE OF EXPERTS

The representative of the United States expressed the view that, in adopting article 13 of the Trusteeship Agreement for the Pacific Islands, the Security Council had already availed itself of the provisions of Article 83, paragraph 3, of the Charter and that, therefore, the Trusteeship Council was already authorized to carry out the reporting,

petitioning and visiting functions of the Trusteeship System with respect to the Trust Territory of the Pacific Islands. He submitted a draft resolution whereby the Security Council would request the Trusteeship Council to take the actions called for by article 13 of the Trusteeship Agreement.

The representative of the U.S.S.R. proposed to refer the question to the Committee of Experts to work out proposals before the taking of any action by the Council.

The representative of the United Kingdom suggested that, since the Security Council had primary responsibility in these matters, the questionnaire which the Trusteeship Council wished to send to the Administering Authority should be transmitted first to the Security Council if the Trusteeship Council wished to revise or amend its standard questionnaire. He did not, however, object to the sending of the normal standard questionnaire as a provisional and urgent measure.

The representative of Syria considered that, as far as strategic areas under the Trusteeship System were concerned, the questionnaire should contain a question with respect to fortifications and defences for military purposes. The questionnaire should therefore be submitted to the Security Council for consideration before being enacted.

The representative of the United States recalled that the Trusteeship Agreement for the Territory of the Pacific Islands went beyond the requirements of the Charter for strategic areas; *inter alia*, it provided that Articles 87 and 88 of the Charter were applicable to the whole of this Trust Territory, except that the Administering Authority might determine the extent of applicability in any areas which might from time to time be specified by the Administering Authority as closed for security reasons. He thought that the most expedient action was to have the Trusteeship Council proceed with its standard questionnaire without prejudice to possible changes which might be decided in the future, while referring the matter mentioned in the Secretary-General's letter (S/599) to the Committee of Experts and inviting it to report thereon within four weeks. In view of the importance of this case as a precedent likely to affect such Trusteeships in the future, it was wiser for the Security Council to take such action as related to the specific case and not to undertake to establish a general rule for all strategic Trusteeship Agreements.

The representative of Australia emphasized that

⁵⁶See p. 47.

⁵⁷For text of amended rules, see Annex X, p. 499.

⁵⁸For text of the Agreement, see *Yearbook of the United Nations*, 1946-47, pp. 398-400.

the sending of the standard questionnaire should be considered to be a provisional and experimental measure. The Committee of Experts should analyze the precise relationship between the Security Council and the Trusteeship Council and determine the final and formal destination of the report of the Administering Authority based on the questionnaire—i.e., whether it should be addressed to the Security Council or to the General Assembly via the Trusteeship Council.

The Security Council then decided to refer the whole matter mentioned in document S/599 to its Committee of Experts for a report thereon within a period of four weeks.

c. COMMUNICATION DATED DECEMBER 2, 1947, FROM THE REPRESENTATIVE OF THE UNITED STATES

On December 2, 1947, the representative of the United States informed the Security Council (S/613) that, effective December 1, 1947, Eniwetok Atoll, in the Trust Territory of the Pacific Islands, would be closed for security reasons, and that the periodic visits provided for in Article 87 c of the Charter would be suspended in the closed area until further notice, as permitted by Article 13 of the Trusteeship Agreement. Other provisions of Article 87 of the Charter would, however, continue to apply. With respect to Article 88, the United States Government would report to the United Nations on the political, economic, social and educational advancement of the inhabitants of the Trust Territory.

The Security Council, at the 222nd meeting on December 9, took note of the communication and unanimously decided to defer consideration of the matter until the report of the Committee of Experts on the functions of the Security Council in relation to strategic areas had been received.

d. COMMUNICATION DATED DECEMBER 12, 1947, FROM THE COMMITTEE OF EXPERTS

On December 12, 1948, the Committee of Experts informed the Security Council (S/621) that it had encountered unexpected complications which had prevented it from reporting within the time specified (four weeks) and that the Committee would report at the earliest possible moment.

At the 224th meeting on December 19, the Security Council took note of the communication from the Committee of Experts.

At the same meeting the representative of Poland submitted a draft resolution (S/625) which would have defined closely the terms of

reference of the Committee of Experts and which would have given the Committee time limits for submitting the draft of a questionnaire, as provided for in Article 88 of the Charter, as well as for drafting rules of procedure concerning the exercise by the Security Council of its functions in relation to strategic Trust Territories. The draft rules of procedure were to include detailed provisions regarding the manner and the circumstances in which the Security Council might avail itself in each individual case of the assistance of the Trusteeship Council pursuant to Article 83 of the Charter.

The President stated that the Polish draft resolution was not in order.

The representatives of Poland and of the U.S.S.R. declared that the draft resolution was in order, since it was intended to give directions to the Committee of Experts and to impart to it certain time limits for the preparation of its recommendations to the Security Council, matters which were closely connected with the agenda item then being discussed.

After an exchange of views, the President's ruling that the introduction and the discussion of the Polish draft resolution were out of order was challenged and was upheld by the Security Council.

The representative of Poland considered the action taken as contrary to the rules of procedure. He reserved his right to submit his draft resolution again as a separate item of the agenda.

e. DISCUSSION BY THE COMMITTEE OF EXPERTS

The Committee of Experts devoted seven meetings to the consideration of the matter referred to it by the Security Council.

The representatives of Australia, China, Belgium, Brazil, France, United Kingdom and United States were of the opinion that Article 83, paragraph 3, of the Charter was mandatory and that consequently the Security Council was obliged to avail itself of the assistance of the Trusteeship Council, subject to two exceptions: (1) if such assistance was excluded by the terms of the Trusteeship Agreement; (2) if such assistance was not desirable because of security considerations.

The representatives of Poland, Syria and the U.S.S.R. considered that Articles 83, paragraph 1, and 85, paragraph 1, of the Charter made it clear that all functions relating to strategic areas should be dealt with exclusively by the Security Council. Assistance of the Trusteeship Council to the Security Council was dependent on the condition that express mention of it be made in the Trusteeship

Agreement, such assistance to be sought only without prejudice to security considerations. Since the Trusteeship Agreement for the Territory of the Pacific Islands did not mention the Trusteeship Council, the Security Council was free to request or not to request the Trusteeship Council's assistance.

The representative of Colombia stated that the main responsibility in the matter of strategic areas rested on the Security Council, but that Article 83, paragraph 1, of the Charter had to be interpreted in the light of Article 83, paragraph 3. A certain parallel existed between the position of the Security Council and that of the General Assembly concerning the strategic areas and the non-strategic areas under Trusteeship.

The Committee of Experts then discussed whether its terms of reference required it to make recommendations to the Security Council only in relation to the specific question of the Territory of the Pacific Islands, or whether it was entitled to recommend procedures applicable to strategic areas generally.

A majority of representatives expressed the view that, although the terms of reference of the Committee concerned the particular case of the Territory of the Pacific Islands, general rules or general principles should be laid down, and that it could then be determined whether there was a need for particular rules concerning the Territory.

The Committee eventually decided to recommend to the Security Council the adoption of a resolution generally applicable to strategic areas under Trusteeship.

The Committee of Experts also considered whether it should recommend to the Security Council the adoption of a resolution alone, or of rules of procedure alone, or of both. The Committee finally decided to discuss first a draft resolution under the terms of which the Security Council would request the assistance of the Trusteeship Council.

The majority of the Committee recommended to the Security Council the adoption of a draft resolution (S/642) requesting:

(1) the Trusteeship Council to perform, on behalf of the Security Council and subject to the latter's decisions concerning security matters, the functions specified in Articles 87 and 88 of the Charter;

(2) the Trusteeship Council to send to the Security Council a copy of its questionnaire one month before forwarding it to the Administering Authority;

(3) the Secretary-General to advise the Security Council of all reports and petitions received for

strategic areas under Trusteeship, and to send copies thereof to the Trusteeship Council for examination and report to the Security Council;

(4) the Trusteeship Council to submit to the Security Council its reports and recommendations on political, economic and educational matters affecting strategic areas under Trusteeship.

The representatives of Poland and the USSR opposed the draft resolution of the Committee of Experts, mainly because its recommendation would give the Trusteeship Council power to formulate the questionnaire, whereas they considered that it was contrary to Article 88 to give full right to the Trusteeship Council to establish a questionnaire concerning strategic areas under Trusteeship.

f. DECISION OF THE COUNCIL OF JUNE 18, 1948

At the 324th meeting on June 18, 1948, the Council decided by 9 votes, with 2 abstentions (Ukrainian S.S.R., U.S.S.R.), to authorize the President, together with two other members of the Security Council (Belgium, Ukrainian S.S.R.), to meet with a similar committee of the Trusteeship Council for the purpose of discussing the extent to which the Security Council might avail itself of the assistance of the Trusteeship Council with regard to the strategic areas under the Trusteeship System.

The two committees conferred on June 22, and an exchange of views took place on the respective functions of the Security Council and the Trusteeship Council in connection with the strategic Territories. The President of the Trusteeship Council gave an undertaking to the Committee of the Security Council to ascertain the views of the Trusteeship Council with regard to the draft resolution recommended by the Committee of Experts.

At the 327th meeting on June 25, the Security Council agreed to postpone further discussion of this question until such time as the views of the Trusteeship Council were made known concerning the matter. The Council's Committee submitted its report to the Council regarding the views of the Trusteeship Council (S/916), but it was not discussed by the Security Council in the period under review.

4. Voting Procedure in the Security Council

By a letter dated January 3, 1947 (S/237), the Secretary-General transmitted to the Security

Council resolution 40(I), adopted by the General Assembly on December 13, 1946, recommending to the Security Council "the early adoption of practices and procedures, consistent with the Charter, to assist in reducing the difficulties in the application of Article 27 and to ensure the prompt and effective exercise by the Security Council of its functions".⁵⁹

At the 197th meeting on August 27, 1947, the Security Council discussed the recommendation of the General Assembly and decided to refer the matter to the Committee of Experts. The Committee was instructed to submit to the Security Council its recommendations on the measures that the latter should adopt in view of the Assembly's recommendation.

On November 21, 1947, the Secretary-General addressed a letter (S/620) to the Security Council, transmitting resolution 117(II) adopted by the General Assembly on November 21, 1947. By this resolution the General Assembly had decided to

refer the question of voting in the Security Council to the Interim Committee and had requested that Committee to consult with any committee which the Security Council might designate to co-operate in the study of the problem.

The Assembly had also requested the permanent members of the Security Council to engage in further consultation in order to reach agreement on measures which would enable the Council to function promptly and effectively.⁶⁰

At the 224th meeting on December 19, 1947, the Security Council decided that the Secretary-General's letter conveying the resolution should be received by the Security Council.

On September 2, 1947, the United States representative on the Committee of Experts submitted draft rules of procedure relating to voting in the Security Council (S/C 1/160). As of September 21, 1948, the Committee of Experts had not yet begun the examination of this question.

G. THE MILITARY STAFF COMMITTEE

On February 13, 1947, the Security Council requested the Military Staff Committee, as a first step towards the implementation of Article 43 of the Charter, to submit to the Council not later than April 30, 1947, its recommendations with regard to the basic principles which should govern the organization of the United Nations armed forces. In accordance with this directive, the Military Staff Committee prepared its report (S/336) and submitted it on April 30 to the Security Council for consideration.

The report set forth the recommendations of the Military Staff Committee in the form of 41 articles. On sixteen of these articles the Committee had been unable to reach unanimous agreement and had therefore submitted alternative proposals advanced by the various delegations.⁶¹

The Security Council examined the report of the Military Staff Committee on the General Principles which should govern the organization of the United Nations armed forces at its 139th to 143rd and its 145th, 146th, 149th and 157th meetings, from June 4 to July 15, 1947. The Military Staff Committee, while its report was under discussion by the Security Council, replied at the request of the latter to several questions having a special bearing on Articles 5 and 6 relating to the over-all strength of the armed forces to be made available

by Member States (S/380), on Articles 10 and 11 relating to the contribution to be made by the permanent members of the Council (S/394, S/408) and on Article 18 relating to the manner in which the armed forces should be employed (S/395). The U.S.S.R. representative on the Military Staff Committee abstained from giving an opinion in connection with the Council's questions relating to the over-all strength of the armed forces and the contribution of the permanent members, in the absence of a decision by the Security Council on the General Principles for the organization of the armed forces. The Security Council did not, during the period under review, complete its consideration of the Military Staff Committee's report on General Principles (S/336).

Pending the completion of this examination and as a further step in its examination of Article 43 of the Charter from the military point of view, the Military Staff Committee at its meeting of May 16, 1947, agreed on a future program of work as follows (S/483):

⁵⁹See *Yearbook of the United Nations*, 1946-47, p. 134.

⁶⁰See *General Assembly*, p. 63.

⁶¹For the text of the Military Staff Committee's report, see *Yearbook of the United Nations*, 1946-47, pp. 424-43.

"(1) The preliminary estimates of the overall strength and composition of armed forces to be made available to the Security Council by Member Nations of the United Nations, including the determination of the overall strength and composition of the three principal services of armed forces—land, sea and air.

"(2) The preliminary estimates of the strength and composition of the armed forces to be made available to the Security Council by the five permanent members of the Security Council, including the determination of the strength and composition of the three principal services of armed forces—land, sea and air.

"(3) The preliminary estimates of the strength and composition of the armed forces to be made available to the Security Council by the other Member Nations, including the determination of the strength and composition of the three principal services of armed forces—land, sea and air.

"(4) Preparation of a draft standard form of special agreement."⁶²

In agreeing to this program of work, the Chinese, French, United Kingdom and United States delegations considered that items 1 and 4 should be considered first and concurrently, whereas the U.S.S.R. delegation considered that item 1 should be considered first. All delegations reserved the right to request the Military Staff Committee to reconsider, at any time, the question of setting up a sub-committee to consider the preparation of a draft standard form of special agreement.

The Military Staff Committee, at its meeting of May 16, also established a sub-committee to examine item 1 of the program of work. This sub-committee was directed to commence informal discussion, in the light of the General Principles (S/336) submitted to the Security Council, on the question of the over-all strength and composition of the armed forces to be made available to the Security Council by the Member nations of the United Nations. Also, it was to make recommendations to the Military Staff Committee as to the over-all strength and composition of the armed forces, including the strength of the three services—land, sea and air—after the General Principles had been approved by the Security Council.

At its 146th meeting on June 25, 1947, the Security Council requested the Military Staff Committee to submit an estimate of the over-all strength of the armed forces which should be made available to the Security Council, indicating the strength and composition of the separate components and the proportion of that over-all strength that should be provided on the basis of equality by the five permanent members.

In response to the request, the Military Staff Committee submitted on June 30 a report (S/394) to the Council on the subject. The report gave a provisional estimate of the over-all strength

and composition of the armed forces to be made available to the Security Council and also dealt with the question of what proportion of this over-all strength might be supplied on the basis of equality by the five permanent members of the Security Council. Since the Military Staff Committee was unable to achieve a common view on these questions, and in view of insufficient time available for the discussion, the report included the views of the various delegations of the Military Staff Committee.

The report set forth the proposals made by the French, the United Kingdom and the United States delegations; the Chinese delegation agreed with the United Kingdom proposal. The U.S.S.R. delegation subsequently confirmed (Press Release MSC/26) that it had submitted to the Military Staff Committee estimates for preliminary and informal discussion. The table opposite shows the estimates submitted.

With a view to reconciling the provisional estimates submitted by the various delegations, the sub-committee established by the Military Staff Committee informally discussed the question from May to December 1947.

On December 23, the sub-committee submitted the results of its deliberations to the Military Staff Committee. From that date until July 1948, the Military Staff Committee formally considered the report of the sub-committee dealing with the following elements of this question:

- (a) General positions of the delegations on the over-all strength and composition of the armed forces;
- (b) Strength of the land forces;
- (c) Strength and composition of the naval forces;
- (d) Strength and composition of the air forces (A/620, p. 139).

By a letter dated July 2, 1948 (S/879), the Chairman of the Military Staff Committee reported to the Security Council that the Committee's consideration of the sub-committee's report was now completed. However, the Military Staff Committee, the letter informed the Security Council, was not in a position to undertake the final review of the over-all strength and composition of the armed

⁶²On June 3, 1946, the Military Staff Committee had appointed a sub-committee to consider this problem. See *Yearbook of the United Nations*, 1946-47, p. 423. The sub-committee presented the view of the Chinese, French, United Kingdom and United States delegations on the question of the standard form of agreement to the Military Staff Committee on August 27, 1946. No further action was taken on this matter during the period covered.

	France	U.K.	U.S.	U.S.S.R.
AIR FORCES				
Bombers	775	600	1,250 (includes only strategic and tactical bombers)	600
Strategic	(225)			
Medium	(150)			
Light	(400)			
Fighters	300	400	2,250 (includes fighter bombers)	300
Reconnaissance	200	.....		.....
Miscellaneous		200	300	300
TOTAL	1,275	1,200	3,800 (does not include air transport requirements)	1,200
GROUND FORCES				
Divisions	16	8-12	20	12
Armored	(3)			
Airborne	(3)			
Motorized or mountain	(10)			
NAVAL FORCES				
Battleships	3	2	3	.....
Carriers	6	4	6	.....
Cruisers	9	6	15	5-6
Destroyers	18-24	24	84	24
Escort Vessels	30	48		24
Minesweepers	30	24		24
Submarines	12	12	90	12
Assault shipping and craft for number of divisions shown	1	¼ - (2 regimental combat teams or brigade groups)	6	.....

NOTE: All proposals provide for appropriate naval auxiliaries without specifying exact numbers:

forces to be made available to the Security Council by Member nations of the United Nations, and so make further progress in this matter towards the conclusion of the special agreements required by Article 43 of the Charter, until agreement had been reached in the Security Council on the divergencies of view on the General Principles given in the report submitted by the Military Staff Committee to the Security Council on April 30, 1947 (S/336).

In a further letter dated August 6, 1948 (S/956), the Chairman of the Military Staff Committee informed the Security Council on behalf of the delegations of China, France, the United Kingdom and the United States that since the dispatch of the letter of August 2 (S/879) the Military Staff Committee had met to discuss the pursuance of the tasks entrusted to it as set out in its program of work of May 16, 1947. These discussions, however, had again resulted in a stalemate.

The four delegations mentioned considered that inasmuch as unanimity could not be achieved on the question of the over-all strength and composition of the United Nations armed forces (item 1 of the program of work) it was, *a priori*, impossible to consider items 2 and 3 dealing with the contributions by Member nations.

The consideration of item 4 of the program of work, i.e., preparation of a draft standard form of special agreement, was then envisaged, the letter stated. However, there again the five delegations were unable to agree unanimously that such a study could be undertaken before the Military Staff Committee had received instructions from the Security Council concerning the divergencies noted on some of the General Principles contained in the Military Staff Committee's report to the Security Council (S/336).

In conclusion, the letter expressing the views of the Chinese, French, United Kingdom and United States delegations urged the importance of resolving the disagreement which prevailed on some of the General Principles which should govern the organization of the United Nations armed forces and of which the Security Council had been apprised as early as April 30, 1947.

By a letter dated August 16, 1948 (S/971), the Chairman of the Military Staff Committee transmitted to the President of the Security Council a letter from the U.S.S.R. delegation to the Military Staff Committee.

Referring to the letter of August 6 expressing the view of the other four delegations represented on the Military Staff Committee, the U.S.S.R. dele-

gation stated that it could not agree with the assertion made in this letter that the Military Staff Committee could not continue its work. The U.S.S.R. delegation considered that the Military Staff Committee could continue its work by consecutive examination of the questions set out in the program of work adopted by the Military Staff Committee on May 16, 1947. A proposal by the U.S.S.R. delegation, that the Military Staff Committee begin informal consideration of item 2 of the plan to work, had, however, not been accepted by the delegations of China, France, the United States and the United Kingdom.

The U.S.S.R. delegation admitted that the absence of agreed General Principles which should govern the organization of the United Nations armed forces created difficulties in the work of the

Military Staff Committee. The U.S.S.R. had always been of the opinion that for the successful work of the Military Staff Committee, it was necessary to agree on General Principles. It was of the opinion that, pending the consideration of the General Principles by the Security Council, the Military Staff Committee could, in an informal and preliminary manner, consider item 2 of the program of work, as it had considered item 1 dealing with the estimate of the over-all strength and composition of armed forces.

At the same time the U.S.S.R. delegation considered it inadvisable to discuss the question of the standard form of agreement (item 4 of the program of work) before the General Principles had been agreed upon.

H. MATTERS BROUGHT TO THE ATTENTION OF THE COUNCIL BUT NOT PLACED ON THE AGENDA

1. *Relations of Members of the United Nations with Spain*

In its resolution 114(II) of November 17, 1947, concerning the relations of members of the United Nations with Spain, the General Assembly expressed its confidence that the Security Council would exercise its responsibility under the Charter as soon as it considered that the situation in regard to Spain so required.⁶³

On December 13, 1947, the Secretary-General transmitted this resolution to the President of the Security Council. The Secretary-General's communication was placed on the provisional agenda of the 327th meeting of the Security Council on June 25, 1948.

The President stated that he had put the matter on the provisional agenda in order to ascertain whether the situation in Spain required any action on the part of the Security Council. He considered that it was sufficient for the Council to take note of the communication from the Secretary-General.

The representative of the U.S.S.R. was of the opinion that the Security Council ought to act upon this resolution of the General Assembly. The Council should not merely confine itself to taking note of the resolution of the General Assembly, but should include this item in the agenda and discuss the substance of the matter.

The representative of Argentina objected to the inclusion of this communication in the Council's agenda, and requested that the matter should be put to a vote. He considered that the internal matters of the Government of Spain should be outside the scope of the interests of the Security Council.

The representative of the United States believed that no action by the Security Council was required in this matter.

The representative of the United Kingdom thought that the resolution adopted by the General Assembly called for no particular action in the circumstances in which the Council found itself at this moment. There was nothing more to be done unless the attention of the Security Council was to be drawn to some particular new fact necessitating and justifying any action or intervention on the part of the Council.

The representative of the Ukrainian S.S.R. stated that the Security Council had received specific authority from the General Assembly to consider the question, if consideration was deemed to be required under the Charter. The Council had either to refuse to act or refrain from acting under these powers, or it had to accept the responsibility involved therein. It could not simply ignore the matter. He did not agree with the representative

⁶³See p. 52.

of Argentina that consideration of the Spanish question might be regarded as an interference in the internal affairs of a state, because the condemnation of the Franco regime was a condemnation of a regime which had collaborated with the Axis Powers.

The representative of Canada stated that, in his view, the Security Council's responsibility under the Charter in this case would not arise unless the Security Council were to determine that the situa-

tion was likely to endanger international peace and security. In so far as Spain was concerned, a danger for international peace and security did not exist. He believed, therefore, that there was no present occasion for the matter to engage the attention of the Council.

By a vote of 2 in favor (Ukrainian S.S.R., U.S.S.R.) and 1 against (Argentina), with 8 abstentions, the Council then decided not to include this item in its agenda.

ANNEX I

REPRESENTATIVES AND ALTERNATE REPRESENTATIVES ACCREDITED TO THE SECURITY COUNCIL

(during the period covered by this Yearbook)

ARGENTINA:	
<i>Representative</i>	José Arce
<i>Alternate</i>	Rodolfo Muñoz
AUSTRALIA:	
<i>Representative</i>	Lt-Colonel W. R. Hodgson
<i>Alternate</i>	J. D. L. Hood
BELGIUM:	
<i>Representative</i>	Fernand van Langenhove
<i>Alternate</i>	Joseph Nisot
BRAZIL:	
<i>Representatives</i>	Oswaldo Aranha João Carlos Muniz
<i>Alternate</i>	Henrique de Souza Gomes
CANADA:	
<i>Representative</i>	General A. G. L. McNaughton
<i>Alternates</i>	L. B. Pearson R. G. Riddell George Ignatieff
CHINA:	
<i>Representatives</i>	Quo Tai chi T. F. Tsiang
<i>Alternates</i>	C. L. Hsia Shuhsi Hsu
COLOMBIA:	
<i>Representatives</i>	Alfonso López Roberto Urdaneta-Arbelaez
<i>Alternates</i>	Alberto González Fernández Emilio Toro
FRANCE:	
<i>Representative</i>	Alexandre Parodi
<i>Alternate</i>	Guy de la Tournelle
POLAND:	
<i>Representative</i>	Oscar Lange
<i>Alternate</i>	Juliusz Katz-Suchy
SYRIA:	
<i>Representative</i>	Faris el-Khoury
<i>Alternates</i>	Emir Adel Arslan Fayez el-Khoury Rafik Asha
UKRAINIAN S.S.R.:	
<i>Representative</i>	Dmitri Z. Manuilsky
<i>Alternate</i>	Vasili A. Tarasenko
U.S.S.R.:	
<i>Representatives</i>	Andrei A. Gromyko Yakov A. Malik

UNITED KINGDOM:

<i>Representatives.</i>	Sir Alexander Cadogan Arthur Creech-Jones Philip Noel-Baker Valentine Lawford
<i>Alternate</i>	

UNITED STATES:

<i>Representative</i>	Warren R. Austin
<i>Alternates</i>	Herschel V. Johnson Philip C. Jessup

ANNEX II

PRESIDENTS OF THE SECURITY COUNCIL

1947

July	Oscar Lange (Poland)
August	Faris el-Khoury (Syria)
September	Andrei A. Gromyko (U.S.S.R.)
October	Sir Alexander Cadogan (United Kingdom)
November	Warren R. Austin (United States)
December	J. D. L. Hood (Australia)

1948

January	Fernand van Langenhove (Belgium)
February	General A. G. L. McNaughton (Canada)
March	T. F. Tsiang (China)
April	Alfonso López (Colombia)
May	Alexandre Parodi (France)
June	Faris el-Khoury (Syria)
July	Dmitri Z. Manuilsky (Ukrainian S.S.R.)
August	Yakov A. Malik (U.S.S.R.)
September	Sir Alexander Cadogan (United Kingdom)

ANNEX III

SENIOR REPRESENTATIVES ACCREDITED TO THE MILITARY STAFF COMMITTEE

(during the period covered by this Yearbook)

CHINA:	
<i>Army Representative</i>	General of the Army Ho Ying-chin
<i>Air Representative</i>	Lt-General Mow Pong-wei
<i>Naval Representative</i>	Captain Chow Ying-wei (July 1, 1947, to May 1, 1948) Captain Tang Chin-wei (June 1, 1948-)

FRANCE:

Army Representative
Air Representative
Naval Representative

Lt.-General P. Billotte
 Brig.-General P. Fay
 Commander V. Marchal (July 1, 1947, to Jan. 4, 1948)
 Rear-Admiral R. Wietzel
 (from January 5, 1948—)

U.S.S.R.:

Army Representative
Air Representative
Naval Representative
 UNITED KINGDOM:
Army Representative
Air Representative

Lt.-General A. F. Vasiliev
 Lt.-General A. Sharapov
 Vice-Admiral V. I. Bogdenko

General Sir Edwin L. Morris
 Air Chief Marshal Sir Guy Garrod (July 1, 1947, to May 13, 1948)
 Air Vice-Marshal G. E. Gibbs (from May 13, 1948—)
 Admiral Sir Henry Moore (July 1, 1947, to February 29, 1948)
 Rear-Admiral W. R. Slayter (from March 1, 1948—)

UNITED STATES:

Army Representative
Air Representative

Lt.-General M. B. Ridgway
 General J. T. McNarney (July 1, 1947, to October 9, 1947)
 Lt.-General H. R. Harmon (from October 10, 1947—)
 Admiral H. K. Hewitt

Naval Representative

ANNEX IV

REPRESENTATIVES AND ALTERNATE REPRESENTATIVES ACCREDITED TO THE ATOMIC ENERGY COMMISSION

(during the period covered by this Yearbook)

ARGENTINA:

Representative
Alternate

José Arce
 Rodolfo Muñoz

AUSTRALIA:

Representative
Acting Representative

H. V. Evatt
 Lt.-Colonel W. R. Hodgson

BELGIUM:

Representative
Alternate

Fernand van Langenhove
 Joseph Nisot

BRAZIL:

Representative

Captain Alvaro Alberto da Mota e Silva
 Lt. Colonel Orlando Rangel

Alternate

CANADA:

Representative

General A. G. L. McNaughton

CHINA:

Representatives

Quo Tai-chi
 T. F. Tsiang
 C. L. Hsia

Deputy

COLOMBIA:

Representative
Alternate

Alfonso López
 Alberto González Fernández

FRANCE:

Representative
Alternate

Alexandre Parodi
 Frédéric Joliot-Curie
 Pierre Auger

POLAND:

Representative
Alternate

Oscar Lange
 Ignacy Zlotowski

SYRIA:

Representative
Alternate

Faris el-Khouri
 Costi K. Zurayk
 Emir Adel Anslan
 Fayed el-Khouri
 Rafik Asha

UKRAINIAN S.S.R.:

Representative
Deputy

Dmitri Z. Manushky
 Vasili A. Tarasenko

U.S.S.R.:

Representatives

Andrei A. Gromyko
 Yakov A. Malik

UNITED KINGDOM:

Representative
Alternate

Sir Alexander Cadogan
 Sir James Chadwick
 Sir George Thomson
 Alexander King

UNITED STATES:

Representative
Deputy

Warren R. Austin
 Frederick H. Osborn

ANNEX V

REPRESENTATIVES AND ALTERNATE REPRESENTATIVES ACCREDITED TO THE COMMISSION FOR CONVENTIONAL ARMAMENTS

(during the period covered by this Yearbook)

ARGENTINA:

Representative
Alternate

José Arce
 Rodolfo Muñoz
 Enrique Ferrer Vieyra

AUSTRALIA:

Representative

Lt.-Colonel W. R. Hodgson

BELGIUM:

Representative
Alternate

Fernand van Langenhove
 Joseph Nisot

BRAZIL:

Representative

João Carlos Muniz

CANADA:

Representative

General A. G. L. McNaughton

CHINA:

Representatives

Quo Tai-chi
 T. F. Tsiang

COLOMBIA:

Representatives

Alfonso López
 Roberto Urdaneta-Arbeláez
 Alberto González Fernández

Alternate

FRANCE:

Representative
Alternate

Alexandre Parodi
 Guy de la Tourneille

POLAND:

Representative
Alternate

Oscar Lange
 Kazimierz Pruszyński

SYRIA:

Representative

Faris el-Khouri

UKRAINIAN S.S.R.:

Representative
Alternate

Dmitri Z. Manushky
 Vasili A. Tarasenko

U.S.S.R.:

Representatives Andrei A. Gromyko
Yakov A. Malik

UNITED KINGDOM:

Representative Sir Alexander Cadogan

UNITED STATES:

Representative Warren R. Austin
Alternates Ralph A. Bard
Frederick H. Osborn

ANNEX VI

REPRESENTATIVES ON THE CONSULAR
COMMISSION AT BATAVIA

AUSTRALIA:

Representative Charles Eaton

BELGIUM:

Representative Paul Vanderstichelen

CHINA:

Representative Tsiang Chia-tung

FRANCE:

Representative Etienne Raux

UNITED KINGDOM:

Representative Francis M. Shepherd

UNITED STATES:

Representative Charles A. Livengood

ANNEX VII

REPRESENTATIVES ON THE COMMITTEE
OF GOOD OFFICES IN INDONESIA

(during the period covered by this Yearbook)

AUSTRALIA:

Representatives Richard C. Kirby
Thomas K. Critchley

BELGIUM:

Representatives Paul van Zeeland
R. Herremans

UNITED STATES:

Representatives Frank Graham
Coert du Bois
Merle Cochran

ANNEX VIII

REPRESENTATIVES ON THE UNITED
NATIONS COMMISSION FOR INDIA AND
PAKISTAN

ARGENTINA:

Representative Ricardo J. Siri
Alternate Carlos A. Leguizamon

BELGIUM:

Representative Egbert Graeffe
Alternate Harry Graeffe

COLOMBIA:

Representative Alfredo Lozano
Alternate Hernando Samper

CZECHOSLOVAKIA:

Representative Josef Korbel

UNITED STATES:

Representative J. Klahr Huddle
Alternate C. Hawley Oakes

ANNEX IX

REPRESENTATIVES ON THE PALESTINE
TRUCE COMMISSION

BELGIUM:

Representative Jean Nieuwenhuys

FRANCE:

Representative René Neuville

UNITED STATES:

Representative Thomas C. Wasson (assassinated in
May 1948)
Acting Representative William C. Burdett (from May to
June 1948)
Representative John J. MacDonald (appointed on
June 25, 1948)

ANNEX X

MODIFICATION OF CERTAIN RULES OF
PROCEDURE OF THE SECURITY COUNCIL"

Amended rules adopted by the Council at its 222nd
meeting on December 9, 1947 (S/96/Rev.3):

Rule 58

"Any State which desires to become a Member of the
United Nations shall submit an application to the Secre-
tary-General. This application shall contain a declara-
tion made in a formal instrument that it accepts the
obligations contained in the Charter."

Rule 60

"The Security Council shall decide whether in its judg-
ment the applicant is a peace-loving State and is able
and willing to carry out the obligations contained in the
Charter, and accordingly whether to recommend the ap-
plicant State for membership."

"If the Security Council recommends the applicant
State for membership, it shall forward to the General
Assembly the recommendation with a complete record of
the discussion."

"If the Security Council does not recommend the ap-
plicant State for membership or postpones the considera-
tion of the application, it shall submit a special report
to the General Assembly with a complete record of the
discussion."

"In order to ensure the consideration of its recom-
mendation at the next session of the General Assembly
following the receipt of the application, the Security
Council shall make its recommendation not less than
twenty-five days in advance of a regular session of the
General Assembly, nor less than four days in advance
of a special session."

"In special circumstances, the Security Council may
decide to make a recommendation to the General As-
sembly concerning an application for membership subse-
quent to the expiration of the time-limits set forth in
the preceding paragraph."

*For original text see *Yearbook of the United Nations*,
1946-47, pp. 455-59, and doc. S/96.

IV. *The Economic and Social Council*

A. THE CHARTER AND THE ECONOMIC AND SOCIAL COUNCIL¹

The Charter establishes an Economic and Social Council as a principal organ which, under the authority of the General Assembly, devotes itself to promoting international economic and social co-operation.

The Council consists of eighteen Members of the United Nations. Its members are elected by the General Assembly for a term of three years. A retiring member is eligible for immediate re-election. Each member has one representative.

The Charter recognizes that conditions of stability and well-being are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples. With a view to creating such conditions the United Nations undertakes to promote:

(a) higher standards of living, full employment and conditions of economic and social progress and development;

(b) solutions of international economic, social, health and related problems; and international cultural and educational co-operation; and

(c) universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

All Members pledge themselves to take joint and separate action in co-operation with the United Nations for the achievement of these purposes.

The United Nations is conceived to be a centre for harmonizing the actions of nations in the attainment of these economic, social and other purposes. In the economic and social fields there are in existence various specialized agencies established by inter-governmental agreement. The Charter authorizes the United Nations to bring such agencies into relationship with the United Nations and to co-ordinate their policies and activities, and furthermore to create such new agencies as it deems necessary for the accomplishment of its economic and social purposes.

1. *Powers and Functions of the Economic and Social Council*

The responsibility for the discharge of these functions of the United Nations in the economic and social fields is vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council.

The principal functions and powers of the Economic and Social Council are:

(a) to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned;

(b) to make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all,

(c) to prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence; and

(d) to call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

As regards the specialized agencies, the Economic and Social Council may:

(a) enter into agreements with any of the specialized agencies, defining the terms on which the agencies shall be brought into relationship with the United Nations, such agreements being subject to approval by the General Assembly;

(b) co-ordinate the activities of the specialized

¹This Section is a summary of the Charter provisions relating to the Economic and Social Council. The main provisions are contained in Chapter IX, Articles 55-60, which sets forth the objectives and functions of the United Nations in the realm of international economic co-operation, and Chapter X, Articles 61-72, which defines the composition, functions and powers, voting and procedure of the Economic and Social Council. Other provisions are to be found in Articles 7, 15, 17-18, 91, 96, 98, and 101 of the Charter.

agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations;

(c) take appropriate steps to obtain regular reports from the specialized agencies, and make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations made by the General Assembly; and

(d) communicate its observations on these reports to the General Assembly.

Any financial and budgetary arrangements with the specialized agencies are to be considered and approved by the General Assembly, which is also to examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

The Economic and Social Council may furnish information to the Security Council and is to assist the Security Council upon its request. It is to perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

The Council, when so authorized by the General Assembly, may request advisory opinions of the International Court of Justice on legal questions arising within the scope of its activities.

The Secretary-General is to act in that capacity in all meetings of the Economic and Social Council

and is to assign a permanent staff to the Economic and Social Council.

2. Voting and Procedure

Each member of the Council has one vote. Decisions of the Economic and Social Council are made by a majority of the members present and voting.

The Charter provides that the Council shall set up commissions in the economic and social fields and for the promotion of human rights and such other commissions as may be required for the performance of its functions.

The Council is to invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

It may also make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence, both international and, where appropriate, national non-governmental organizations after consultation with the Member of the United Nations concerned.

The Economic and Social Council adopts its own rules of procedure. It meets as required in accordance with its rules, which include provision for the convening of meetings on the request of a majority of its members.

B. MEMBERSHIP AND OFFICERS OF THE COUNCIL

The Economic and Social Council consists of eighteen Members of the United Nations, elected by the General Assembly. Members serve for three-year terms of office and are eligible for immediate re-election.

The following were the members of the Council during the period under review (June 30, 1947, to September 21, 1948):

Cuba, Czechoslovakia, India, Norway, U.S.S.R. and United Kingdom (to December 31, 1947);

Canada, Chile, China, France, Netherlands and Peru (to December 31, 1948);

Byelorussian S.S.R., Lebanon, New Zealand, Turkey, United States and Venezuela (to December 31, 1949);

Australia, Brazil, Denmark, Poland, U.S.S.R. and United Kingdom (from January 1, 1948)

The following were officers of the Council during the period under review.

Fifth Session:

President: Sir Ramaswami Mudaliar (India)

First Vice-President: Jan Papanek (Czechoslovakia)

Second Vice-President: Alberto Arca-Parro (Peru)

Sixth and Seventh Sessions:

President: Charles Malik (Lebanon)

First Vice-President: Hernan Santa Cruz (Chile)

Second Vice-President: Leonid I. Kaminsky (Byelorussian S.S.R.)

During the fifth session Mr. Papanek acted as President during the absence of Sir Ramaswami Mudaliar.

C. ORGANIZATION OF THE ECONOMIC AND SOCIAL COUNCIL

1. *Subsidiary Organs*

Subsidiary organs reporting to the Council are of five types:

- (1) Functional Commissions and Sub-Commissions
- (2) Regional Commissions
- (3) Standing Committees
- (4) *Ad hoc* Committees
- (5) Special Bodies

a. FUNCTIONAL COMMISSIONS AND SUB-COMMISSIONS

The Council has established the following functional commissions (in order of their establishment):

- (1) Economic and Employment
Sub-Commissions:
Employment and Economic Stability
Economic Development
- (2) Transport and Communications
- (3) Statistical
Sub-Commission:
Statistical Sampling
Committee on Statistical Classification
- (4) Human Rights
Sub-Commissions:
Freedom of Information and of the Press
Prevention of Discrimination and Protection of
Minorities
Drafting Committee on the International Bill of
Human Rights
- (5) Social
- (6) Status of Women
- (7) Narcotic Drugs
- (8) Fiscal
- (9) Population

The following are the members and terms of reference of these Commissions.²

(1) *Economic and Employment Commission*

Members of this Commission are:

Belgium, Brazil, France, Poland and United Kingdom (elected for two years, to serve until December 31, 1948); Canada, China, Czechoslovakia, India and Norway (elected for three years, to serve until December 31, 1949); Australia, Byelorussian S.S.R., Cuba, U.S.S.R. and United States (elected for four years, to serve until December 31, 1950).

This Commission advises the Council on economic questions in order to promote higher standards of living. In particular, it advises the Council on:

- (a) the prevention of wide fluctuations in

economic activity and the promotion of full employment by the co-ordination of national full employment policies and by international action,

(b) problems of the reconstruction of devastated areas and other urgent problems arising from the war, so as to help various Members of the United Nations whose territories have been devastated as a result of the war; and

(c) the promotion of economic development and progress, with special regard to the problems of less developed areas.

It draws the attention of the Council to the probable influence of policies and activities of the other commissions of the Council, the specialized agencies or other international organizations on these matters.

The *Sub-Commission on Employment and Economic Stability* is composed of seven persons selected by the Economic and Employment Commission for three-year terms. It studies national and international full employment policies and fluctuations in economic activity, and analyzes the causes of these fluctuations. It advises the Commission on the most appropriate methods of promoting full employment and economic stability.

The *Sub-Commission on Economic Development* is composed of seven persons selected by the Economic and Employment Commission for three-year terms. It studies and advises the Commission on the principles and problems of long-term economic development with particular attention to the inadequately developed parts of the world, with the object of:

(a) promoting the fullest and most effective utilization of national resources, labor and capital; and

(b) raising the level of consumption.

(2) *Transport and Communications Commission*

Members of this Commission are:

Brazil, India, Netherlands, Poland and United Kingdom (elected for two years, to serve until December 31, 1948);

Chile, China, France, Norway and Union of South Africa (elected for three years, to serve until December 31, 1949);

Czechoslovakia, Egypt, U.S.S.R., United States and Yugoslavia (elected for four years, to serve until December 31, 1950).

This Commission assists the Council in its tasks

²For names of representatives on the Commissions, see Annex II, pp. 699-703.

relating to transport and communication problems. In particular it:

(a) advises the Council on the co-ordination of the work of the specialized agencies in the sphere of transport and communications;

(b) advises the Council in fields where no permanent international organization yet exists and on problems which concern more than one sphere of transport or communications;

(c) suggests to the Council the creation of new agencies, the conclusion of new conventions or the revision of existing conventions;

(d) acts as conciliator, when so authorized, in cases of dispute between states and/or specialized agencies on international transport and communications problems, and

(e) assists the Security Council and the Trusteeship Council, if requested to do so by the Economic and Social Council.

(3) Statistical Commission

Members of this Commission are:

China, Netherlands, U.S.S.R. and United States (elected for two years, to serve until December 31, 1948);

Canada, India, Mexico and Ukrainian S.S.R. (elected for three years, to serve until December 31, 1949);

France, Norway, Turkey and United Kingdom (elected for four years, to serve until December 31, 1950).

The Commission assists the Council in:

(a) promoting the development of national statistics and the improvement of their comparability;

(b) advising the organs of the United Nations on general questions relating to the collection, interpretation and dissemination of statistical information;

(c) promoting the improvement of statistics and statistical methods generally;

(d) co-ordinating the statistical work of specialized agencies; and

(e) developing the central statistical services of the Secretariat of the United Nations.

The *Sub-Commission on Statistical Sampling* is composed of five experts elected by the Statistical Commission for an indefinite period.

The Sub-Commission examines methods used in the application of statistical sampling and considers possible additional uses of statistical sampling methods.

The *Committee on Statistical Classification* is composed of eight persons elected by the Commission who also serve as representatives of their governments.

The Committee studies the methods of industrial classification of different countries for the purpose of securing comparability of classification

of all branches of economic activity. It also makes recommendations to the Commission on steps to be taken towards the standardization of classification.

(4) Commission on Human Rights

Members of this Commission are:

Byelorussian S.S.R., China, Lebanon, Panama, United Kingdom and Uruguay (elected for two years, to serve until December 31, 1948);

Egypt, France, India, Iran, Ukrainian S.S.R. and U.S.S.R. (elected for three years, to serve until December 31, 1949);

Australia, Belgium, Chile, Philippines, United States and Yugoslavia (elected for four years, to serve until December 31, 1950).

This Commission studies problems relating to:

(a) an international bill of rights;

(b) international declarations or conventions on civil liberties, freedom of information and similar matters;

(c) the protection of minorities; and

(d) the prevention of discrimination on grounds of race, sex, language or religion.

The *Sub-Commission on the Freedom of Information and of the Press* is composed of twelve persons elected by the Economic and Social Council in the first instance from a list of persons nominated by the Commission on Human Rights. Originally, members of the Sub-Commission were elected for one year to serve until December 31, 1947, but their terms of office were extended.

This Sub-Commission examines what rights, obligations and practices should be included in the concept of freedom of information and reports to the Commission on issues arising from the examination.

The *Sub-Commission on Prevention of Discrimination and Protection of Minorities* is composed of twelve persons elected for two-year terms by the Economic and Social Council in the first instance from a list of persons nominated by the Commission on Human Rights.

It examines the principles to be applied in these fields and makes recommendations on urgent problems.

The *Drafting Committee on the International Bill of Human Rights* is composed of representatives of eight Members elected by the Commission for an indeterminate period.

The Drafting Committee was assigned the function of reviewing suggestions and observations made by members of the Commission on Human Rights and, after a careful study of the subject, submitting to the Commission a draft of an International Bill of Human Rights.

(5) *Social Commission*

Members of this Commission are:

Czechoslovakia, France, Greece, Union of South Africa, U.S.S.R. and United States (elected for two years, to serve until December 31, 1948);

Colombia, Netherlands, New Zealand, Peru, United Kingdom and Yugoslavia (elected for three years, to serve until December 31, 1949);

Canada, China, Denmark, Ecuador, Iraq and Poland (elected for four years, to serve until December 31, 1950).

This Commission advises the Council on:

(a) social questions of a general character, and in particular on all matters in the social field not covered by specialized inter-governmental agencies;

(b) practical measures that may be needed in the social field; measures needed for the co-ordination of activities in the social field; and

(c) such international agreements and conventions on any of these matters as may be required, and on their execution.

The matters in the social field which the Commission deals with include, *inter alia*, standards of living, housing and town planning, family assistance, child welfare, youth guidance, prevention of crime and treatment of offenders, social aspects of migration, and refugees.

(6) *Commission on the Status of Women*

Members of this Commission are:

Australia, Byelorussian S.S.R., China, Guatemala and India (elected for two years, to serve until December 31, 1948);

Mexico, Syria, U.S.S.R., United Kingdom and United States (elected for three years, to serve until December 31, 1949);

Costa Rica, Denmark, France, Turkey and Venezuela (elected for four years, to serve until December 31, 1950).

This Commission prepares recommendations and reports to the Council on promoting women's rights in political, economic, social and educational fields.

It may also make recommendations to the Council on urgent problems requiring immediate attention in the field of women's rights.

(7) *Commission on Narcotic Drugs*

Members of this Commission, elected on February 18, 1946, for three years, are:

Canada, China, Egypt, France, India, Iran, Mexico, Netherlands, Peru, Poland, Turkey, U.S.S.R., United Kingdom, United States and Yugoslavia.

This Commission:

(a) assists the Council in exercising such powers of supervision over the application of inter-

national conventions and agreements dealing with narcotic drugs as may be assumed by or conferred on the Council;

(b) carries out such functions entrusted to the League of Nations Advisory Committee on Traffic in Opium and other Dangerous Drugs by the international conventions on narcotic drugs as the Council has found necessary to assume and continue;

(c) advises the Council on all matters pertaining to the control of narcotic drugs and prepares such draft international conventions as are necessary;

(d) considers what changes may be required in the existing machinery for the international control of narcotic drugs and submits proposals to the Council; and

(e) performs such other functions relating to narcotic drugs as the Council may direct.

(8) *Fiscal Commission*

Members of this Commission are:

Belgium, Czechoslovakia, India, New Zealand and United States (elected for two years, to serve until December 31, 1948);

Colombia, Cuba, Lebanon, Poland and U.S.S.R. (elected for three years, to serve until December 31, 1949);

China, France, Ukrainian S.S.R., Union of South Africa and United Kingdom (elected for four years, to serve until December 31, 1950).

This Commission studies and advises the Council in the field of finance, particularly in its legal, administrative and technical aspects.

(9) *Population Commission*

Members of this Commission are:

China, U.S.S.R., United Kingdom and United States (elected for two years, to serve until December 31, 1948);

Australia, Canada, France and Ukrainian S.S.R. (elected for three years, to serve until December 31, 1949);

Brazil, Netherlands, Peru and Yugoslavia (elected for four years, to serve until December 31, 1950).

This Commission studies and advises the Council on:

(a) population changes, factors associated with such changes, and policies designed to influence these factors;

(b) inter-relationship of economic and social conditions and population trends; and

(c) migratory movements of population and factors associated with such movements.

b. *REGIONAL COMMISSIONS*

The Council had established the following regional commissions:

- (1) Economic Commission for Europe
- (2) Economic Commission for Asia and the Far East
- (3) Economic Commission for Latin America

The following are their members and terms of reference:³

(1) *Economic Commission for Europe*

This Commission consists of the European Members of the United Nations and the United States. Its members are:

Belgium, Byelorussian S.S.R., Czechoslovakia, Denmark, France, Greece, Iceland, Luxembourg, Netherlands, Norway, Poland, Sweden, Turkey, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States and Yugoslavia.

The Commission, with the agreement of the country concerned.

(a) initiates and participates in measures to facilitate concerted action for:

- (i) the economic reconstruction of Europe;
- (ii) raising the level of European economic activity,

(iii) maintaining and strengthening the economic relations of the European countries both among themselves and with other countries of the world.

(b) investigates and studies economic and technological problems and developments within member countries of the Commission and within Europe generally;

(c) collects, evaluates and disseminates economic, technological and statistical information.

The Commission may consult with the representatives of the Allied Control Authorities of the occupied countries on matters concerning the economies of these countries in relation to the rest of the European economy. It may also consult with other Members of the United Nations and under certain conditions with other states not members of the United Nations on matters of particular concern to them, and with specialized agencies and non-governmental organizations.

The headquarters of the Commission are at Geneva.

The Economic and Social Council is to decide before the end of 1951 whether the Commission is to continue or to be terminated, and if it is to continue, what changes, if any, should be made in its terms of reference.

The Economic Commission for Europe has established a number of subsidiary organs⁴ which act in a consultative and advisory capacity, reporting on their activities and making recommendations in their fields to the Commission. They are

authorized to present certain recommendations direct to interested governments, but may not take any action with respect to any country without the approval of the government of that country.

Committees and sub-committees of the Economic Commission for Europe are composed of interested members of the Commission and such other European states as the Commission decides.

(2) *Economic Commission for Asia and the Far East*

Members of this Commission are:

Australia, Burma, China, France, India, Netherlands, New Zealand, Pakistan, Philippines, Siam, U.S.S.R., United Kingdom and United States

Any state in the area which may later become a Member of the United Nations may be admitted as a member of this Commission. Burma and Pakistan became members of the Commission under this provision.

Other Members of the United Nations may participate in a consultative capacity when the Commission considers matters of particular concern to them.

Certain territories, or parts of territories, are admitted to associate membership in the Commission without voting privileges. The following associate members have been admitted by the Commission:

Cambodia; Ceylon; Hong Kong; Laos, and Malayan Union, Singapore, North Borneo, Brunei, Sarawak (these five jointly represented as one associate member).

The terms of reference of this Commission are broadly the same as those of the Economic Commission for Europe.

The headquarters of the Commission are at Shanghai.

The Economic and Social Council is to decide before the end of 1951 whether the Commission is to continue or be terminated, and if it is to continue, what changes, if any, should be made in its terms of reference.

(3) *Economic Commission for Latin America*

This Commission consists of the Members of the United Nations in North, Central, and South America and in the Caribbean area, and France, the Netherlands, and the United Kingdom. Its members are as follows

Argentina, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, France, Guatemala, Haiti, Honduras, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, United Kingdom, United States, Uruguay and Venezuela.

³For names of representatives on the Commissions, see Annex II, pp. 703-05.

⁴For list, see *Economic Commission for Europe*, p. 524.

Other Members of the United Nations may participate in a consultative capacity in the work of the Commission when it considers matters of particular concern to them.

Certain territories, or parts or groups of territories in Central and South America and the Caribbean area may be admitted by the Commission to associate membership without voting privileges.

The Commission operates within the territories of its members and associate members in Central and South America and in the Caribbean area. With the agreement of the country concerned, it:

(a) initiates and participates in measures to facilitate concerted action for:

(i) dealing with economic problems arising out of the war;

(ii) raising the level of economic activity in Latin America;

(iii) maintaining and strengthening the economic relations of the Latin American countries both among themselves and with the other countries of the world,

(b) investigates and studies economic and technological problems and developments in Latin American territories.

The Commission makes recommendations directly to governments and specialized agencies concerned, subject to the Council's prior approval of proposals for activities affecting the world's economy. To avoid duplication, the Commission co-ordinates its activities with those of specialized agencies and inter-governmental and non-governmental organizations, in particular with the Pan American Union and as may be necessary with the Caribbean Commission.

The Economic and Social Council is to decide before the end of 1951 whether the Commission is to continue or be terminated, and if it is to continue, what changes, if any, should be made in its terms of reference.

c. STANDING COMMITTEES

The Economic and Social Council has four standing committees:⁵

- (1) Committee on Negotiations with Inter-Governmental Agencies (President and eleven members)
- (2) Committee on Arrangements for Consultation with Non-Governmental Organizations (Council NGO Committee) (President and five members)
- (3) Agenda Committee (President, the two Vice-Presidents and two members)

- (4) Interim Committee on Programme of Meetings (President and five members)

d. *Ad hoc* COMMITTEES⁶

Apart from sessional committees (Economic, Social, Human Rights, Co-ordination), which meet only during sessions of the Council, the Council has from time to time established *ad hoc* committees to deal with particular problems, for example, the *ad hoc* Committee to study the factors bearing upon the establishment of an economic commission for the Middle East, the *ad hoc* Committee on Genocide, the Council's Special Committee on United Nations Appeal for Children and the *ad hoc* Committee on Procedure.⁸

e. SPECIAL BODIES⁷

(1) *Permanent Central Opium Board*

The Board is composed of eight persons appointed by the Economic and Social Council. The Council must give consideration to appointing, in equitable proportions, persons who possess a knowledge of the drug situation in producing and manufacturing countries on the one hand and in consuming countries on the other and who are connected with those countries. Members of the Board may not hold any office which puts them in direct dependence on their governments.

The Permanent Central Opium Board was established by the Opium Convention of February 19, 1925, which was amended by the Protocol of December 11, 1946. It is an independent organization connected administratively with the United Nations.

The Board is charged with the general international supervision of the narcotics trade, and receives statistics from governments which are parties to the Convention, on the basis of which it reports annually to the contracting parties and to the Economic and Social Council. If the information it receives leads it to conclude that any country is accumulating excessive quantities of narcotic drugs, the Board has the right to recommend that no further exports of narcotics shall be made to that country.

(2) *Supervisory Body*

The Supervisory Body was established by the 1931 Convention for the Limitation of the Manu-

⁵For membership of these committees, see Annex II, p. 705.

⁶The procedural committee at the fifth session was called the Committee on Procedural Questions.

⁷For membership of these bodies, see Annex II, p. 705.

facture and Regulation of the Distribution of Narcotic Drugs, which was amended by the Protocol of December 11, 1946. It is composed of four experts, and under the Protocol, when re-appointed, they were to be nominated as follows: one by the Commission on Narcotic Drugs, one by the Permanent Central Opium Board and two by the World Health Organization.

The Board examines the estimates of governments for each country's needs for narcotic drugs for medical and scientific purposes and prepares estimates for any territories for which data have not been provided. It publishes an annual statement fixing the limits for the following years of imports, manufacture, etc., for every territory in the world.

(3) *United Nations International Children's Emergency Fund (UNICEF)*

The United Nations International Children's Emergency Fund was established by the General Assembly on December 11, 1946. It reports to the Economic and Social Council.

The Executive Board of the Fund consists of 25 Member Governments nominated by the General Assembly in its resolution establishing the Fund and any other Government designated by the Economic and Social Council on the Board's recommendation (Switzerland has been so designated).

The Fund consists of any assets made available by UNRRA or any voluntary contributions made available by governments, voluntary agencies, individual or other sources.

It is utilized for the benefit of children and adolescents of countries which were victims of aggression and to assist in their rehabilitation; for the benefit of children and adolescents of countries which were receiving assistance from UNRRA, for child health purposes generally; and to safeguard the health of expectant and nursing mothers.

2. *Specialized Agencies in Relationship with the United Nations*⁸

Agreements have been signed bringing the following specialized agencies into relationship with the United Nations:

International Labour Organisation (ILO)

Food and Agriculture Organization of the United Nations (FAO)

United Nations Educational, Scientific and Cultural Organization (UNESCO)

International Civil Aviation Organization (ICAO)

International Bank for Reconstruction and Development

International Monetary Fund

Universal Postal Union (UPU)

World Health Organization (WHO)

International Telecommunication Union (ITU)

Agreements have been negotiated with the following specialized agencies, or their preparatory commissions:

International Refugee Organization (IRO)⁹

Inter-Governmental Maritime Consultative Organization (IMCO)

Negotiations for agreements with the International Trade Organization (ITO) or its Interim Commission and the World Meteorological Organization (WMO) have been authorized by the Economic and Social Council.

3. *Non-Governmental Organizations in Consultative Status*¹⁰

There are three categories of non-governmental organizations which have been granted consultative status with the Economic and Social Council.

CATEGORY A

These are organizations which have a basic interest in most of the activities of the Council, and are closely linked with the economic and social life of the areas which they represent.

They may submit items for inclusion on the provisional agenda of the Council and whenever the Council discusses such an item the organization may introduce and explain it. The President of the Council, with the Council's consent, may invite the organization to make in the course of discussion a further statement for purposes of clarification. These organizations may also send observers to public meetings of the Council and circulate written communications to Council members. They may be invited to consult with the standing committee of the Council, if the Council so desires or the organizations so request.

CATEGORY B

These are organizations which have a special competence, but are concerned specifically with only a few of the fields of activity covered by the Council.

⁸For functions and membership of the agencies see Part Two, *Specialized Agencies*, pp. 817-983; for co-ordination of their activities by the Council, see pp. 663-82.

⁹This agreement has subsequently entered into force, with its approval by the General Assembly on November 18, 1948.

¹⁰For list of these organizations, see p. 694.

They may send observers to public meetings of the Council. Their communications, however, are placed on a list and distributed only on the request of a member of the Council. They may be invited to consult with the standing committee of the Council, if the Council so desires or the organizations so request.

CATEGORY C

These are organizations which are primarily concerned with the development of public opinion and with the dissemination of information.

They have the same privileges as organizations in Category B.

Non-governmental organizations are excluded from relationship with the United Nations if they have legally constituted branches in Spain whose policies are determined and controlled by the Franco Government.

They are, however, eligible if:

(a) they have only individual members in Spain who are not organized into a legally constituted branch;

(b) the branches in Spain though legally constituted have a purely humanitarian character and their policies are not determined and controlled by the Franco Government; and

(c) such branches are not active at the present time.

D. SESSIONS OF THE COUNCIL AND ITS COMMISSIONS¹¹

The Council's rules of procedure during the period under review provided that it was to meet at least three times a year at the seat of the United Nations, or elsewhere if it so decided.

The Council held three sessions during the period under review:

Fifth session: July 19–August 17, 1947.

Sixth session: February 2–March 11, 1948.

Seventh session: July 19–August 29, 1948.

The fifth and sixth sessions were held at the United Nations temporary headquarters at Lake Success, New York; the seventh session was held at the Palais des Nations, Geneva.

During this period the Commissions of the Council held the following sessions:

Economic and Employment Commission

Third session: April 19–May 6, 1948, at Lake Success.

Transport and Communications Commission

Second session: April 12–20, 1948, at Geneva.

Statistical Commission

Second session: August 28–September 5, 1947, at Lake Success.

Third session: April 26–May 6, 1948, at Lake Success.

Commission on Human Rights

Second session: December 2–17, 1947, at Geneva.

Third session: May 24–June 18, 1948, at Lake Success.

Social Commission

Second session: August 28–September 13, 1947, at Lake Success.

Third session: April 5–23, 1948, at Lake Success.

Commission on the Status of Women

Second session: January 5–19, 1948, at Lake Success.

Commission on Narcotic Drugs

Second session: July 25–August 8, 1947, at Lake Success.

Third session: May 3–22, 1948, at Lake Success.

Fiscal Commission

(No session during the period covered.)

Population Commission

Second session: August 18–27, 1947, at Lake Success.

Third session: May 10–25, 1948, at Lake Success.

Economic Commission for Europe

Second session: July 5–16, 1947, at Geneva.

Third session: April 26–May 8, 1948, at Geneva.

Economic Commission for Asia and the Far East

Second session: November 24–December 6, 1947, at Baguio, Philippines.

Third session: June 1–12, 1948, at Ootacamund, India.

Economic Commission for Latin America

First session: June 7–25, 1948, at Santiago de Chile.

E. PROCEDURAL AND CONSTITUTIONAL QUESTIONS

1. *Rules of Procedure of the Economic and Social Council*

During its fifth session, the Council considered at its 112th and 113th meetings on August 12 the report of its Committee on Procedural Questions

(E/530 and Corr.1) regarding rules of procedure of the Council. The Committee had proposed an

¹¹A more detailed account than in the following pages of the matters discussed by the Economic and Social Council is to be found in the *United Nations Bulletin*, Vol. III, Nos. 2–25, Vol. IV, Nos. 1–12, and Vol. V, Nos. 1–7.

amended version of Council rule of procedure no. 10 to provide that items submitted by Members, specialized agencies or non-governmental organizations should reach the Secretary-General not less than 28 days before the first meeting of each session. Revision of rule 10 would also make it necessary to amend rule 14, which refers to the consideration of the items submitted by the Agenda Committee.

The Committee had recommended that the Council itself should adopt at this session uniform rules of procedure for all nine functional commissions, and consider, when it had amended its own rules, whether or not these rules should be made applicable to the commissions also. It suggested that the question of giving particular rights to non-governmental organizations in category B having a special relationship to a particular commission should be studied by the NGO Committee. Since the adoption of its recommendations concerning rules of procedure for functional commissions would mean that Council rules 65 and 66 would need amending, the Committee had suggested a new formulation.

The discussion in the Council centred round a new rule (60) proposed by the Committee to the effect that when a member of a sub-commission is unable to attend a meeting an alternate shall be designated to serve in his place with the same status as the member. Some members felt that since members of the sub-commissions were appointed in a personal capacity they should not be entitled to alternates and that the rule should be deleted. Others thought the Council should approve each such appointee and that they should have no voting rights. Others claimed that to deny them voting rights would hinder the work. Several amendments to this effect were submitted and rejected, and the Council approved rule 60 as submitted by the Committee.

Resolutions 99(V) (Amendments to rules of procedure of the Economic and Social Council) and 100(V) (Rules of procedure for functional commissions of the Economic and Social Council) were adopted unanimously after slight amendment at the 113th meeting.¹²

During its seventh session, the Economic and Social Council had before it a proposal (E/751 and Corrs. 1 and 2; E/930), submitted by the representative of France, suggesting a comprehensive revision of the Council's rules of procedure; also before the Council was a memorandum (E/883 and Add. 1) containing observations of the Secretary-General bearing on the same subject.

At its 225th meeting on August 28, 1948, the

Council, by a vote of 13 to 0, with 3 abstentions, adopted resolution 177 (VII), based on a Venezuelan proposal (E/AC.28/W.5) which had been amended by several Council members. In this resolution the Council expressed the opinion that the experience of recent sessions showed the need for a comprehensive revision of its rules of procedure; and, since it had proved impractical for the Council's Committee on Procedure to undertake such a revision during the Council's ordinary sessions, the Council decided to instruct the Committee on Procedure to prepare a revised text of rules of procedure during the interval between the Council's seventh and eighth sessions.

While thus deferring until its eighth session the question of a comprehensive revision, the Council did decide during the seventh session to amend two of its rules of procedure. rule 13 (dealing with the composition of the Council's Agenda Committee) was amended by the addition of a provision enabling the Council's First Vice-President to assume the chairmanship of the Agenda Committee if the President, who is *ex officio* Chairman of the Agenda Committee, should be unable to be present at Committee meetings (in the absence of both the President and the First Vice-President, the Agenda Committee chairmanship would devolve on the Second Vice-President); and rule 30 (which provides that before approving any proposal involving financial expenditures, Council members should receive from the Secretary-General a summary report of the financial implications of the proposal and estimates of the costs involved in each proposal) was amended to provide for the preparation of a summary estimate of the financial implications of all proposals coming before the Council, for its circulation to the members as soon as possible after the issue of the provisional agenda and for its revision as necessary during the session in the light of the Council's discussions.

The decision to change rules 13 and 30 resulted from a recommendation of the Committee on Procedure (E/1017) and was taken at the 224th meeting of the Council on August 28, 1948.¹³ The change in rule 13 was approved by a vote of 8 to 3, with 7 abstentions, while the modification of rule 30 was approved unanimously.

¹²For text of revised rules of procedure of the Council, see Annex III, p. 706. For text of rules of procedure of the functional commissions, see *Resolutions adopted by the Economic and Social Council* during its fifth session, pp. 92-99.

¹³For text of the two amended rules, see Annex III, p. 706.

2. *Financial Implications of Actions Taken by the Council*

The modification of rule 30 (see above) was only one of the steps taken by the Council concerning the financial implications of its own actions. The Council also, at its 224th meeting on August 28, 1948, approved by a vote of 15 to 0, with 3 abstentions, a resolution based on recommendations of the Committee on Procedure (E/962). This resolution (175(VII)) provided that:

(1) in normal circumstances work on any project entailing expenditure which cannot, without detriment to other work already in hand, be met within the current budget will not be started within the current financial year,

(2) if the Council wishes to recommend, in case of exceptional urgency, the allocation of funds to a particular project, so that work can be started either before the next ordinary session of the Assembly or after the Assembly has met (but during the current financial year), a specific indication to the Secretary-General to that effect shall be included in the resolution approving such a project, and

(3) resolutions of the Council shall, wherever appropriate, contain suitable wording to indicate the degree of urgency which the Council wishes attached to the project in question.

In its report to the General Assembly's third session (A/625, p. 77), the Economic and Social Council observed that "the final summary of financial implications of proposals approved by the Council at its sixth session indicated that the direct additional costs to be incurred in 1948 were \$635,238 [E/732/Rev. 1 and Corr. 1]". Similarly, proposals approved at the seventh session of the Council were estimated to lead to an additional expenditure of \$43,000 in 1948, and would require supplementary estimates for 1949 in the amount of approximately \$700,000.¹⁴

3. *Records of the Council*

At its sixth session, the Economic and Social Council examined resolution 166(II) of the General Assembly¹⁵ and the Assembly's related request that the Council consider whether it would be disposed to dispense with verbatim records of its meetings. After an exchange of views at its 122nd, 151st, 164th and 166th plenary meetings on February 2 and 24 and March 5 and 8, respectively, the Council, by a vote of 12 to 2, with 4 abstentions, adopted resolution 138(VI), based on a French proposal (E/698) as amended by several

Council members. In this resolution, the Council expressed its opinion that the absence of verbatim records reduced the efficiency of the Council's work, and requested the General Assembly to provide, at its coming third regular session, the Council with facilities for preparing and distributing verbatim records of its plenary meetings in future. It also requested the Secretary-General, pending future reconsideration of the matter by the Assembly, to take all practicable steps to improve the accuracy of summary records and, where verbatim records were not provided, to make available, if possible, summary records of Council meetings as a general rule within 24 hours of the close of the meetings to which they refer.

The Council reverted to the matter during its seventh session, at its 225th meeting on August 28, 1948, when it had before it a report (E/854) of the Secretary-General on the steps he had been able to take with a view to improving the summary records. Also before the Council was a draft resolution (E/961) in which the Council's Committee on Procedure recommended that the Council request the General Assembly, in considering resolution 138(VI), to take into consideration the views of Council members expressed at the seventh session. Instead of approving this proposal, the Council, by a vote of 13 to 3, with 1 abstention, adopted an alternative draft resolution (E/916) submitted by the representative of the United Kingdom. In the resolution (176(VII)) the Council took cognizance of the improvement both in accuracy and speed of production of the summary records issued during its seventh session and requested the Secretary-General to continue his efforts towards this end, particularly with a view to reducing the time taken for the translation of summary records into the other working language. Furthermore, and in view of the above, the Council, in the same resolution (176(VII)) informed the General Assembly that it now considered itself able to comply with the Assembly's request to dispense for the present with written verbatim records of its meetings.

4. *Relations with the Trusteeship Council*¹⁶

At its fourth session, the Council appointed a committee consisting of the President and two

¹⁴For details regarding the financial implications of Council actions during the sixth and seventh sessions, see Annexes I and II of the Council's report to the General Assembly (A/625), pp. 78-79.

¹⁵See pp. 155-63.

¹⁶See also *Trusteeship Council*, pp. 731-33.

members selected by him to confer with representatives of the Trusteeship Council on arrangements for co-operation in dealing with matters of common concern.

The President appointed the members for India and Venezuela to be members of the Committee; and the representatives of the two Councils presented a joint report (E&T/C.1/2 later revised in E&T/C.1/2/Rev.1 and Corr. 1).

The chief recommendations of the Joint Committee dealt with the activities of the Councils in social and economic fields where there was a question of overlapping, and with the roles of the commissions of the Economic and Social Council and of the specialized agencies. The report stated:

"It is recognized that the Economic and Social Council and its commissions are empowered to make recommendations or studies of general application on matters within their special provinces. It is also recognized that such recommendations or studies may be made in respect of particular groups of territories such as those within a given geographical region or those presenting common economic or social problems. It is, however, recognized that Trust Territories should not be singled out for such specialist recommendations, except with the concurrence of the Trusteeship Council."

It also recommended that requests by the Trusteeship Council for assistance from specialized agencies should be sent directly to the specialized agency concerned, the Economic and Social Council being informed at the same time; and it recognized that the implementation of the agreements with the specialized agencies in matters of concern to the Trusteeship Council was a continuing problem to be worked out in the light of experience.

In addition, detailed recommendations were made concerning notification of meetings, communication of provisional agenda of each Council to members of the other, calling of special sessions of the Councils, reciprocal representation at meetings of Councils and their commissions, exchange of documents, representation of the United Nations at meetings of specialized agencies and the handling of petitions and communications concerning human rights and the status of women.

Finally, as regards machinery, the report recommended that the Presidents of the two Councils should confer with one another as and when necessary regarding matters of common concern, and that, if the nature of any question warranted it, they should be empowered to convene an *ad hoc* committee composed of an equal number of representatives (which they should decide) of both Councils.

The report was considered by the Council at

its 119th plenary meeting on August 16, 1947. The Council decided to refer it to the Trusteeship Council together with the record of opinions expressed by members of the Economic and Social Council. The representatives of New Zealand, Canada and the U.S.S.R. expressed criticism of the Joint Committee's recommendations concerning petitions on human rights or the status of women emanating from Trust Territories. The Committee had recommended that as a matter of principle all such petitions should be dealt with by the Trusteeship Council, which should communicate to the appropriate commissions, for such assistance as it might desire, those parts of such petitions relating to matters of special concern to them. The Committee further recommended that the Trusteeship Council when considering such petitions should consider to which of them the procedure adopted by the Economic and Social Council for dealing with communications concerning human rights¹⁷ and the status of women¹⁸ could be applied.

The New Zealand representative considered that the Commission on Human Rights should have a brief indication of the substance of communications on human rights relating to Trust Territories, according to the formula already adopted by the Economic and Social Council for dealing with such communications, but that the Trusteeship Council should have the responsibility for handling individual complaints. He did not think that the Trusteeship Council should communicate directly with the commissions. The Canadian representative, assuming that no distinction was intended between "communications" and "petitions", thought that the same procedure should be followed for dealing with such communications from Non-Self-Governing as from self-governing territories. The U.S.S.R. representative thought that the recommendations showed a tendency to limit the competence of the Council. The French representative supported the recommendations, but felt that the composition of the Joint Committee was not a well-balanced one.

Pending the meeting of the Joint Committee, the President of the Council invited the Trusteeship Council, through its President, to nominate representatives to join with the Committee on Negotiations with Inter-Governmental Agencies in the discussion of articles in which the Trusteeship Council was concerned in draft agreements with specialized agencies. Accordingly, repre-

¹⁷See pp. 578-79.

¹⁸See p. 599.

sentatives of the Trusteeship Council participated in the negotiations with the Interim Committee of the World Health Organization, the Interna-

tional Bank for Reconstruction and Development, the International Monetary Fund and the International Telecommunication Union.

F. ECONOMIC QUESTIONS

1. *Surveys of Economic Conditions and Trends*

a. ECONOMIC REPORT

At its second session, the General Assembly adopted resolution 118 (II) in which it noted with approval that the Economic and Social Council had made arrangements in its resolution 26 (IV) for the initiation of regular reports to the Council on world economic conditions and trends. The Assembly resolution also requested the Secretary-General to assist the Council and its subsidiary organs by providing the necessary factual surveys and analyses. It also recommended to the Council "that it consider a survey of current world economic conditions and trends annually, and at such other intervals as it considers necessary, in the light of its responsibility under Article 55 of the Charter to promote the solution of international economic problems, higher standards of living, full employment and conditions of economic and social progress and development; that such consideration include an analysis of the major dislocations of needs and supplies in the world economy; that it make recommendations as to the appropriate measures to be taken by the General Assembly, the Members of the United Nations and the specialized agencies concerned".

During its sixth session, the Council had before it the *Economic Report: Salient Features of the World Economic Situation 1945-47*,¹⁹ which had been prepared by the Secretariat.

The report stated that two years after the end of the war the world was producing less than it had a decade earlier for a population now 200 million greater. Shortages of food were the world's number one economic problem. While the economic potential of the United States increased enormously during the war, that of many other production centres had considerably diminished; this shift in the world's production facilities was at the root of the dollar shortage. In the long run, the report stated, this shortage could be eliminated only by increased production outside

the United States and the willingness of the United States to accept imports from other countries. Production increases depended on the breaking of bottlenecks in food, fuel, steel and transport, and of these food was the most crucial because it was strategic in its influence on the rising cost of living and therefore on the almost universal inflation.

The report stated that some countries were consuming 30 per cent less food per capita than before the war while others consumed as much as 15 per cent more.

The lack of economic balance in the world was manifest not only in the shortages of supply but was also reflected in unprecedented deficits in the foreign transactions of most countries. The most striking increase in exports was that recorded by the United States. The report suggested that where inflation could not be checked by monetary and fiscal measures, direct control of investments and rationing of essential consumer goods might be necessary, even though such measures might prove difficult to institute for administrative and political reasons.

The report formed the basis of an extended debate which took place at the 145th, 146th, 148th, 149th, 150th and 151st plenary meetings of the Council on February 17, 18, 19 and 24, 1948.²⁰ The reaction of the Council members was in general favorable and the Secretariat was commended for the report. Representatives of the following countries spoke in the debate: Australia, Brazil, Canada, Chile, China, Denmark, France, Lebanon, Netherlands, New Zealand, Peru, Poland, Turkey, U.S.S.R., United Kingdom, United States and Venezuela. Some of their comments were concerned with aspects of the report which they felt could be improved; others dealt with the world economic situation and with the situation in their different countries.

The Council unanimously adopted resolution

¹⁹United Nations Publications, Sales No. 1948.II.C1.

²⁰The full text of the debate is published in *Supplement to the Economic Report*, United Nations Publications, Sales No. 1948.II.C.2.

102(VI) recommending that the Secretary-General take into consideration, in preparation of future reports, the views expressed by members of the Council and drawing the attention of Member Governments of the United Nations, of the Economic and Employment Commission, and of specialized agencies to the content of the report and to the discussion on this subject by members of the Council at the sixth session.

The material contained in the *Economic Report* was also discussed by the Sub-Commission on Employment and Economic Stability at its second session and by the Economic and Employment Commission at its third session. The Economic and Employment Commission stated in the report of its third session (E/790 and Add.1) that the "Secretariat, in preparing the Economic Report, fulfilled its task of beginning the preparation of data on current world economic conditions and trends in conformity with the wishes expressed by the General Assembly, the Economic and Social Council and by this Commission". With regard to future issues of the *Economic Report*, the Commission concluded that "the Secretariat should be encouraged to proceed experimentally in the preparation of these reports", that it was inevitable that the Secretariat should be guided primarily by the schedule of meetings of the Economic and Social Council and therefore that those reports should be made available in relation to the sessions of the Council rather than to the sessions of the Commission or its Sub-Commission. The Commission further recommended that the Secretariat "endeavour to supplement its economic reports with additional data on current world trends, so that at each session of the Council and the Commission the members would be kept up to date about current world economic developments". In response to this recommendation, the Secretary-General made available to the Economic and Social Council at its seventh session a summary of the main features of recent economic trends in a printed publication entitled *Selected World Economic Indices*.

b. SURVEY OF THE ECONOMIC SITUATION AND PROSPECTS OF EUROPE

At its third session, the Economic Commission for Europe had before it the *Survey of the Economic Situation and Prospects of Europe* (E/ECE/Rev.1),²¹ prepared by the Secretariat of the Economic Commission for Europe. The *Survey*, which was the first in a series of reports which the Commission's Secretariat plans to publish, contained

a comprehensive analysis of Europe's most pressing economic problems. At the same time, it indicated the efforts which were believed necessary in order to achieve economic recovery in Europe.

The *Survey* consisted of four main parts:

- (1) "The Recovery in Production"
- (2) "The Recovery in Trade"
- (3) "The Balance of Payments"
- (4) "Problems of European Reconstruction"

The fourth of these parts had chapters dealing with the problems of inflation, of intra-European trade and of production. In addition the *Survey* contained a number of appendices and a number of tables. Appendix A contained an analysis of the economic plans of European countries. The first part of the appendix dealt with the economic plans of the countries of central and southeastern Europe; the second part, with the fourth Five-Year Plan of the U.S.S.R.; and the third part, with the economic plans of the sixteen countries participating in the Committee of European Economic Co-operation. Appendix B contained a number of notes on sources and methods.

The *Survey* was the subject of an extended debate in the Economic Commission for Europe during which the representatives expressed the wish that the Secretariat prepare a similar survey each year.

c. ECONOMIC SURVEY OF ASIA AND THE FAR EAST, 1947

An *Economic Survey of Asia and the Far East, 1947*, was prepared by the Secretariat of the Economic Commission for Asia and the Far East, in accordance with a resolution of the Commission at its second session requesting the Secretariat to publish a comprehensive annual survey on economic conditions and problems within the scope of ECAFE.

The *Survey*, which was published in July 1948, reflected the situation in the area concerned as of the end of 1947.

Topics dealt with in the *Survey* include questions relating to national income, population, land utilization, agricultural production, mining and industry, transport and communications, labor, currency and banking, international trade and balance of payments.

The introduction to the 234-page document stated that the *Survey* clearly brought out such features of the economy of Asia and the Far East as low national income, excessive dependence upon agriculture, lack of diversification of economy,

²¹United Nations Publications, Sales No. 1948 II.E.1.

a high degree of population pressure and little industrialization. Thus it became evident that "even the low pre-war levels of income have not been maintained", being offset, in the few countries where national income had increased, by growth of population.

The standard of living of the people, the *Survey* found, "has been very low [and] has become lower in the years during and after the war".

Transport was one of the facilities damaged in nearly all countries of the region, and its restoration had been hampered by the same difficulties which militated against the speeding up of industrial and agricultural production. Only about 53 per cent of the prewar railways in six countries of this area (Burma, China, Indo-China, Indonesia, Malaya and the Philippines) were open to traffic in 1946-47. Lack of rolling stock was another serious hindrance to recovery.

Recovery was adversely affected by strife and violence—the civil war in China, the fighting in Indonesia and Indo-China, etc.

d. ECONOMIC SURVEY OF LATIN AMERICA

At its first session, the Economic Commission for Latin America requested "the Executive Secretary, within the resources and facilities at his disposal and in collaboration with the specialized agencies in accordance with the agreements signed with the United Nations, and utilizing any relevant studies by those American non-governmental organizations which have been accorded consultative status by the Economic and Social Council, to undertake an Economic Survey of Latin America, having in mind its needs for greater development, and the strengthening of its economic relations with the rest of the world, and to present it to the next session of the Economic Commission for Latin America. To the extent applicable, its form should be that used in the *Survey of the Economic Situation and Prospects of Europe* prepared by the Secretariat of the Economic Commission for Europe, and following the methods and systems, as appropriate, utilized by the regional commissions for Europe and for Asia and the Far East."

e. OTHER SURVEYS

At its sixth session the Economic and Social Council also had before it a *Survey of Current Inflationary and Deflationary Tendencies*,²² and *Economic Development in Selected Countries, Plans, Programmes and Agencies*,²³

The *Survey of Current Inflationary and Deflationary Tendencies* analyzed for selected countries the problems of deficiency or excess in effective demand leading to unemployment or inflation respectively. The countries were so chosen as to illustrate the problems in question in all parts of the world. These countries were: (1) the United States, where the question of a possible recession or depression in the near future was examined, (2) the United Kingdom, France, Italy, Poland and Yugoslavia, where the various patterns of inflationary pressure in devastated Europe were considered, (3) India and Latin America, where inflation in under-developed countries was discussed and its implications for the problems of development were examined.

The report on *Economic Development in Selected Countries, Plans, Programmes and Agencies* dealt with the chief characteristics of the complex and changing organizations devised by governments to cope with the problems arising from their needs for economic development. The following countries were included in the study. Anglo-Egyptian Sudan (Condominium), Argentina, Bolivia, Brazil, British African Non-Self-Governing and Non-Metropolitan Territories, Chile, Egypt and other countries in the Middle East, French North Africa and French African Overseas Territories, India, Liberia, Mexico, Peru, Poland, Venezuela and Yugoslavia.

The Council took no action on these reports

2. Economic and Employment Matters

a. SECOND SESSION OF THE ECONOMIC AND EMPLOYMENT COMMISSION

The Economic and Employment Commission held its second session at Lake Success, New York, from June 2 to 17, 1947. The following matters were considered by it.

(1) Selection of Sub-Commission Members

The fourth session of the Economic and Social Council had stressed the importance of appointing members of two Sub-Commissions: on employment and economic stability; and on economic development.

The first session of the Economic and Employment Commission considered that it was not yet in a position to name persons for these Sub-Commissions. Each member of the Commission was therefore asked to submit a list of experts, from

²²United Nations Publications, Sales No. 1947.II.5.

²³United Nations Publications, Sales No. 1948.II.B.1.

all over the world, who might be competent members of these Sub-Commissions because of their ability in their respective fields.

At the Commission's second session, seven members were appointed from this list to the Sub-Commission on Employment and Economic Stability. The members were individual experts from Australia, France, Norway, Poland, U.S.S.R., United Kingdom and United States.

The members appointed to the Sub-Commission on Economic Development were individual experts from Brazil, China, Czechoslovakia, India, Mexico, U.S.S.R. and United States.

(2) *Economic Development*

After selecting the members of its Sub-Commissions, the Commission discussed resolution 26 (IV) of the Economic and Social Council on employment and economic development.²⁴ Part of this resolution dealt with international action in the field of economic development, but the Commission decided to await receipt from the Sub-Commission on Economic Development of its analysis of the type of international collaboration it considered essential to implement development policy.

It was generally agreed that draft resolutions to be submitted to the Council should be adapted to particular rather than general or academic problems. It was decided that recommendations would be made for definite situations that arose, and that it would be the Commission's policy, if possible, to outline to the Council specific policies for action on particular cases. The Commission expected the Sub-Commission on Economic Development to submit these cases when dealing with the items that came to its attention.

The Commission requested the Secretariat to undertake a comparative analysis of the patterns of industrialization in both well developed and less developed areas.

(3) *Employment and Economic Stability*

The Commission thought that the problem of economic stability and full employment should be divided into short-term and long-term situations. It was considered somewhat futile to recommend long-term policies and practices at this stage. The economies that had been disrupted by the war should first be rehabilitated, at least to the point where the countries produced for their own needs and for sufficient export surpluses to enable them to earn foreign exchange for purchases abroad. Consequently, discussion centred on the needs of the devastated areas, because of the importance in the attainment of long-term economic stability.

The Commission submitted to the Council two draft resolutions dealing with problems of reconstruction, which the Commission considered must precede the attainment of economic stability, full employment and high standards of living throughout the world. The Commission referred the study of certain long-range problems to the Sub-Commission on Employment and Economic Stability.

The first of these draft resolutions would have had the Council: urge Members to contribute toward achieving the purposes of the Charter relating to the promotion of higher standards of living, full employment and conditions of economic and social progress and development; recommend Members which had already attained high levels of output to maintain these levels so as to be in a position to assist world economy to attain full employment and economic stability; recommend to Members having commodities available for the reconstruction of countries disrupted by war, that they avoid measures tending to reduce imports from such countries and that they continue to make financial and other resources available to assist in providing them with essential goods; recommend to Members whose economies are in need of reconstruction that they increase their production to a maximum level, and adopt monetary, fiscal and labor policies to this end, and that they avoid restrictive measures in international trade that would reduce their imports and impair economic stability in other parts of the world.

The second resolution would have had the Council: draw the attention of Members to the existence of unemployment in a number of countries and call on the governments of the countries concerned to adopt measures for achieving full employment; call on Members to take measures towards lowering abnormally high prices, especially for export goods; favor loans and credits to Member nations directed exclusively towards economic stability and reconstruction in the interests of the countries receiving credit.

(4) *Reports by the Secretariat*

The Commission also requested the Secretariat to undertake reports on general tendencies and trends in the economic activity of the world, including the status of employment, production and prices, and related information. In anticipation of these needs, the Secretariat submitted a preliminary draft which indicated activities and trends in many of the important countries of the world.

²⁴See *Yearbook of the United Nations*, 1946-47, p. 476.

b. CONSIDERATION AT THE FIFTH SESSION OF THE COUNCIL

The Economic and Social Council discussed the report of the second session of the Economic and Employment Commission (E/445) at its 90th, 91st, 92nd and 93rd plenary meetings on July 23 and 24, 1947, and in particular the two draft resolutions concerning short-term problems of economic stability.

Various representatives expressed approval of the report of the Commission as a whole, but some felt that it lacked concreteness. Many representatives stressed the need for taking urgent practical steps without delay and approved the Commission's plan to deal with concrete situations. The importance of the duty of the Commission in coordinating the activities in economic matters of the commissions, specialized agencies and other international organizations was stressed by the Czechoslovak representative.

The discussion on the questions covered in the report and the decision taken by the Council at its fifth session are summarized below.

(1) Selection of Sub-Commission Members

The Czechoslovak representative stressed the importance of the creation of the two Sub-Commissions. He felt that they should be granted the greatest freedom in the performance of their duties and expressed the hope that their work would not be hampered by political considerations, but would be aimed at benefiting world economy as a whole. The Lebanese representative criticized the absence of representation of the Near East in both the Commission and its two Sub-Commissions.

(2) Economic Development

The representatives of New Zealand and China stressed the interdependence of the development of under-developed countries and the achievement of economic stability; the harmony of interest between developed and under-developed countries was also stressed by the representatives of France and Chile. The importance of assisting the development of under-developed countries in their own interests was stressed by the U.S.S.R. representative. The Chinese representative called attention to the importance of the under-industrialized areas as a meeting place of conflicts of the industrialized Powers. The representative of Cuba stated that advanced countries should not, through capital export or commercial policies, protect inefficient branches of industry in their own or other countries. It was suggested by the representatives of France, Lebanon, Canada, United Kingdom, Norway and Chile that development should lead

to an expansion in world trade rather than be directed towards making countries less dependent on foreign markets. The representative of India stressed the importance of national development and of reducing dependence on foreign markets for vital commodities and food. This could form part of a larger scheme of world co-operation under the auspices of the United Nations. The Indian representative and the Rapporteur of the Commission explained that the suggested objectives of development contained in the Commission's report reflected the different points of view expressed by representatives in the Commission, by way of instruction to its sub-commission in examining the question. The representatives of the U.S.S.R., the United Kingdom and France stressed the need for a reduction in armament programs, since they hindered economic development.

(3) Employment and Economic Stability

(a) FIRST RESOLUTION PROPOSED BY THE COMMISSION

The U.S.S.R. representative felt that the recommendations contained in the first resolution were unnecessary and that certain of them dealt with questions within the scope of the Economic Commission for Europe and the Economic Commission for Asia and the Far East, and indicated a tendency to benefit the stronger countries at the expense of the weaker. The representative of Czechoslovakia criticized the recommendation to Member nations whose economies were in need of reconstruction, since those countries were already striving towards maximum production. The United Kingdom representative felt that the first two paragraphs of this resolution were too platitudinous and the representative of Cuba thought that the resolution was too academic.

(b) SECOND RESOLUTION PROPOSED BY THE COMMISSION

The U.S.S.R. representative expressed general agreement with the second resolution, which, he stated, dealt with urgent interests deserving the attention of the Council. The United States representative felt, however, that this resolution was an inexact statement of facts.

The representative of Turkey pointed out that inflation could best be met through measures to increase production and through sound monetary and general economic policy aimed at restoring the health of world economy rather than through stop-gap measures to stabilize or lower the price level. The prices of export goods could not be treated separately from those of domestic goods without increasing the dislocation of world economy. The United States representative questioned the mean-

ing of "abnormally high prices, especially for export goods". In the United States, goods for internal consumption and for export were sold at the same prices, and prices were related to the supply and demand position. The representative of Venezuela pointed out that essential goods (e.g., raw materials) coming from under-developed countries sold at abnormally low prices, which were insufficient to raise standards of living in those countries, whereas imported manufactured goods were at an abnormally high level, because of the operation of trusts and cartels, especially for iron and steel, and the high prices of maritime freight, because of shipping monopolies. Under-developed countries, therefore, should not be asked to lower their prices.

Various views were expressed on the proposal that the Council should express itself in favor of "loans and credits to Member nations which are directed exclusively towards economic stability and reconstruction in the interests of the peoples of the countries receiving credit".

The U.S.S.R. representative stressed that loans and credits should be used for economic stability and not for military purposes, which undermined the independence of the countries concerned. The United Kingdom representative suggested that loans need not imply any reduction in the sovereignty of the borrower country. The representative of France stated that loans should be made for the benefit of those receiving them without entailing political advantages for the lender. The representative of Lebanon, while supporting the view that no loan should be given to any country with a view to enslaving it, pointed out that any loan should inevitably result in an arrangement mutually advantageous to lender and borrower. The representatives of the United States, Lebanon, and Canada were against singling out one type of loan, i.e., for "stability and reconstruction", as proposed by the Commission, on the ground that this would rule out other legitimate objects such as economic development. The United States representative also opposed the suggestion contained in the Commission's report to prohibit loans for military purposes, stating that this was one-sided and would permit countries with resources to rearm without limitation. The Lebanese representative suggested that requests for aid and advice in development projects should be made through the United Nations, which would delegate the appropriate duties to the appropriate specialized agency.

The general opinion with respect to the two draft resolutions as a whole was that they were too

general, and, therefore, no action was taken with respect to them by the Council.

(4) *Reports by the Secretariat*

Approval was expressed with the progress made by the Secretariat in preparing surveys of world economic conditions and trends, but the representatives of New Zealand and Turkey doubted as to whether annual reports would be adequate.

(5) *Resolution Adopted by the Council*

The Council at its 93rd plenary meeting on July 24 adopted without objection resolution 61 (V), noting the report of the second session of the Economic and Employment Commission, expressing appreciation of the work of the Commission and of its future plans and drawing to the Commission's attention the views expressed by the Council's members.

c. REPORT OF THE THIRD SESSION OF THE COMMISSION AND ITS CONSIDERATION BY THE COUNCIL

The third session of the Economic and Employment Commission took place from April 19 to May 6, 1948, at Lake Success.

The report of the Commission to the Council (E/790) describes in some detail the work of the third session of the Commission. The Sub-Commission on Economic Development met from November 17 to December 16, 1947. Its report to the Commission (E/CN.11/47) was the basis of the Commission's consideration of the problems in the field of economic development. The Sub-Commission on Employment and Economic Stability met twice, from November 17 to December 9, 1947, and from March 22 to April 7, 1948. Its report to the Commission (E/CN.1/55) served as a basis of the Commission's deliberations in the field of employment and economic stability.

The Sub-Commission on Economic Development also met from June 14 to 30, 1948. In accordance with the request of the Commission, its major item of business was the question of international aids for the mobilization of the national resources of under-developed countries for their economic development. The report of this session of the Sub-Commission (E/CN.1/61) was not considered by the Commission during the period under review.

Problems of economic development and economic stability, and especially of inflation, were the major topics which the Commission considered during its third session. Among the other topics covered in its report, the question of the future organization and terms of reference of the Com-

mission and of its two Sub-Commissions received most of the Commission's attention.

The report of the Commission was considered by the Council during its seventh session at the 23rd to 30th meetings of its Economic Committee from July 26 to August 5, and at its 217th plenary meeting on August 26. Many of the members of the Council expressed disappointment with the report and with the Commission's recommendations as being too general and lacking concrete proposals.

The decisions regarding economic and employment matters taken by the Council at its seventh session and the discussions leading to those decisions are summarized below.

(1) *Economic Development*

The Economic and Employment Commission in the report of its third session presented two draft resolutions on economic development (E/790, pp 10 and 12), the first concerning technical assistance and the second dealing with the finances, equipment and supplies for economic development.

(a) TECHNICAL ASSISTANCE

All representatives in the Economic and Social Council were agreed on the importance of technical assistance. The Brazilian representative pointed out that there were several fields in which there existed no facilities for technical assistance by the United Nations or the specialized agencies. The Venezuelan representative thought that such assistance should already have been given, and that the Commission should now be analyzing the results. The United States representative suggested that, in some cases, single experts might meet the need as well as the teams of experts suggested by the Commission, with a consequent saving in funds, and proposed also that the teams should not necessarily be "international". This proposal was rejected in the Economic Committee by a vote of 9 to 7, with 1 abstention. The Council also rejected a U.S.S.R. amendment (E/AC.6/W.19/Rev.1 and E/1007), proposed both in the Economic Committee and in the Council, to the effect that where assistance was granted by experts of the United Nations, the expenses must be paid by countries requesting such assistance. In support of the amendment, the U.S.S.R. representative stated that it would remove financial considerations as obstacles to technical assistance. Those opposing the amendment said that it would be too restrictive. The vote against the amendment in Committee was 12 to 2, with 3 abstentions, and in the Council 15 to 2, with 1 abstention.

At its 217th plenary meeting on August 26, the Council adopted by 16 votes to 0, with 2 abstentions, the resolution proposed by the Economic and Employment Commission. In this resolution (139. (VII)A) the Council informed "those countries which require expert assistance in connexion with their economic development programmes that the Secretary-General of the United Nations may, upon request, arrange for the organization of international teams consisting of experts provided by or through the United Nations and the specialized agencies for the purpose of advising them in connexion with their economic development programmes". It also instructed the Secretary-General to make the resolution formally known to the Member countries and to transmit with it such other documents as would "help those Governments to know what kind of assistance may be available to them from or through the United Nations and its specialized agencies and the terms under which it may be available to them". It further drew attention to "the expert assistance which the United Nations Educational, Scientific and Cultural Organization and the International Labour Organization in so far as they are severally concerned, may be able to make available with respect to the institution and expansion of elementary and technical education, vocational training, and the dissemination of technical literature".

(b) FINANCES, EQUIPMENT AND SUPPLIES FOR ECONOMIC DEVELOPMENT

Discussions in the Economic Committee and in the Council were concentrated largely on the second resolution proposed by the Economic and Employment Commission. The proposed resolution (E/790, pp. 12-13) read as follows:

"The Economic and Social Council,

"(1) Recognizing that the finances required for the economic development of any country have to come pre dominantly from the efforts of the peoples concerned, from the improvement in their national economic structures, and from increased national productivity, and that foreign aid can be considered only as a supplementary resource,

"(2) Recognizing, nevertheless, that substantial international loans and credits in the form of both funds and goods, as well as foreign private investments in appropriate cases, would greatly facilitate the promotion of the economic development of under-developed countries and the successful rehabilitation of the war-impaired economies as well as the maintenance of world economic stability and full employment,

"(3) Recommends that, with due regard to the principle that any assistance should not be used for the purpose of exploitation or of obtaining political and other advantages exclusively for countries rendering such assistance" (Economic and Social Council resolution 27 (IV)).

"(a) The Governments of the under-developed

countries should continue to consult with one another and with others to consider ways and means of securing assistance for the purpose of speeding their economic development, especially of their industrialization, and avail themselves of the facilities existing in the United Nations regional economic commissions and the specialized agencies for securing economic co-operation among themselves and with other countries;

"(b) International and national governmental and private agencies should accelerate the provision of finance, food and equipment for under-developed countries;

"(c) Member countries having adequate productive capacity should pursue all practicable means to increase their exports, to countries whose economies have been dislocated, of goods needed to further permanent recovery and sound development and especially of equipment vital to the removal of bottle-necks;

"(d) The various forms of assistance referred to above should be carried out with particular attention to the economic development (including industrialization wherever practicable) of the Non-Self Governing Territories."

The Council in its Economic Committee considered whether the draft resolution proposed by the Commission should be referred back to it for more specific recommendations. A draft resolution to that effect was proposed by the United States (E/AC.6/W.11), to which the United Kingdom suggested an amendment (E/AC.6/W.15) to refer to the importance of adopting practical measures for the development of under-developed areas. The Chinese representative, however, felt that the Council should endorse the principles stated in the Commission's draft resolution, as otherwise the Commission would have no directive. The U.S.S.R. representative also expressed opposition to referring the resolution back to the Commission, since the only method of resolving the different points of view in the Commission was to secure the guidance of the Council. He proposed a draft resolution (E/AC.6/W.13) to amend the resolution by a reference to the principle that credits and assistance granted to Member countries "must not be accompanied by any demands for political or economic advantages and must not be utilized as a means of interference in the internal affairs of the countries receiving such assistance" and that assistance must be based on respect for the independence and sovereignty of the countries receiving it. Chile proposed a draft resolution (E/AC.6/W.14), which would have referred the question back to the Commission, but in addition would have stated, *inter alia*, that the Council recognized that the finances required for economic development had to come from the country concerned and from foreign capital or credit and that international credits and private

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All representatives in the Economic and Social Council were agreed on the importance of technical assistance. The Brazilian representative pointed out that there were several fields in which there existed no facilities for technical assistance by the United Nations or the specialized agencies. The Venezuelan representative thought that such assistance should already have been given, and the Commission should now be analyzing the results. The United States representative suggested that, in some cases, single experts might meet the need as well as the teams of experts suggested by the Commission, with a consequent saving of funds, and proposed also that the teams should necessarily be "international". This proposal was rejected in the Economic Committee by a vote of 9 to 7, with 1 abstention. The Council also rejected a U.S.S.R. amendment (E/AC.6/W. Rev.1 and E/1007), proposed in the Economic Committee and in the Council, that where assistance was requested by the United Nations, the expenses of such assistance in countries requesting such assistance should be borne by the United Nations. In the amendment, the U.S.S.R. proposed that it would remove financial constraints on technical assistance. The amendment said that it would be too costly. The vote against the amendment in the Council was 12 to 2, with 3 abstentions, and in the Economic Committee 15 to 2, with 1 abstention.

the Commission to define the central problems of economic development and to make detailed recommendations for dealing with those problems."

The Council previously rejected by 9 votes to 4, with 5 abstentions, a U.S.S.R. amendment (E/1007) to the same effect as the resolution submitted by the U.S.S.R. to the Economic Committee.

(c) ECONOMIC DEVELOPMENT AND REPORT OF THE INTERNATIONAL BANK

The Council at its seventh session also considered the question of economic development in connection with the report of the International Bank for Reconstruction and Development.²⁵

(2) *Employment and Economic Stability*

During its sixth session, the Economic and Social Council had before it a resolution unanimously approved on February 4, 1948, by the United Nations Conference on Trade and Employment at Havana (E/635). This resolution, *inter alia*, stated that the Conference considered that the studies which had been initiated dealing with the achievement and maintenance of full and productive employment should be advanced as rapidly as possible and that attention should be given forthwith to methods of ensuring that high levels of employment and economic activity should be maintained even when special factors of temporary duration prevailing in many countries had ceased to operate. The resolution suggested that the Council request Members and non-members of the United Nations to submit information on the action they were taking to achieve or maintain full employment and economic stability, and request the specialized agencies to indicate the assistance they were prepared to provide if a decline in employment and economic activity threatened.

The resolution further suggested that the Economic and Social Council initiate or encourage studies and recommend appropriate action in connection with international aspects of population problems as these relate to employment, production and demand.

The resolution finally suggested that the Council, in conjunction with appropriate agencies such as the International Labour Organisation and its Permanent Migration Committee, consider the problems of temporary or seasonal migration of workers.

The Council at its 149th plenary meeting referred the matter to its Economic Committee.

Two draft resolutions on the question were presented, one by Australia (E/AC.6/19) and one by France (E/AC.6/22), both based on the resolution recommended by the Conference. But, where-

as the French proposal recommended that further studies on full employment should be carried out by the Economic and Employment Commission, the Australian proposal recommended they be carried out by the Secretary-General. This suggestion was incorporated in the French proposal, which was adopted by the Economic Committee by 16 votes to 0, with 1 abstention.

The report of the Economic Committee (E/717) was considered by the Council at its 161st plenary meeting on March 3. In the discussions on the matter, the U.S.S.R. representative expressed opposition to referring the relevant section of the resolution to the International Labour Organisation without giving that Organisation any specific directives, and proposed that the entire Havana Conference resolution should be referred for preliminary consideration to the Economic and Employment Commission. In the opinion of the U.S.S.R. representative, the Economic and Employment Commission should consider possible courses of action and indicate the measure of agreement, and only then should the matter be referred to a specialized agency. The representative of the Byelorussian S.S.R. supported the U.S.S.R. proposal.

The representatives of Peru, Chile, France, United States, Australia, New Zealand and United Kingdom, however, felt that the matter had been considered of sufficient urgency to warrant the supplementary action provided for in the resolution. They pointed out that the last part of the resolution concerning migration and population problems did not fall within the terms of reference of the Economic and Employment Commission, that the Economic and Employment Commission was not being by-passed and that it was logical to refer problems that came within ILO's terms of reference to the Organisation.

The Council rejected the U.S.S.R. proposal by 14 votes to 2, with 1 abstention, and adopted the draft resolution contained in the report of the Economic Committee by 15 votes, with 2 abstentions.

The Council in this resolution (104(VI)) endorsed the opinion of the Conference concerning the need for advancement of the studies on full employment and requested the Economic and Employment Commission to expedite the studies provided for in the Council's resolution 26 (IV) of March 28, 1947, taking into account the passage in the Conference's resolution dealing with these problems. It requested the Secretary-General to obtain information from Members and, where

²⁵This report is dealt with under *Reports of Specialized Agencies*, pp. 673-74.

practicable, from non-members, on the action they were taking to achieve or maintain full employment; to obtain from the appropriate specialized agencies reports on plans they had prepared and resources they had available to assist Members of the agencies to prevent a decline in employment and economic activity; and to prepare an analytical report as soon as possible. The Council transmitted the sections of the Havana Conference's resolution dealing with population and migration problems to the International Labour Organisation and the Social and Population Commissions, inviting them to take these sections into account in the action they were taking on these questions.

During its seventh session, the Economic and Social Council took no specific action with respect to employment and economic stability. Its discussion in that field was based on part VIII of the report of the Economic and Employment Commission (E/790), which dealt with this problem but made no recommendations which required the Council's action. The Commission's report in this field was based on the report of the first two sessions of its Sub-Commission on Employment and Economic Stability (E/CN.1/55). Most of this report was devoted to the subject of inflation, and the Commission noted that in view of the economic conditions prevailing in a number of countries "it was not inappropriate for the sub-commission to devote most of its first report to the subject of inflation". Certain members of the Council expressed appreciation of the report of the Sub-Commission on Employment and Economic Stability and thought that more attention should have been given to it by the Economic and Employment Commission.

(3) *Organization and Terms of Reference*

At its fifth session, the Council adopted resolution 72 (V), requesting the Economic and Employment Commission "to examine and report to the Council upon the general questions involved in the creation of regional economic commissions as a means for the promotion of the aims and objectives of the United Nations". At its sixth session, the Council, in resolution 108 (VI), further added that it desired that the examination of these questions should be made at a stage when the Commission "would have at its disposal more experience than at present of the activities of the regional commissions to guide its deliberations".²⁰ Accordingly the Commission at its third session postponed consideration of these problems to a later session.

In conjunction with the Commission's discussions of the reports and future work of its Sub-Commissions and of its own future work, it pointed to the need for a review of the Commission's organizational structure and relationship to other commissions of the Council. For this purpose the Commission established a Committee on Organization consisting of the members of the Commission from Brazil, Byelorussian S.S.R., Canada, China, France, U.S.S.R., United Kingdom and United States. This Committee was requested to report to the fourth session of the Commission any suggestions it might have concerning the future organization and terms of reference of the Commission and its two Sub-Commissions. The Commission's Committee on Organization met once during the third session of the Commission and, in order to avoid any additional expenditures for the United Nations, it was instructed to carry on its work between the third and fourth sessions of the Commission by correspondence. The members of the Commission who were not on the Committee were urged to communicate their views to the Secretariat so that they might be circulated to the members of the Committee.

At its seventh session the Council discussed the question. Certain members expressed the view that the difficulties and shortcomings of the Commission were due to the fact that circumstances had changed since its terms of reference had been decided upon—for example, under-employment and deflation had not proved to be the important problems they were then thought. Many of the tasks assigned to the Commission had been given to other organizations, such as the regional economic commissions, the International Monetary Fund and the International Bank for Reconstruction and Development. Some representatives thought that the Council should wait before considering revision of the Commission's terms of reference to see, for example, what part would be played by the International Trade Organization. A few representatives felt that the matter was urgent. Other representatives felt that to discuss the whole question of the Commission's terms of reference would be side-stepping the real issues involved, and that it was more important for the Commission to consider substantive problems. After considering a French draft resolution (E/AC.6/W.10/Rev.1) and an Australian draft resolution (E/AC.6/33), with Canadian amendments (E/AC.6/W.12) to the Australian draft resolution, the Economic Committee at its 28th meeting adopted, by 13 votes to 2, with 1 abstention.

²⁰See p. 546.

tion, a compromise resolution which was approved by the Council at its 217th plenary meeting on August 26, 1948, by 15 votes to 2, with 1 abstention. In this resolution (139 (VII) C) the Council noted the arrangements made by the Commission, and stated further:

"Recognizing the interest of all Members in this problem, and the urgency of ensuring that the purposes for which the Economic and Employment Commission was established are effectively fulfilled,

"Decides that the question of the most effective way to fulfil the purposes for which the Economic and Employment Commission was established, including the future and the terms of reference of the Commission and its Sub-Commissions, be considered by the Council at a future session; and accordingly

Invites all Members of the United Nations to communicate to the Secretary-General any views which they may wish to express on this question, for circulation to the members of the Council and to the Committee on Organization of the Economic and Employment Commission, for consideration before the ninth session of the Council."

3. *United Nations Conference on Trade and Employment*

On July 14, 1947, the Preparatory Committee of the United Nations Conference on Trade and Employment, established by the Economic and Social Council during its first session,²¹ submitted an interim report (E/469) to the Economic and Social Council. The report, which the Council considered at its fifth session, contained three recommendations, bearing on (1) the agenda of the proposed Conference on Trade and Employment, (2) the date and place of that Conference and (3) the question of inviting non-members of the United Nations to the Conference.

Concerning (1), the Preparatory Committee recommended that the Conference should adopt as the principal item of its agenda the draft Charter for an International Trade Organization (ITO) prepared by the Committee, and that it should be guided in its work by the following chapter headings, taken from the draft Charter:

- "Employment and Economic Activity"
- "Economic Development"
- "General Commercial Policy"
- "Restrictive Business Practices"
- "Inter-Governmental Commodity Agreements"

According to the recommendation of the Committee, draft Charter provisions relating to organization, membership and other miscellaneous matters should also form a part of the Conference agenda.

As for (2), the Committee recommended that

the Conference should be held in Havana, Cuba, in view of the invitation extended by the Cuban Government, and that it should begin on November 21, 1947.

In connection with (3), the Preparatory Committee recommended that invitations to participate in the Conference be extended not only to Members of the United Nations, but also to the following countries: Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Portugal, Roumania, Switzerland, Transjordan and Yemen.

Furthermore, the Committee suggested that the Economic and Social Council should make provision for the attendance of persons qualified to represent the appropriate control authorities in Germany, Japan and Korea.

The Preparatory Committee also drew the Council's attention to the fact that a number of territories under the sovereignty of a Member of the United Nations—the Committee specifically mentioned Burma, Ceylon and Southern Rhodesia—were self-governing in matters provided for by the draft Charter for an ITO. The Committee therefore recommended that they be invited to participate in the work of the Conference.

The Economic and Social Council discussed these recommendations at its 96th and 97th meetings on July 28, and its 100th meeting on July 31st, its 102nd meeting on August 1 and its 119th meeting on August 16, 1947.

There was little divergency of view regarding either the proposed agenda or the date and place of the Conference. Without objection, the Council, at its 97th meeting on July 28, adopted two resolutions (62(V)), one approving the Preparatory Committee's recommendation concerning the Conference agenda, the other approving the Committee's proposal concerning the time and place of the Conference. Council members expressed their appreciation of the offer of the Cuban Government to provide conference facilities and the additional financial expenditure which might be caused by holding the Conference in Havana rather than at an established United Nations office.

The representative of the U.S.S.R. declared that since his Government had not participated in the work of the Preparatory Committee (on the ground that the effort to establish an ITO was premature), he would abstain from the Council's discussion of the Committee's interim report and from the voting thereon.

Concerning the participation of non-members of the United Nations at the Havana Conference,

²¹See *Yearbook of the United Nations*, 1946-47, pp. 492-95.

there was general agreement with the specific list suggested by the Preparatory Committee. The name of Pakistan was added to that list, Pakistan at that time (July 1947) not being a Member of the organization.

There was, however, some divergence of opinion as to whether full voting rights should be extended to all states invited to participate in the Conference, some representatives, including those of India and the United Kingdom, being in favor of this procedure and others, including the representatives of Canada, Norway and the United States, being opposed to it. By a vote of 8 to 4, with 6 abstentions, the Council decided at its 102nd meeting to grant voting rights only to Members of the United Nations attending the Havana Conference.

The Council further resolved unanimously (resolution 62 (V)): (a) that the Allied Control Authorities in Germany, Japan and Korea be invited to send qualified representatives to the Conference in a consultative capacity; (b) that Burma, Ceylon and Southern Rhodesia, possessing "full autonomy in the conduct of their external commercial relations", should be invited to attend; and (c) that invitations to be represented at the Conference should also be sent to the specialized agencies and other appropriate inter-governmental organizations and non-governmental organizations in category A.

Opinion was also divided in the Council with respect to an Indian motion (E/504) to invite the Indonesian Republic to participate in the Conference. The proposal was rejected in the Council's Economic Committee by a vote of 4 to 1, with 13 abstentions, but accepted by the Council in plenary meeting on August 1, 1947, by a vote of 6 to 4, with 8 abstentions. On the matter being raised again by the Netherlands representative, the Acting President ruled that the question could not be re-opened. The Republic of Indonesia was accordingly invited to attend the Conference.

At its seventh session (195th meeting, on August 11, 1948) the Economic and Social Council considered the report (E/807) of the Secretary-General on the United Nations Conference on Trade and Employment which had been held at Havana from November 21, 1947 to March 24, 1948.²³ The report advised the Economic and Social Council that the Conference had completed a draft Charter for an International Trade Organization, to be submitted for appropriate action to the governments represented at the Havana Conference. The Havana Conference also established an Interim Commission for the International Trade

Organization, pending action on the Charter by governments.

Praising the work of the Havana Conference, the representative of the United States held, that no action was required by the Council on the report of the Secretary-General. The substance of the Havana Charter was of greatest interest, he declared, but since it was at the time under consideration by various governments, there was no need for the Council to examine the Havana Charter. He therefore proposed a draft resolution (E/952) that the Council note the report with satisfaction.

The Havana Charter was criticized by the representatives of the U.S.S.R. and Poland as affording protection to economically strong countries to the detriment of economically weak and under-developed countries. It was welcomed as a step in advance by the representatives of the United States, Brazil, Canada, Australia, Netherlands, Turkey, United Kingdom, Chile and Venezuela, though certain representatives were critical of individual parts of the Charter.

The United States draft resolution was adopted at its 195th meeting by the Council by a vote of 15 to 3. The resolution (142(VII)) as adopted reads as follows:

"The Economic and Social Council

"Notes with satisfaction the report by the Secretary-General on the United Nations Conference on Trade and Employment."

4. Economic Commissions

a. ECONOMIC COMMISSION FOR EUROPE

The Economic Commission for Europe was established by the Economic and Social Council on March 28, 1947 (resolution 36(IV)). It held its first session from May 2 to 15, 1947,²⁴ its second session from July 5 to 16, 1947, and its third session from April 26 to May 8, 1948. The three sessions were held at Geneva. The reports of the first and second sessions were considered at the fifth session of the Council, in July-August 1947, and the report of the third session at the Council's seventh session, in July-August 1948.

(1) Committee Structure of the Commission

At the second and third sessions the Commission elaborated its committee structure, and various of its subsidiary organs themselves established working parties and *ad hoc* groups.

²³For results of Havana Conference, see *International Trade Organization*, pp. 973-74.

²⁴See *Yearbook of the United Nations*, 1946-47, pp. 481-84.

The following was the committee structure of the Commission as of September 21, 1948:

*Ad hoc Committee on Agricultural Problems of Common Concern to FAO and ECE*²⁰

Coal Committee

Allocations Sub-Committee

Allocations Working Party

Production Sub-Committee

Mining Equipment Working Party

Pitwood Working Party

Briquetting Pitch Working Party

Ad hoc Statistical Working Party

Electric Power Committee

Requirements and Interconnections Working Party

Sub-Committee on Development of Power Resources

(subsequently dissolved)

Working Party on Thermal Questions

Expert Groups: Rhineland, Silesian

Working Party on Hydro Questions

Expert Groups: Alpine, Danube

Working Party on Standardization

Ad hoc Statistical Working Party

*Ad hoc Committee on Industrial Development and Trade*²¹

Industry and Materials Committee

Sub-Committee on Housing

Program and Resources Working Party

Working Party on Technical Problems

Ad hoc Working Party on Refractory Materials

Expert Group on Equipment and Raw Materials Exchanges

Working Party on Ball Bearings²²

*Ad hoc Working Party on Ceramic Insulators*²²

Working Party on Conveyor Belts²²

Sub-Committee on Fertilizers²²

Inland Transport Committee

Sub-Committee on Road Transport

Working Party on Short-Term Road Transport Problems

Working Party dealing with Legal Questions

Working Party on Road Custom Formalities

Working Party on Highways

Working Party on Road Traffic Conditions

Sub-Committee on Transport by Rail²³

Interim Working Party on Transport by Rail

Working Party on Transport of Perishable Foodstuffs

Working Party of Experts on Statistical Information

Manpower Committee

Steel Committee

Working Party on Raw Materials and Equipment for Steel

Panel on Scrap

Working Party on Coke

Working Party on Statistics

Timber Committee (served by FAO and ECE Secretariats)

(2) *Principal Activities of the Subsidiary Bodies of the Commission*

The report of the first and second sessions of the Commission (E/451), the report of the Commission to the seventh session of the Economic and Social Council (E/791) and the interim report of the Commission (E/1074) contain a full account

of the activities of the Commission and its subsidiary bodies from June 30, 1947, to September 21, 1948. The following were some of the activities:

(a) *COAL COMMITTEE*

The Coal Committee, established at the Commission's second session, has continued some of the functions performed by the European Coal Organization, and, in particular, has made regular recommendations on the allocations of solid fuels to European importing countries. Through subsidiary bodies, the Coal Committee has also dealt with questions concerning mining equipment, pitwood and statistical information.

At its fourth session in August 1948, after two subsidiary bodies, the Allocations Working Party and the Allocations Sub-Committee, had worked on the details of a new allocations procedure, the Coal Committee adopted a resolution in which it accepted European self-sufficiency in coal as the aim of its work and established a new basis for the recommendation of allocations.

The Coal Committee also agreed, at the request of the Steel Committee, to undertake a detailed analysis of the consumption of coking coals. This study has as its object the provision of the maximum quantities of coking coals for cokeries, and thus the greatest possible production of metallurgical coke.

The Allocations Sub-Committee at its second session* in January 1948 made recommendations concerning the allocations of metallurgical coke from Germany for the second quarter of 1948, allocations of domestic coke for Sweden and supplementary allocations of coal to Belgium and Italy for extra nitrogen. At its third and fourth sessions in May and August 1948, it recommended the allocation of the supplies of solid fuel declared available for the third and fourth quarters of 1948.

The Allocations Working Party met at frequent intervals to consider new methods of allocations which would be appropriate to existing conditions and which would take account realistically of the need to distribute supplies not in terms of "coal" but in terms of particular qualities of solid fuels.

²⁰A permanent ECE Committee on Agricultural Problems had been recommended for approval by the Commission. Meanwhile the Executive Secretary was authorized to convene meetings on urgent agricultural problems. The FAO and ECE Secretariats co-operate in research and servicing meetings.

²¹A permanent ECE Committee on the Development of Trade had been recommended for approval by the Commission.

²²Meetings to be convened as necessary.

²³The working party structure of the Rail Transport Sub-Committee was to be determined at the following Sub-Committee session.

for which both the demand and the level of supplies varies. A new allocations procedure was worked out and was approved by the Allocations Sub-Committee and by the Coal Committee at its fourth session.

At the third session allocations of ten different qualities of solid fuels were recommended for the first time by the Allocations Sub-Committee, including metallurgical coke, domestic coke, foundry coke and coking fines. At the third session also, no allocation from the United States was recommended; instead the United States representative was informed of the extent of European countries' deficits in each of the qualities for which allocations had been recommended, the object being to ensure that European requirements are first met from European supplies to the maximum extent possible before countries have recourse to supplies from extra European sources. At the third session a formula was used for the first time for allocating the "fluid availability" of metallurgical coke to steel-producing countries.

At its fourth session the Allocations Sub-Committee decided that a study should be made of the methods by which the complete and efficient utilization of European fuel supplies could best be achieved.

On the recommendation of its Production Sub-Committee, the Coal Committee decided that the attention of governments and international organizations, where appropriate, should be drawn to the necessity of acting to increase export availabilities of mining equipment, taking into account the legitimate home requirements of the exporting countries, to provide adequate funds for the purchase of mining equipment and to facilitate the flow of mining supplies. A paper was prepared by the Secretariat giving a detailed technical description of the items of mining equipment required by European coal producers for 1948 and 1949.

The Pitwood Working Party reviewed the requirements and availabilities of different countries and recommended allocations for 1948. It was noted that the availabilities of Swedish pitwood might be increased as a result of the extra coke allocations recommended for that country.

Another subsidiary group, the Briquetting Pitch Working Party, at its third session in July 1948, after reviewing the past and existing situation as regards briquetting pitch and the quantities available for export in the current shipping season, agreed, in view of the increase of European supplies, that no allocations of briquetting pitch should be made for the time being, on the understanding that if difficulties arose and any country

did not find the situation satisfactory, the question of allocation should be reconsidered.

(b) ELECTRIC POWER COMMITTEE

The Electric Power Committee, established at the Commission's second session, initiated and carried out studies on the best means of effecting a co-ordinated development of European power resources, kept the problem of the shortage of power equipment under constant review and facilitated the negotiation of international agreements for the supply and exchange of electrical energy.

Notably, agreements for the exchange of electric energy were reached between Austria, Czechoslovakia and Poland; and between the Occupation Authorities in Germany and Austria, Belgium and Switzerland respectively. Other agreements were still under discussion at the end of the period under review here.

Investigations in connection with the standardization of electric power equipment were undertaken in close collaboration with the Electrical Division of the International Standards Organization, whose members include both manufacturers and users of equipment. As a result of these investigations, recommendations relating to turbo-alternators were forwarded to the International Standards Organization. These recommendations were to the effect that future generator capacities of 50 and 100 m.w. should be adopted for single-shaft condensing units of 3000 r.p.m. without reheating.

In addition to reviewing the situation, the Electric Power Committee began preparatory work towards the co-ordinated development of European power resources. This involved a survey of present working capacity, capacity under construction and capacity planned or potential as set against probable requirements for electric energy.

(c) INDUSTRY AND MATERIALS COMMITTEE

The Industry and Materials Committee, established at the second session of the Commission, was empowered to initiate studies and make recommendations on the means whereby the European production of certain scarce commodities and equipment might be increased, their utilization improved and further economy in their consumption achieved. At its first session in November 1947 it set up Sub-Committees on Steel and Manpower. The Commission at its third session decided to give full committee status to these two Sub-Committees.

At its second session in June 1948 the Committee reviewed the work of its subsidiary bodies, terminating the existence of those, including its

Sub-Committee on Alkalies, whose work had been completed.

The Industry and Materials Committee and its various subsidiary bodies concerned themselves with problems in the field of fertilizers, alkalies, ball-bearings, conveyor belts, refractory materials and ceramic insulators. While much of the work in these fields was of necessity concentrated on the collection and exchange of information, the work of some of the subsidiary bodies also had some effect in increasing production, notably in the case of fertilizers and silica bricks.

The work of the Committee and its subsidiary bodies resulted also in an increase in production of bearings.

It was found on the basis of production figures for the third and fourth quarters of 1947 that the increased nitrogen production resulting from special coal allocations amounted to 18,000 tons, which corresponded to a potential increase in wheat production of 220,000 tons.

In connection with transport equipment, the Committee noted that a great number of road vehicles were immobilized through lack of spare parts and components. It appeared that a portion of the required spare parts and components might be available from surplus stocks left on the Continent by the Allied Forces, and that the balance required might be produced in Europe. As a result of investigations carried out by the Executive Secretary of the Commission, an agreement in principle was reached concerning the procurement of spare parts in Italy by Czechoslovakia, Poland, Roumania and Yugoslavia.

Agreement was reached on certain measures designed to relieve the shortage of manpower, equipment and transport necessary for the increased production of silica bricks and quartzite.

The Housing Sub-Committee (until the third session of the Commission, the Housing Panel) reviewed housing needs and programs, requirements for building materials and measures to economize the use of scarce materials. It established subsidiary bodies to study, among other things, the requirements and availabilities of building materials, equipment and skills, and the possibilities of increasing building production through mass-production methods. Agreement was reached on methods of surveying requirements and availabilities of building materials, equipment and manpower. Agreement was also reached on the necessity of applying to the building industry the same methods of mass-production as used in other industries. It was further agreed that the introduction of mass-production methods in the building industry should

be accompanied by the development of scientific and technical research, co-ordinated with the building industry through national research centres, which would form the bases for international co-operation in scientific and technical fields.

(d) INLAND TRANSPORT COMMITTEE

The Inland Transport Committee was established at the second session of the Commission to act in a consultative and advisory capacity in the field of inland transport in Europe and was charged with completing the essential tasks of the European Central Inland Transport Organization (ECITO) upon the dissolution of that organization. (The Commission had expressed the opinion that ECITO should be liquidated not later than September 25, 1947.)

The Committee decided that as a first step a review should be made of the various bottlenecks and of possible improvements which might result from the repair, maintenance and renewal of European transport equipment.

A subsidiary body of the Committee (Working Party on Transport by Rail), for example, examined the problems associated with the restoration of the "Regulations on the Reciprocal Use of Wagons in International Traffic" ("R.I.V."). Recommendations were made, and subsequently adopted by the Committee at its second session, on the general resumption of these regulations as from April 1, 1948. These proposals contained suggestions to meet the difficulties arising from the dispersal of railway rolling stock over a number of different countries. As a result of a fairly general acceptance of R.I.V. regulations, the supply of wagons (i.e. freight cars) was considerably eased and international traffic greatly facilitated.

A substantial achievement was the lifting of restrictions on freedom of the road. The Governments of Austria, Belgium, Denmark, France, Italy, Luxembourg, Netherlands, Norway, Switzerland, Sweden and United Kingdom, and also the Governments of France, United Kingdom and United States with regard to their respective zones in Germany, undertook to grant or maintain for a year as from January 1, 1948, freedom of transit for all road transport of goods. Czechoslovakia accepted the same regime for six months. Several governments were also prepared to grant or maintain for the same period freedom for all other international transport of goods by road and for tourist traffic.

At conferences held by a subsidiary body (BIDAC—i.e., Bids Acceptance Committee), programs of traffic in transit through the occupied zones were accepted, differences relating to the

movement of coal were removed and current problems concerning the transport of perishable goods were dealt with.

Progress was achieved with regard to inland waterway transport on certain waterways as the result of an agreement between Belgium and the Netherlands on the one hand and the United States and United Kingdom Zones of Germany on the other. This agreement aimed at facilitating a fair distribution of traffic between Belgian, Netherlands and German seaports, thus leading to a more rational use of port facilities.

(e) MANPOWER COMMITTEE

The Manpower Committee (until the third session of the Commission, a sub-committee of the Industrial and Materials Committee) formulated a number of recommendations, including several dealing with manpower statistics, which were forwarded to the International Labour Organisation and accepted by the Governing Body of that Organisation in March 1948. In addition, arrangements were suggested for the exchange of information and experience on questions related to training and retraining. The attention of the ILO was drawn to the need for the establishment of minimum standards governing migration in Europe.²⁴

(f) STEEL COMMITTEE

The Steel Committee (until the third session of the Commission, a sub-committee of the Industrial and Materials Committee) set up working parties on coke, raw materials and shortages of equipment for steel production.

The computations made by its Coke Working Party of the imports of coke and coking fines required by steel-producing countries to maximize steel production showed a heavy deficit, which could only be met by increased imports of metallurgical fuel, particularly from the Ruhr. It was agreed that imports of metallurgical coke should, for this reason, be maximized even at the expense of other quantities of fuel.

The Coal Allocations Sub-Committee subsequently accepted the recommendations of the Steel Committee for the distribution of metallurgical fuel and made recommendations for the allocation of coal in the second quarter of 1948 which were to make possible an increase in steel production for that quarter amounting to about 400,000 tons.

The Working Party on Raw Materials found that scrap shortage was a severe limiting factor in steel production which could be made good only by raising scrap collection in Europe. The governments concerned each agreed to make a detailed

individual study of how scrap collection could best be increased.

At its second session in May 1948 the Steel Committee set up a panel of experts to examine the question. It also supported a recommendation of the United States Scrap Mission that the supplies of scrap in Germany be exploited to the maximum for the benefit of countries in need of scrap. An analysis of trends in Europe's supply and consumption of scrap was also prepared by the Secretariat (E/ECE/84) and submitted to the Committee's third session in September 1948.

As regards shortages of equipment, the Executive Secretary was asked to prepare, in collaboration with the governments concerned, a statement of outstanding requirements for new equipment over which difficulty was being experienced, and governments of countries producing such equipment were requested to assist their industries by giving the necessary priorities for raw materials. At its second session the Committee requested representatives from exporting countries to stress with their governments the importance of early deliveries of existing orders and to suggest measures to ease the financing of equipment purchases.

(g) TIMBER COMMITTEE

The Timber Committee (until the third session of the Economic Commission for Europe, a sub-committee of the Industry and Materials Committee) dealt with matters of common concern to FAO and ECE, and was serviced by a joint secretariat of the two organizations.

At the first session in October 1947 the Sub-Committee reviewed the softwood lumber production programs of European countries for the years 1948-1955. Prior to the meeting the European gap for 1948 had been estimated at 2.1 million standards. (A standard is 4.67 cubic meters of sawn timber.) The forecast of figures arising from these discussions showed that the principal European lumber-producing and -exporting countries, given certain extra facilities, could increase output above 1947 production by more than 400,000 standards, and thereby reduce the gap by as much as one fifth.

In view of the fact that accessible forests were insufficient to cover present and prospective requirements, the Executive Secretary of ECE was requested to arrange with FAO, and in consultation with all interested governments, for a study of the potentialities of hitherto unexploited forest resources. The Executive Secretary was further requested to bring to the attention of the Interna-

²⁴See *International Labour Organisation*, pp. 821-22.

tional Bank, the Fund and any other interested international agencies the impact of currency difficulties on Europe's timber situation.

The second session of the Timber Sub-Committee was held in January 1948. A further review of the European timber position and outlook again revealed that currency difficulties would make it impossible for most importing countries to cover their essential requirements even if sufficient timber were available. As a result, effective import demand was found to be only 2.59 million standards, compared with import requirements totalling some 4.27 million standards. It was further found that under prevailing conditions exports available to European importing countries would reach 2.38 million standards in 1948 and 2.32 million standards in 1949.

In order to ensure a balanced distribution of available export supplies, an informal agreement was therefore reached by importing countries not to exceed specific purchasing ceilings for a period up to July 1, 1948, when the situation would again be reviewed.

The Timber Committee also considered the possibilities of increasing the timber available for export by facilitating the purchase of timber equipment from certain equipment-exporting countries by means of a loan from the International Bank.

It made recommendations regarding reforestation and the use of hardwood for mining purposes.

(h) *Ad hoc* COMMITTEE ON AGRICULTURAL PROBLEMS OF COMMON CONCERN TO ECE AND FAO

The *ad hoc* Committee on Agricultural Problems of Common Concern to ECE and FAO at its first session in September 1948 decided to submit to governments a proposal presented jointly by the Director-General of FAO and the Executive Secretary of ECE to establish within the framework of ECE a Committee on Agricultural Problems serviced by the secretariats of the two organizations, and set up two *ad hoc* working parties to consider trade possibilities and technical agricultural problems.

(i) *Ad hoc* COMMITTEE ON INDUSTRIAL DEVELOPMENT AND TRADE

(The first session of the *ad hoc* Committee on Industrial Development and Trade was not held within the period covered by the present Yearbook.)

(3) *Relations with the Allied Control Authorities in Germany*

At its second session the Commission, after some discussion, instructed the Executive Secretary to continue consultations with the Allied Control

Council regarding the establishment of liaison in Berlin and requested him to consult with the Control Authorities concerned regarding organizational arrangements necessitated by the transfer to the Commission of the essential activities of the European Coal Organization (ECO), the European Central Inland Transport Organization (ECITO) and the Emergency Economic Committee for Europe (EECE) (which, it had been agreed, the Commission should assume).

Accordingly, pending action by the Allied Control Council, provisional arrangements were made for the carrying out of functions previously exercised by these three organizations in respect of Germany, and an ECE liaison office was established on a provisional basis in Frankfurt.

At its third session the Commission discussed a report by the Executive Secretary on the back ground and existing situation regarding relations with the Allied Control Council in Germany, and requested him to renew consultations with the Allied Control Council with a view to the establishment of a main liaison office in Berlin and the termination of the Frankfurt office as an independent unit. All liaison would then be subordinated to the Berlin office (E/791).

(4) *Discussions by the Council of the Commission's Reports*

(a) REPORT OF THE FIRST TWO SESSIONS

The report of the first two sessions of the Economic Commission for Europe was presented to the Council's fifth session, and discussed by it at the 97th and 98th plenary meetings on July 28 and 29, 1947.

Differences of opinion were expressed on two points.

The U.S.S.R. and Byelorussian representatives criticized the resolution of the Commission regarding consultation with the Allied Control Authorities, maintaining that the Allied Control Council alone was competent to deal with the German problem and that in matters affecting it the Economic Commission for Europe should approach the quadripartite group as a unit and not its separate elements.

The United Kingdom, United States and French representatives, on the other hand, supported the Commission's resolution, maintaining that the Commission should have adequate liaison arrangements with the Control Authorities and should be able to make representations and ask for information from them.

A U.S.S.R. proposal to reject the Commission's resolution was defeated at the Council's 98th plenary

any meeting on July 29 by 10 votes to 2, with 6 abstentions. The Council, however, agreed to record the objections of the Byelorussian S.S.R. and the U.S.S.R. in a footnote to its resolution.

The Byelorussian and U.S.S.R. representatives also opposed giving the Commission's Inland Transport Committee competence to make recommendations to the regimes of international inland waterways.

The Council, at its 98th plenary meeting, adopted without objection resolution 68 (V) as follows:

"The Economic and Social Council

"Notes the report of the first and second sessions of the Economic Commission for Europe,

"Expresses appreciation of the work of the Commission, approving in particular the arrangements made by the Commission for the maintenance of the essential work performed by the Emergency Economic Committee for Europe, the European Central Inland Transport Organization and the European Coal Organization, and

"Draws to the attention of the Commission the views expressed by the members of the Economic and Social Council concerning the report."

(b) INTERIM REPORT

The Economic and Social Council at its sixth session was presented with an interim report by the Executive Secretary of the Economic Commission for Europe (E/603). This report, prepared in accordance with instructions of the Commission, incorporated comments and suggestions received from members of the Commission, but had not been considered by the Commission as a whole. The Council accordingly, at its 134th plenary meeting on February 10, decided to take no action on the report, other than taking note of it.

(c) ANNUAL REPORT, JULY 1947—MAY 1948

The regular annual report (E/791), covering the activities of the Economic Commission for Europe from its second session in July 1947 to its third session in May 1948, was submitted to the seventh session of the Council. This report was discussed at the seventh session of the Economic and Social Council during the latter's 182nd to 185th plenary meetings from July 27 to 29 and at the 187th and 190th plenary meetings on July 31 and August 4.

Much of the debate was concerned with the question of the European Recovery Program ("Marshall Plan"), which was criticized by the representatives of the Byelorussian S.S.R., Poland and the U.S.S.R., and defended by other representatives, including those of Canada, Chile, Denmark, France, Netherlands, New Zealand, Turkey, United Kingdom and United States.

Another question raised during the considera-

tion of the Commission's report was that of the relationship between the regional and functional commissions of the Economic and Social Council. The representatives of New Zealand and Canada felt that, generally speaking, functional commissions, such as the Economic and Employment Commission, were preferable to the regional commissions with their geographically limited scope. The representative of Canada thought it might be advisable, in the case of a regional commission, to differentiate between the administrative expenses, to be borne by the United Nations, and the executive and operational expenses, which, he suggested, might more appropriately be borne by the countries situated in the geographical area covered by the regional commission in question. While most participants in the debate did not comment upon this matter, the representative of Venezuela suggested that the proper function of a functional commission lay in the realm of formulating adequate theoretical principles whose translation into practice should form the proper concern of the regional commissions; both were eminently necessary. He opposed the Canadian suggestions regarding the budgets of regional commissions, saying their work was part of the total international effort and should logically be borne by the community of nations.

Two draft resolutions were before the Council in connection with the ECE report, one submitted by the representative of the U.S.S.R. (E/884), the other by the representative of France (E/885).

The U.S.S.R. proposal (E/884) set forth six principles for the guidance of ECE in its future work. These provided, *inter alia*: that ECE should promote intra-European trade and trade with non-European countries; that economic assistance to Europe should be granted within the framework of the United Nations, that discrimination in the sphere of foreign trade should cease, that the efforts of European countries should be directed towards the development of the basic branches of national industry most important to their economy; that ECE should assist European countries in the organization of cheap agricultural credit to farmers with a view to rehabilitating European agriculture and improving the food situation of the continent; and that the rehabilitation and development of European economy should be carried out so as to raise the standard of living of the masses. The draft resolution in its various paragraphs stated that the Marshall Plan had increased the already abnormal dependence of the Western European countries on

the United States; these measures were designed to remove that dependence.

The Economic and Social Council, according to this U.S.S.R. draft resolution, would recommend that the Economic Commission for Europe should establish the necessary working bodies to study the questions involved in the above-mentioned principles, including committees to be established for the development of intra-European trade, for the maintenance and development of branches of vital national industries and for assistance in the development of agriculture in the European countries.

The U.S.S.R. proposal was supported by the representatives of Poland and the Byelorussian S.S.R. The proposal, as such, was opposed by the other Council members, a majority of whom announced that they would abstain from voting even for those of its parts which expressed unobjectionable principles, because of the entire context of the draft resolution and what they regarded as its unwarranted attack against the United States and the European Recovery Program.

The U.S.S.R. proposal was submitted to the vote at the Council's 185th meeting on July 29. Following the adoption of its individual parts in a sentence by sentence vote by majorities ranging from 3 to 0, with 14 abstentions, to 3 to 2, with 12 abstentions, the draft resolution as a whole was rejected by a vote of 14 to 3.

The French proposal (E/885) would have placed the Economic and Social Council on record as taking cognizance of the ECE report, as approving its terms, as noting with satisfaction that ECE had decided to undertake a study of and seek a solution for the problem of intra-European trade and the closely related problem of the development of under-industrialized European countries and, finally, as inviting the ECE to pursue this work realistically with a view to obtaining concrete results as soon as possible.

Amendments to this French draft resolution were proposed by the representatives of the United Kingdom (E/894), Poland (E/895) and the U.S.S.R. (E/903/Rev.1) aimed, in general, at making the proposal more explicit. The Council referred the original proposal and the amendments to a drafting group composed of the representatives of France, Poland, the United Kingdom and the U.S.S.R., which reached unanimous agreement on a draft resolution (E/915) embodying the substance of all the amendments.

The draft resolution proposed by the drafting group was unanimously adopted by the Council at

its 190th plenary meeting on August 4. The resolution (143 (VII)) reads as follows:

*"The Economic and Social Council,
"Having taken cognizance of the report of the Economic Commission for Europe,
"Approves its terms;*

"Notes with satisfaction that the Economic Commission for Europe at its third session adopted unanimously a resolution on the setting up of an ad hoc Committee on industrial development and foreign trade, which provides for consideration of questions as to the manner in which the Economic Commission for Europe can promote the reconstruction and development of industry and foreign trade of the European countries;

"Expresses the hope that this work will lead to an increase of industrial and agricultural production in Europe, particularly in those of the countries concerned in which natural resources and manpower reserves are as yet not fully utilized, and result in an expansion of intra-European trade such as to facilitate increased and better balanced trade with the other continents;

"Authorizes the Economic Commission for Europe to set up, within the Commission, such body or bodies as it may consider necessary to initiate and carry out work in the two fields mentioned;

"Invites the Economic Commission for Europe:

"(a) To approach whenever necessary the various specialized agencies of the United Nations with requests for assistance in achieving such aims as may be formulated in the course of this work;

"(b) To pursue this work realistically with a view to obtaining concrete results as soon as possible and to submit to the next session of the Council a progress report on its activities in the field of industrial development and trade, including a description of any technical means contemplated to foster the development of intra-European trade;

"(c) To submit to the Council at an early date a factual analysis of the possibilities of economic reconstruction, through the development of the under-industrialized countries and an expansion of trade between the countries of Europe."

In connection with its consideration of the report of the second session of the Transport and Communications Commission, the Council, at its seventh session, also adopted resolution 147 (VII)-B, which, in part, instructed the Secretary-General to request the Economic Commission for Europe to complete the draft text prepared by its Inland Transport Committee dealing with a convention on road and motor transport and to forward it to the Secretary-General as soon as practicable so that he might be in a position to make the necessary arrangements for the convening of a world-wide conference of governments not later than August 1949 with the object of concluding a new world wide convention.

b. ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

The Economic Commission for Asia and the Far East (ECAFE) had been established by the Eco-

nomic and Social Council during the latter's fourth session, on March 28, 1947 (resolution 37(IV)).³⁵ It held three sessions up to the end of the period presently under review, as follows:

First Session Shanghai, China June 16-25, 1947
 Second Session Baguio, Philippines Nov. 24-Dec. 6, 1947
 Third Session Ootacamund, India June 1-12, 1948

Pursuant to a request from the Economic and Social Council, ECAFE, at its first session, appointed a Committee of the Whole to consider the questions of the Commission's geographical scope and membership and to suggest modifications, if need be, of ECAFE's original terms of reference. The Committee of the Whole met during the interval between ECAFE's first two sessions at Lake Success from July 10 to 17, 1947.

(1) *Council Approves Preparatory Arrangements Made at First ECAFE Session*

The report of the Economic Commission for Asia and the Far East concerning the first session of that body (E/452) was discussed at the 100th and 101st plenary meetings of the Economic and Social Council on July 31, 1947. The general support for this first phase of ECAFE's work was reflected in the unanimous adoption, following a brief debate, of a draft resolution submitted by the representative of China and amended by the Council's Acting President by the addition of a phrase calling ECAFE's attention to the views expressed during the Council's consideration of the Commission's report. Members of the Council participating in the debate generally praised ECAFE's preliminary work and the program it had mapped for the future, emphasizing that the work of this regional Commission must be guided by the interests of Asia and the Far East, i.e., the region it served.

The resolution (69(V)) adopted unanimously by the Council at its 101st meeting reads as follows:

"The Economic and Social Council

"Notes the report of the first session of the Economic Commission for Asia and the Far East,

"Expresses its appreciation of the work of the Commission,

"Approves the preparatory arrangements made by the Commission for the carrying out of its functions, and

"Draws to the attention of the Commission the views expressed concerning the report by the members of the Economic and Social Council."

(2) *Council Action concerning Report of ECAFE Committee of the Whole*

The report (E/491) of the Committee of the Whole of the Economic Commission for Asia and the Far East was discussed at the 100th, 101st and 106th plenary meetings of the Economic and Social Council, on July 31 and August 5, 1947. Dis-

cussion centred largely around the question of ECAFE membership and geographical scope.

To meet the case of countries and territories in Asia and the Far East not responsible for the conduct of their international relations, the Committee of the Whole had evolved the concept of "associate membership". The representatives of such "Associate Members" should, the Committee of the Whole proposed, be permitted to participate, without voting rights (but with full eligibility for offices in all ECAFE subsidiary organs), in ECAFE deliberations; applications for associate membership were to be made by the Metropolitan Power responsible for the international relations of the country or territory in question. The list of countries or territories eligible, upon application by the Metropolitan Powers concerned, for ECAFE associate membership, as recommended by the Committee of the Whole, was as follows: North Borneo, Brunei and Sarawak, Burma, Ceylon, the Indo-Chinese Federation, Hong Kong, the Malayan Union and Singapore, and the Netherlands Indies. The Committee of the Whole further recommended that should any of these countries or territories become responsible for its own international relations, such a country or territory "may be admitted as an Associate Member of the Commission on itself presenting its application to the Commission".

In general, the concept of associate membership was not questioned during the Council's discussion of the report of the Committee of the Whole, although the representative of India indicated his preference for granting full voting rights to all Asian countries, whether or not Members of the United Nations. There was, however, a difference of opinion regarding how application for associate membership should be made. Several representatives, including those of India and the U.S.S.R., held that it would be preferable to authorize the Commission to consider associate membership applications submitted by the countries and territories involved rather than limit the Commission to consider such applications only if submitted by the Metropolitan Power concerned. On the other hand, a majority of Council members declared that the Metropolitan Powers could be the only logical sponsors of applications for associate membership, warning that embarrassing situations might develop if the Metropolitan Powers were by-passed in this connection.

The representative of the U.S.S.R. suggested

³⁵See *Yearbook of the United Nations*, 1946-47, pp. 485-87.

that ECAFE membership should be open to any United Nations Member in Asia and the Far East, with the exception of Turkey, because the latter was already represented on the Economic Commission for Europe. Other Council members, however, observed that Turkey was located in both Europe and Asia and was therefore entitled to membership both on the ECE and the ECAFE, if it so desired.

A U.S.S.R. amendment (E/512), to the effect that all United Nations Member countries in Asia and the Far East, except Turkey, should be eligible for membership in the Commission and that non-members in the area should be admitted to participate without voting rights in the Commission's discussions, was rejected at the Council's 106th plenary meeting on August 5, 1947, by 9 votes to 4, with 5 abstentions. The Council then adopted by 14 votes to 0, with 4 abstentions, the draft resolutions (E/524) which had been prepared by its Economic Committee on the basis of the proposals made by the ECAFE Committee of the Whole.

In addition to the draft resolutions proposed by the Committee of the Whole, the Council formulated a resolution requesting ECAFE members responsible for the international relations of the countries and territories eligible for associate membership to forward applications to the Commission on their behalf.

The resolutions (69(V)) adopted by the Council read as follows:

"The Economic and Social Council"

"Resolves that the following be added to the terms of reference of the Commission as article 3a:

"3a (i) Any of the following territories, namely North Borneo, Brunei and Sarawak, Burma, Ceylon, the Indo-Chinese Federation, Hong Kong, the Malayan Union and Singapore, and the Netherlands Indies, or any part or group of such territories, may on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories be admitted by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

"(ii) Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as Commission or as committee of the whole.

"(iii) Representatives of associate members shall be eligible to be appointed as members of any committee, or other subordinate body, which may be set up by the Commission and shall be eligible to hold office in such body.

"(iv) Any territory or part or group of territories mentioned in paragraph 3a (i) which is not a member or an associate member of the Commission may, with the concurrence of the Member responsible for its inter-

national relations, be invited by the Commission to participate in a consultative capacity in the consideration of any matter of particular concern to that territory, part or group of territories."

"The Economic and Social Council,"

"Taking note of the provisions of article 3a (i) of the terms of reference of the Economic Commission for Asia and the Far East;

"Recognising the necessity for ensuring complete co-operation between the Governments of the territories concerned, the Governments responsible for the conduct of international relations of the territories and the Commission,

"Requests members of the Commission concerned to forward such applications to the Commission."

"The Economic and Social Council"

"Resolves that the following be added to the terms of reference of the Economic Commission for Asia and the Far East as set forth in the first part of the Council's resolution of 28 March 1947:

"1. The Commission is empowered to make recommendations on any matters within its competence directly to the Governments of members or associate members concerned, Governments admitted in a consultative capacity, and the specialized agencies concerned. The Commission shall submit for the Council's prior consideration any of its proposals for activities that would have important effects on the economy of the world as a whole.

"2. The Commission may after discussion with any specialized agency functioning in the same general field, and with the approval of the Council, establish such subsidiary bodies as it deems appropriate, for facilitating the carrying out of its responsibilities.

"3. The Commission shall submit to the Council once a year a full report on its activities and plans, including those of any subsidiary bodies, and shall make interim reports at each regular session of the Council.

"4. The Commission may consult with the representatives of the respective control authorities in Japan and in Korea and may be consulted by them for the purpose of mutual information and advice on matters concerning the economies of Japan and Korea respectively in relation to the rest of the economy of Asia and the Far East."

(3) Council Action on the Report of the Second ECAFE Session

The report (E/606) covering the second session of the Economic Commission for Asia and the Far East was discussed by the Council at its 134th, 135th and 167th plenary meetings, on February 10 and March 8, 1948.

During the second ECAFE session Pakistan, having become a Member of the United Nations, had been present as a full member of the Commission, while Burma, Ceylon, Hong Kong, the Malayan Union and Singapore (all represented by the United Kingdom) and Cambodia and Laos (both represented by France) had been admitted as Associate Members. New Zealand had been represented by an observer, and its full membership in the Commission was unanimously recommended to the Council.

One of the most important parts of the report—and one that came in for much discussion in the Council—dealt with the proposed establishment of a Bureau of Flood Control, whose task it would be to combat and ultimately to prevent the destruction caused by the great rivers of Asia when in flood. The proposed Bureau would study this problem and acquaint the governments concerned with the results of its work.

The representative of China proposed (E/644, later revised in E/644/Rev.1) that the organization of the Bureau of Flood Control be studied by the Secretariat, the Secretariat recommendations to be considered at ECAFE's third session, which in turn should submit ECAFE's final recommendations to the Council for consideration at the latter's seventh session.

Several modifications of the Chinese proposal were suggested. Thus, the representative of the United States felt that it was perhaps premature to take it for granted that a semi-autonomous Bureau of Flood Control would have to be organized. Accordingly he proposed orally that ECAFE be requested to submit to the Council detailed proposals—not "concerning the organization" of the Bureau of Flood Control, although such proposals would be in order if ECAFE found that necessary, but rather "concerning the appropriate methods of dealing with the problems of flood control". This United States suggestion was accepted by the sponsor of the draft resolution.

The representative of the Netherlands felt that the Chinese suggestion to ask the Secretariat to submit the results of its studies to the third ECAFE session might not give the Secretariat sufficient time; he therefore suggested the omission of this time limit, but did not press his point.

The Chinese resolution also proposed that the Council approve the admission of New Zealand.

The revised Chinese draft resolution was approved by a vote of 17 to 0, with 1 abstention, at the 167th plenary meeting of the Council on March 8, 1948. The abstaining Council member—the representative of New Zealand—explained that he had abstained merely because he considered it improper to vote in his own cause, i.e., for the admission to ECAFE membership of his own country. He added that he was in complete agreement with the terms of the resolution adopted by the Council (105 (VI)), which reads as follows:

"The Economic and Social Council,

"Having considered the report of the first and second sessions of the Economic Commission for Asia and the Far East,

"Approves the admission of the Government of New Zealand as a member of the Commission;

"Takes note of the action taken by the Commission at its first and second sessions in furtherance of the purposes set forth in its terms of reference; and

"Requests that preliminary study be undertaken by the Secretary-General, in consultation with the specialized agencies concerned, of the recommendation that a bureau of flood control be established for Asia and the Far East, and that its results be submitted to the third session of the Economic Commission for Asia and the Far East with a view to the preparation and submission to the seventh session of the Council by the Commission of proposals concerning the appropriate methods of dealing with the problems of flood control."

(4) *Council Action on the Report of the Third ECAFE Session*

The report (E/839) covering the third ECAFE session was considered at nine plenary meetings of the Economic and Social Council during the latter's seventh session (plenary meetings 186, 187, 188, 190, 192, 196, 200, 204, 206, on July 30 and 31 and August 2, 4, 7, 12, 16, 18 and 19).

(a) *INDUSTRIAL DEVELOPMENT OF ECAFE REGION*

At its second session, ECAFE had established a Working Party on Industrial Development in the Commission's geographical region. This group submitted a preliminary report (E/CN.11/82) to ECAFE's third session, which authorized the Working Party (E/CN.11/114) to continue its studies of the economic and industrial development of the region, to co-opt additional members and to make detailed studies of the major aspects of economic and industrial development. It was in the first instance to study the following subjects: fuel and power, transport and transport equipment in relation to industry, fertilizers and agricultural requisites, basic materials including ores and metals, textiles, and heavy engineering industries.

The Council discussions at its seventh session concerning this subject matter centred round the problems of the development of industry, trade and agriculture in under-developed areas and the relation of foreign investment and credits to these problems. The question of the relation of the economy of Japan to economic development in the region with which ECAFE is concerned was also raised.

Two proposals, one by the U.S.S.R. (E/905/Rev.2) and one by Chile (E/920), and a comprehensive Australian amendment (E/921) to the U.S.S.R. proposal were before the Council.

The U.S.S.R. proposal (E/905/Rev.2) would, *inter alia*, have the Council take into consideration that the restoration and development of the economy of countries of Asia and the Far East should be carried out in such a way as to promote conditions of stability and well-being based on respect for the principle of equal rights and self-determination of

peoples and so promote the elimination of colonial or semi-colonial dependence. The Council was to recommend that: ECAFE should promote the development in these countries of their national industry, including various types of heavy industry, through mobilization of natural resources and by economic assistance from industrially-developed countries (such assistance not to be conditional on demands for privileges and to be within the framework of the United Nations); promote the development of trade between these countries and with countries of other regions, without discrimination; promote the development of agriculture by various means; increase the amount of capital and credit available from outside sources and make it available where most needed; and continue discussions of these questions in association with appropriate specialized agencies and examine the question of establishing appropriate committees within ECAFE.

The Chilean proposal (E/920), *inter alia*, would have the Council, after noting with satisfaction the resolutions adopted by the Commission providing for consideration of the way in which it could promote the reconstruction and development of industry and foreign trade of the countries in Asia and the Far East, express the hope that this study would lead to an increase of industrial and agricultural production in this area and authorize the Commission to set up such bodies as it considered necessary for this purpose. The proposal would have the Council invite ECAFE: to request assistance from specialized agencies; to submit to the Council's next session a progress report on its activities in the field of industrial development and trade; and to submit at an early date a factual analysis of the possibilities of economic reconstruction through the development of under-industrialized countries and an expansion of trade between countries in the region.

The Australian amendment (E/921), *inter alia*, proposed to delete from the U.S.S.R. proposal: the reference in the preamble to the elimination of colonial and semi-colonial dependence, certain particulars concerning the development of industry and agriculture, the reference to discrimination in the development of trade and the recommendations concerning the establishment of committees.

Sub-amendments to the Australian amendment were submitted by the representatives of France (E/922) and Chile (E/929), the former proposing certain drafting changes, the latter proposing, *inter alia*, the addition of a paragraph authorizing ECAFE to set up such subsidiary bodies within the Commission as it might deem necessary to implement the four objectives.

A drafting committee consisting of representatives of Australia, China, France, Poland and the U.S.S.R., established at the 190th meeting to attempt the production of an agreed draft, recommended a draft resolution (E/949) based largely on the Australian version of the U.S.S.R. proposal. U.S.S.R. amendments to the drafting committee's proposal, containing most of those parts of the original U.S.S.R. draft resolution which had failed to obtain a majority in the drafting committee, were rejected at the 204th plenary meeting of the Council on August 18 by separate votes ranging from 7 to 7, with 4 abstentions, to 13 to 3, with 2 abstentions. The U.S.S.R. representative then declared that, although dissatisfied with the proposal, he would vote for it since its weaknesses were less important than the wishes of the countries of Asia and the Far East.

The draft resolution was then adopted unanimously (144(VII)C). It reads as follows:

"The Economic and Social Council,

"Having considered the interim report of the third session of the Economic Commission for Asia and the Far East, and

"Taking into consideration that the restoration and development of the economy of the countries of Asia and the Far East should be carried out in such a manner as to promote conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples as set out in Articles 55 and 73 of the Charter,

"Notes with satisfaction the decisions of the third session of the Economic Commission for Asia and the Far East on industrial development, trade promotion and agriculture;

"Recommends that the Economic Commission for Asia and the Far East continue, in association with the appropriate specialized agencies, deliberations on these matters with a view to recommending policies and measures designed for the following purposes:

"1. To promote and co-ordinate the development of industry in the countries of Asia and the Far East based upon their national resources and needs and designed to raise standards of living in their own countries and regions and, through trade, in the rest of the world;

"2. To promote the development of trade between the countries of Asia and the Far East and also between these countries and the countries of other regions;

"3. To promote and co-ordinate the development of agriculture by means which will bring about greater, better, more efficient and diversified production, with special attention to the particular agrarian conditions in these countries;

"4. To increase the total amount of capital, credit, machinery, technical assistance and other resources available for the foregoing purposes from within and outside the region, and to make such capital, credit, machinery, technical assistance and other resources available where they are most needed; and

"Recommends that the Economic Commission for Asia

and the Far East consider and keep under review the question of the establishment within the Economic Commission for Asia and the Far East, and the terms of reference, of appropriate bodies, including committees, that could promote the successful accomplishment of its tasks."

(b) FLOOD CONTROL

By resolution 105(VI) the Economic and Social Council had, at its sixth session, suggested that studies be undertaken by the Secretariat and submitted to ECAFE at the latter's third session regarding the problem of flood control of Asia's great rivers (see above). Such studies were undertaken, and ECAFE, at its third session, recommended the establishment of a Bureau of Flood Control (E/839, Annex C, p. 75).

ECAFE's recommendation was incorporated in a draft resolution proposed by the representative of China (E/893 and Add.1). The draft resolution provided for the establishment of a Bureau of Flood Control to be composed of not more than five experts with high technical qualifications. The experts would be appointed by the Secretary-General of the United Nations out of a panel of names submitted by Member Governments, except that one expert would be appointed by the Director-General of the Food and Agriculture Organization on the latter's own initiative. The Bureau's Chairman would be appointed from among its expert members by the Secretary-General. The Bureau would be started in the first place with a minimum of three experts and would be responsible, to ECAFE. The Chinese proposal further recommended that a progress report on plans of activities and of organization of the Bureau be submitted by ECAFE to the eighth session of the Council.

The Canadian representative also introduced a proposal (E/897 and Rev.1) on the same topic. He proposed that the Council instruct the Secretary-General: to promote studies and disseminate information to interested Member Governments in regard to flood control in the territories within the geographical scope of ECAFE; to appoint to the Secretariat staff adequate to perform these functions; to consult with FAO on flood control matters recognized as within FAO's particular competence, as well as with other specialized agencies; to arrange for the provision of expert advice and assistance, in the field of flood control, to Member Governments on request in conformity with the principles laid down in the General Assembly's resolution 52 (I)³⁶ and in the Council's own resolution 51 (IV).³⁷ Such assistance was to include, *inter alia*, advice and assistance in the establishment or improvement of national organizations to deal with flood control;

assistance in the form of special experts or teams of experts to advise national organizations in the solution of specific problems; and elaboration of plans to promote the training of specialists in matters of flood control by the utilization, where practicable, of existing national laboratories and services.

The discussion of the problem in the Council showed that members were unanimous in recognizing the importance of controlling the flooding of Asia's great rivers. There was, however, a divergence of views as to the best method of accomplishing this objective. Several representatives fully supported the Chinese proposal, i.e., favored the prompt establishment of a Bureau of Flood Control, staffed with three or more experts, as the best and surest means of coping with the flood control problem. They argued that this decision of principle ought to be taken at once, leaving to the near future the admittedly important problem of the precise organization of such a Bureau, which, because of the intimate relationship between Asia's great rivers and the agriculture and industry of the region, would play a vital role in Asian economics.

Supporters of the Canadian proposal, on the other hand, were not convinced that the need for the establishment of a separate Bureau of Flood Control had been conclusively demonstrated. They feared that the creation of such a body, which might easily acquire a semi-autonomous status, might yet prove to be an undesirable precedent and a departure from the global approach of the United Nations. Until the need for a Bureau had been demonstrated, they declared, the United Nations could and should do something about the flood problem by initiating Secretariat studies and by making the necessary expert advice available to Member Governments.

A drafting committee, composed of representatives of Canada, China, France, New Zealand, U.S.S.R., United States and Venezuela, to which the two proposals and a Canadian amendment (E/936) to the Chinese proposal were submitted at the 192nd meeting of the Council, failed to reconcile the two points of view and submitted two alternative drafts (E/790). A New Zealand amendment (E/992) designed to narrow the gap between the two alternatives was rejected at the 206th meeting on August 19, 1948, by the Council, which then adopted by 12 votes to 4, with 2 abstentions, Alternative B proposed by the Committee, which was similar to the original Chinese proposal. The

³⁶See *Yearbook of the United Nations*, 1946-47, p. 183.

³⁷*Ibid.*, p. 540.

resolution (144(VII)D) adopted by the Council, reads as follows:

"The Economic and Social Council,

"Having noted the resolution of the third session of the Economic Commission for Asia and the Far East regarding the establishment of a Bureau of Flood Control for Asia and the Far East based upon a preliminary study undertaken by the Executive Secretary of the Economic Commission for Asia and the Far East in consultation with the Food and Agriculture Organization, and

"Recognizing the great importance and urgency of the problems of flood control which affect the livelihood and welfare of millions of human beings in the valleys of great rivers in Asia and the Far East who are subject to the danger of floods and consequent famines,

"Approves the Commission's purpose of dealing promptly with problems of flood control in the territories within the geographic scope of the Economic Commission for Asia and the Far East;

"Requests that a Bureau of Flood Control for Asia and the Far East be formed by the Secretary-General as an effective technical unit responsible to the Economic Commission for Asia and the Far East for the performance of the technical tasks envisaged by the Commission, containing from three to five flood control experts of high qualifications, and utilizing the services of experienced expert consultants, and

"Recommends that the Economic Commission for Asia and the Far East include in its report to the eighth session of the Council the results of its fuller consideration of its plans and activities for dealing with problems of flood control in its geographic area as well as recommendations on organizational problems connected with the formation of the Bureau."

(c) MEMBERSHIP

The third ECAFE session was the first in which New Zealand, whose membership in ECAFE had been approved at the Council's sixth session, and the Union of Burma, which had become an independent country and a Member of the United Nations, participated as full Commission members. Furthermore, representatives of Cambodia, Ceylon, Hong Kong, Laos, Malaya and British Borneo participated as Associate Members. ECAFE also recommended that its geographical scope be amended by the Council to include Nepal, since the latter had requested the right to be represented by an observer at ECAFE sessions. The recommendation, embodied in a Chinese proposal (E/890), was approved by the Council at its 188th meeting on August 2, 1948, without objection.

The same resolution (144(VII)A) also placed the Council on record as approving certain minor changes in ECAFE's rules of procedure (E/839, p.8) and ECAFE's recommendation that its temporary headquarters remain in Shanghai "until such time as the site of the Office of the United Nations in Asia and the Far East shall be determined".

The question of associate membership for Indo-

nesia and/or the Indonesian Republic had been left in abeyance at the third ECAFE session, it being decided to take a decision in this respect at the fourth session of the Commission, to be held in Australia toward the end of 1948.

Five Council members offered draft resolutions or amendments concerning the relation between ECAFE on the one hand and the Republic of Indonesia and Viet-Nam on the other. The representative of the U.S.S.R. proposed (E/907 and Corr.1) that the Council recommend that the Indonesian Republic and the Republic of Viet-Nam should be accorded associate membership in the Commission. The representative of New Zealand suggested (E/931) that the Council submit to the Security Council all of its own as well as of ECAFE's records concerning possible Indonesian membership in the Commission and seek the Security Council's assistance, since the latter was seized of the Indonesian question, and that the Secretary-General be requested to submit to the next (i.e., fourth) session of ECAFE a full statement on the constitutional and *de facto* situation in Indonesia. The representative of the Netherlands proposed (E/937) an amendment to the New Zealand draft resolution, deleting therefrom the request for Security Council assistance (but not deleting the transmission to the Security Council of the records on the Indonesian application) and the request to the Secretary-General that he submit to ECAFE's fourth session a statement on the *de facto* situation in Indonesia. The representative of Australia proposed (E/957) that the Economic and Social Council go on record as considering that ECAFE already had authority to deal with applications for membership from areas within its geographical scope and that no action was required on the matter at that session of the Council. The representative of the Byelorussian S.S.R. suggested (E/967) that the operative part of the U.S.S.R. proposal (recommending that ECAFE admit the Indonesian Republic and the Republic of Viet-Nam as associate members) be incorporated into the Australian suggestion.

At its 200th meeting, on August 16, 1948, the Council after rejecting the U.S.S.R. draft resolution (E/907) (by a vote of 9 to 4, with 5 abstentions, on the recommendation bearing on the Republic of Indonesia, and by a vote of 11 to 3, with 4 abstentions, on the recommendation regarding Viet-Nam), adopted the Australian proposal (E/957) by a vote of 12 to 3 with 4 abstentions. (The New Zealand proposal had been previously withdrawn at the 196th meeting in favor of the Australian draft resolution.) The resolution (144(VII)B) adopted by the Council reads as follows:

"The Economic and Social Council,

"Considering that the Economic Commission for Asia and the Far East already has authority to deal with applications for membership from areas within its geographical scope,

"Decides that no action is required at this session concerning members and associate members of the Economic Commission for Asia and the Far East."

(d) ASIAN ECONOMY AND JAPAN

At its third session, ECAFE had adopted a resolution (E/839, p 39) on the contribution of the Japanese economy to the reconstruction and development of the ECAFE region. Several members of the Economic and Social Council warned of the danger that ECAFE might be encroaching upon the domain of the Far Eastern Commission, a body not connected with the United Nations. The representative of New Zealand proposed a draft resolution (E/900) in which the Council would have affirmed that "pending the signing of a Peace Treaty with Japan, questions of industrial levels and the trade of Japan are entirely within the competence of the Far Eastern Commission". An amendment (E/909) submitted by the representative of the U.S.S.R. would have gone further, by placing the Council on record as considering that the ECAFE resolution in question "comes outside the competency of the ECAFE and hence cannot be confirmed by the Council". There was general agreement that the competency of the Far Eastern Commission must not be placed in jeopardy. The representative of the United Kingdom suggested that now that the point raised in the New Zealand draft resolution had been discussed and noted in the Council's records, perhaps the representative of New Zealand would agree that no further action was necessary. At the 188th meeting on August 2, the representative of New Zealand said he had submitted his proposal because he had not been quite sure as to what ECAFE had had in mind when it passed the resolution concerning Japan's economy, and he had thought his proposal could be useful as a guide to ECAFE. But since the point had been made clear in the debate, he said he was willing to withdraw his proposal.

(e) INLAND TRANSPORT

One further decision taken by the Economic and Social Council at its seventh session had a bearing on ECAFE, although, unlike the other decision referred to above, it did not arise out of ECAFE's third session report. The Council, on August 28, endorsed (resolution 147(VII)C) a recommendation of the Transport and Communications Commission to the effect that ECAFE be recommended to convene an early meeting of inland transport

experts of the countries represented on the Economic Commission for Asia and the Far East to examine:

"1. The problems with respect to rehabilitation and co-ordinated development of inland transport facilities and services in Asia and the Far East;

"2. The means which are best suited to promote the solution of these problems, either by setting up regional machinery or otherwise (it being understood that any such machinery would be part of the Economic Commission for Asia and the Far East)."

c. ECONOMIC COMMISSION FOR LATIN AMERICA

At the fifth session of the Economic and Social Council, the representative of Chile submitted a proposal (E/468) to establish an Economic Commission for Latin America. The matter was discussed by the Council at its 103rd, 104th, 105th, 110th and 111th meetings on August 1, 4, 5 and 11. In support of his proposal, the Chilean representative called attention to the need of Latin America for economic development in order to improve living standards and attain general economic stability. He stated that because of special circumstances, partly the result of the war, the majority of Latin American countries had been confronted with economic maladjustment that retarded their progress toward higher living standards. This situation, in turn, reflected unfavorably on the region's economic relations with the rest of the world and hence was an adverse factor in worldwide efforts to recover from the economic dislocation caused by the war.

The representative of Chile further declared that the general economic under-development of the Latin American countries and the resultant low standard of living for the majority of the population seriously undermined their vitality and prevented this wealthy and promising region from making as great a contribution as it might be expected to provide towards the welfare of other parts of the world. He felt that if the problems of Latin America were to be resolved as an integral part of world problems, United Nations action and co-ordination would be required.

All the Latin American countries expressed support of the Chilean proposal.

The representatives of Lebanon, India, China and Norway expressed sympathy for the proposal.

In addition to the arguments advanced by the representative of Chile for the establishment of an Economic Commission for Latin America, the following also were cited: (1) The representative of Cuba pointed out that Latin America had never

had a co-ordinated development plan and that the proposed Commission could create such a plan in concert with world requirements. (2) The representative of Venezuela declared that the proposed Economic Commission would be able to co-operate, within the framework of the United Nations, with the other regional commissions already set up in the task of the revival and normalization of international trade.

The representatives of the United States and Canada thought that the question should be considered first by the Ninth International Conference of American States. They felt that the results of the Conference should be awaited before any decisive action was taken by the Council on the Chilean proposal. They also voiced fear of the possibility of a duplication of effort between the proposed Economic Commission and the Inter-American Economic and Social Council of the Pan American Union.

The representatives of Canada and New Zealand expressed some concern lest a regional approach to economic problems should be substituted for a world-wide functional approach.

The representative of the U.S.S.R. expressed sympathy with the desire of the Chilean representative to raise the standard of living of the Latin American nations, but said that the proposal for the establishment of an economic commission for Latin America was not dictated by necessity. He stated that the economic situation in Europe and the Far East was not analogous to that of Latin America and the creation of a Latin American commission would complicate the structure of the Council. He argued that the function of the Economic and Employment Commission was to study under-developed countries throughout the world. For those reasons, he declared, his Government could not support the Chilean proposal.

(1) *Creation of an ad hoc Committee*

At its 110th and 111th plenary meetings on August 11, 1947, the Council adopted without objection resolution 70 (V) establishing an *ad hoc* Committee, consisting of Chile, China, Cuba, France, Lebanon, Peru, United Kingdom, United States and Venezuela, to consider the factors bearing upon the establishment of an Economic Commission for Latin America within the framework of the United Nations.

The *ad hoc* Committee was requested to present to the Council a report with recommendations concerning the creation of such a commission. It was authorized to consult with interested agencies both within and without the United Nations. The Com-

mittee was also instructed to ascertain the views of the Ninth International Conference of American States. The Secretary-General was requested to initiate studies defining and analyzing the economic problems of Latin American countries which threatened the stability and development of their economies.

The General Assembly on October 31, 1947, adopted resolution 120 (II) in which it took note with satisfaction of the decision of the Economic and Social Council to establish the *ad hoc* Committee.³⁸

(2) *Report of the ad hoc Committee*

The *ad hoc* Committee met for the first time on October 9, 1947, at Lake Success, New York. It first considered the formal factors bearing upon the establishment of the proposed Commission. The Committee then considered the major causes of economic maladjustment in Latin America, in the light of a document prepared by the four Latin American countries represented on the Committee and the studies prepared by the Secretariat of the United Nations. As the Ninth International Conference of American States was postponed from January 17 to March 30, 1948, the *ad hoc* Committee sought the opinion of the Pan American Union on the establishment of the proposed Commission.

The Director-General of the Pan American Union on January 20, 1948, transmitted to the Chairman of the *ad hoc* Committee the text of a resolution which had been adopted by the Inter-American Economic and Social Council on January 15, concerning the proposed Commission. The resolution, *inter alia*, declared that the Inter-American Economic and Social Council resolved to support the immediate establishment of the proposed Economic Commission for Latin America.

In its report (E/630) to the Economic and Social Council, the *ad hoc* Committee unanimously recommended the establishment forthwith of an Economic Commission for Latin America. It also concluded that special safeguards would be necessary in order to ensure the proper co-ordination of efforts between organs of the Inter-American System and the proposed Commission.

(3) *Consideration by the Council of the Report of the ad hoc Committee*

The report of the *ad hoc* Committee was considered by the Economic and Social Council during its sixth session at its 132nd, 133rd, 153rd and 164th meetings on February 9 and 25 and March 5, and at the ninth and tenth meetings of the Economic Committee on February 10 and 12.

³⁸See p. 100.

Unqualified support for the establishment of the proposed Commission came from several representatives. Certain objections to the establishment of the proposed Commission, however, were also made. Among the objections were the following: (1) The establishment of the proposed Commission constituted a departure from the action taken by the Council in establishing commissions for Europe and for Asia and the Far East, as the proposed Commission for Latin America was for regional economic development as distinguished from reconstruction. This view was expressed by Canada. (2) Duplication with the work of other regional organizations might result. This view was expressed by the United Kingdom and New Zealand. (3) The proposed Commission should not become an organ covering up foreign economic penetration. This view was expressed by the U.S.S.R.

In answer to the first objection, it was pointed out that the economy of Latin America had been severely dislocated by the war; it was, therefore, only just that it should receive assistance. The reports of the Economic Commissions for Europe and for Asia and the Far East supported the contention that no line could be drawn between reconstruction and development. It was argued that reconstruction of the European economy, for example, did not mean a return to the conditions of 1939, nor was reconstruction in the Far East intended to reproduce the conditions of the prewar period. It was further pointed out that urgent short-term problems were best dealt with by the regional approach, and that this could be done without encroaching upon the domain of the functional commissions, which operated on a world-wide basis.

In answer to the second objection, it was stated that the problem of duplication with the work of the Pan American Union had received careful consideration by the *ad hoc* Committee, which took appropriate measures, after consultation with the Pan American Union. The latter's field of activity would not be infringed upon, and co-operation of the proposed Commission with the appropriate organ of the Pan American Union was assured. Thus every effort had been made to prevent overlapping of functions.

In reply to the third objection, the representative of Chile declared that foreign investment was still necessary in the postwar period, but it would have to conform to the domestic legislation of the Latin American countries.

The representative of Brazil doubted whether dependence on their own resources alone would have resulted in fuller political development in Latin American countries, as the U.S.S.R. repre-

sentative had suggested. Development through foreign capital was a natural and historic trend, of which the United States was an example, he maintained.

Representatives of the United States and the United Kingdom replied to particular Soviet charges of economic penetration.

A U.S.S.R. verbal proposal that Non-Self-Governing Territories should be allowed to submit applications for associate membership to the Council directly instead of through the Member country responsible for their international relations, was rejected in the Economic Committee at its ninth meeting on February 12 by 13 votes to 3, with 2 abstentions.

A further Soviet proposal that the U.S.S.R. should be a member of the Commission was rejected in the Economic Committee by 12 votes to 3, with 2 abstentions, and in the Council by 13 votes to 2, with 2 abstentions. It was rejected on the grounds that direct participation by the U.S.S.R. in the work of the proposed Commission, if accepted, would modify substantially the very conception of regional commissions. It was pointed out the criterion adopted in order to decide the composition of such commissions had been that membership should be open only to those countries which had interests or direct political or economic responsibilities in the various regions in which it was proposed to establish regional commissions.

(4) *Establishment of the Commission*

At its 153rd meeting on February 25, the Council, by 13 votes to 0, with 4 abstentions, adopted resolution 106 (VI) (the final wording of paragraph 7 of the resolution being decided at the 164th meeting on March 5), defining the terms of reference of the Economic Commission for Latin America.

(a) DUTIES OF THE COMMISSION

The Council in its resolution assigned the Commission the following duties:

"1. The Economic Commission for Latin America, acting within the framework of the policies of the United Nations and subject to the general supervision of the Council, shall, provided that the Commission takes no action in respect to any country without the agreement of the Government of that country:

"(a) Initiate and participate in measures for facilitating concerted action for dealing with urgent economic problems arising out of the war and for raising the level of economic activity in Latin America and for maintaining and strengthening the economic relations of the Latin-American countries both among themselves and with other countries of the world;

"(b) Make or sponsor such investigations and studies of economic and technological problems and de-

velopments within territories of Latin America as the Commission deems appropriate;

"(c) Undertake or sponsor the collection, evaluation and dissemination of such economic, technological and statistical information as the Commission deems appropriate.

"2. The Commission shall direct its activities especially towards the study and seeking of solutions of problems arising in Latin America from world economic maladjustment and towards other problems connected with the world economy, with a view to the co-operation of the Latin-American Countries in the common effort to achieve world-wide recovery and economic stability. . . ."

The Commission was empowered to make recommendations on any matter within its competence directly to the governments of members or associate members concerned, governments admitted in a consultative capacity and the specialized agencies concerned. It was to submit for the Council's prior consideration any of its proposals for activities that would have important effects on the economy of the world as a whole.

(b) MEMBERSHIP AND GEOGRAPHICAL SCOPE OF THE COMMISSION

The Council adopted the following provisions concerning the membership and geographical scope of the Commission:

"3. (a) Membership of the Commission shall be open to Members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands and the United Kingdom. Any territory, or part or group thereof, within the geographic scope of the Commission's work, may, on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories, be eligible for admission by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories, may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

"(b) Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as Commission or as Committee of the Whole.

"(c) Representatives of associate members shall be eligible to be appointed as members of any committee, or other subordinate body which may be set up by the Commission and shall be eligible to hold office in such body.

"4. The geographical scope of the Commission's work is the twenty Latin-American States Members of the United Nations, participating territories in Central and South America which have frontiers adjoining any of these States, and participating territories in the Caribbean area. . . ."

(c) ARRANGEMENTS FOR CONSULTATION

As regards arrangements for consultation with non members of the Commission, specialized agencies, non-governmental organizations and the

organs of the Inter-American System, the Council decided as follows:

"6. The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non member, following the practices of the Economic and Social Council.

"7. (a) The Commission shall invite representatives of specialized agencies to attend its meetings and to participate, without vote, in its deliberations with respect to items on its agenda relating to matters within the scope of their activities; and may invite observers from such other inter-governmental organizations as it may consider desirable in accordance with the practices of the Council.

"(b) The Commission shall make arrangements for consultation with non-governmental organizations which have been granted consultative status by the Council, in accordance with the principles approved by the Council for this purpose.

"8. The Commission shall take measures to ensure that the necessary liaison shall be maintained with other organs of the United Nations and with the specialized agencies, with special attention to the avoidance of the duplication of efforts.

"9. The Commission shall co-operate with and take the necessary measures to co-ordinate its activities with the appropriate organs of the Inter-American System and as may be necessary with the Caribbean Commission in order to avoid any unnecessary duplication of effort between those organs and itself; to this end the Commission is empowered to and shall seek to make working arrangements with the appropriate organs of the Inter American System regarding the joint or independent study or execution of economic problems within its competence and the fullest exchange of information necessary for the co-ordination of efforts in the economic field. The Commission shall invite the Pan American Union to nominate a representative to attend meetings of the Commission in a consultative capacity. . . ."

(d) ORGANIZATIONAL MATTERS

The Commission was empowered, after discussion with any specialized agency concerned and with the Council's approval, to establish such subsidiary bodies as it deemed appropriate; it was to submit a regular annual report to the Council and interim reports at each regular session of the Council.

The Council decided that the Commission's headquarters were to be at Santiago de Chile and that its first session should be held there during the first half of 1948. The Commission was to decide at each session on its next meeting place, with due regard to the principle that the countries of Latin America be chosen in rotation.

Not later than 1951 the Council was to make a special review of the work of the Commission with a view to determining whether the Commission should be terminated or continued, and if continued what modification, if any, should be made in its terms of reference.

(5) *First Session of the Commission*

The Economic Commission for Latin America held its first session in Santiago de Chile from June 7 to 25, 1948. Representatives from the twenty Latin American countries and from France, the Netherlands, the United Kingdom and the United States were present. Also in attendance were representatives and observers from the International Labour Organisation, the Food and Agriculture Organization of the United Nations; the United Nations Educational, Scientific and Cultural Organization; the International Civil Aviation Organization; the World Health Organization; the International Monetary Fund; the International Refugee Organization (Preparatory Commission); the Inter-American Economic and Social Council; and the Inter-American Council of Commerce and Production.

(a) *Economic Survey of Latin America.*—The Commission adopted a number of resolutions at its first session (E/840). The first of these assigned to the Executive Secretary of the Commission the task of undertaking, between the first and second sessions of the Commission, an economic survey of Latin America, having in mind its needs and greater development and the strengthening of its economic relations to the rest of the world. In making the survey the Executive Secretary was instructed to:

"(a) Make a study of the current economic situation in Latin America specially dealing with agricultural activities, including pastoral, forest and fishery production of both foodstuffs and raw materials; with industrial and mineral production; with power resources, equipment; with distribution and transportation and with factors affecting the commercial and financial activities of each country,

"(b) Analyze trade relations within Latin America and between Latin America and the rest of the world,

"(c) Study and present the main characteristics and problems of the economic structure of Latin American countries."

The survey was to be undertaken in collaboration with the specialized agencies and was to utilize relevant studies by those American non-governmental organizations which have been accorded consultative status by the Economic and Social Council. Furthermore, the resolution invited the Latin American governments to provide the Executive Secretary with studies of their economies and to communicate to him their plans and proposals for the further economic development and commercial progress of their countries.

(b) *Co-ordination with the Inter-American Economic and Social Council.*—Another resolution dealt with the question of overlapping and of unnecessary duplication between the work of the Eco-

nomic Commission for Latin America and the Inter-American Economic and Social Council. In order to avoid duplication of work, it was agreed that the Commission should direct its activities especially toward the study and the seeking of solutions of problems arising in Latin America from world economic maladjustment and towards other problems connected with the world economy, with a view to the co-operation of the Latin American countries in the common effort to achieve worldwide recovery and economic stability. Furthermore, a program of work which included all the subjects of the resolutions was drafted by the Economic Commission.

In connection with the question of co-ordination and with the economic survey, the Commission passed a special resolution on statistics, asking the Executive Secretary to collaborate with the Secretariat of the Inter-American Economic and Social Council in making up a questionnaire for the use of all the governments concerned. The resulting data, based on the statistical standards of the Statistical Commission and Statistical Office of the United Nations, would serve both for the proposed economic conference of the Organization of American States in 1949 and for the economic survey.

(c) *Expansion of Food Production.*—With regard to the problem of food production, the Commission approved a resolution requesting the Secretary-General of the United Nations to consult with the Director-General of FAO with a view to appointing a Joint Working Party of the Secretariat of the Commission and that of FAO. The Joint Working Party, given the task of studying co-ordinated action to increase the food production of Latin America, was to present its findings at the next session of the Commission, when the adoption of further measures would be considered.

(d) *Bottlenecks in Foreign Trade.*—The question of the possibility of establishing a system of multilateral compensation of payments was taken up. The Commission agreed to request the International Monetary Fund to make a study of the practicability and desirability of establishing at the earliest possible opportunity, as a transitional measure, machinery for the multilateral compensation of international payments among the countries of Latin America as well as between them and the rest of the world.

A resolution was adopted requesting the Executive Secretary to study the movements of import and export prices, the determining factors of such movements and their effects on the balance of payments. This study, to be made either in the form of a special inquiry or a part of the economic sur-

vey, was to be made in collaboration with the International Monetary Fund and other specialized agencies.

The Executive Secretary was also asked, in other resolutions, to obtain: information that would lead to the adoption of measures adequate to ensure the export and marketing of products, including food-stuffs, which comprise the main economic resources of the various Latin American countries; appropriate data on the fixing of official prices for agricultural products and crop insurance; information on existing free ports and zones in the American republics, the facilities they offer, and their present and potential significance for promoting inter-American commerce and commerce between Latin America and the rest of the world.

(e) *Industrial Development.*—The Executive Secretary was instructed by the Commission to give attention to the problem of the inadequate supply of industrial equipment in Latin America. Also, in relation to this matter, the Commission adopted a resolution appealing through the Inter-American Council of Commerce and Production to national chambers of commerce, producers' associations and other non-governmental organizations of America to aid in re-establishing normal credit facilities as soon as possible. The object was to replenish minimum stocks and equipment necessary for the commercial rehabilitation of Latin America.

The Commission, noting that inadequate transport and communications throughout Latin America hinder economic development in the region, recommended that the Economic and Social Council request the Transport and Communications Commission as soon as possible to make a further study of these matters, including freight rates affecting Latin America, in order to expedite their consideration by the Commission.

(f) *Labor Supply and Technical Assistance.*—A resolution was adopted by the Commission asking the Executive Secretary to examine the immigration problem in all its aspects, particularly in its economic aspects, and to include his findings in the economic survey. The Commission agreed that the Executive Secretary in collaboration with the competent international organizations should study the possibility and desirability of creating an Inter-American Institute of Immigration.

As regards the general shortage of well-trained technicians and of technical training facilities, the Commission decided that until concrete recommendations for correcting the situation could be made at its second session, a preliminary study should be made by the Executive Secretary of the

needs for technical and administrative personnel and their present availability, including facilities for technical training. This information was to be given to the member countries, together with information on any feasible arrangements for the exchange of staffs among them. Also, lists were to be prepared containing the names of organizations—private, national and international—which might be able to render necessary technical assistance. In this task the Executive Secretary was to co-operate with the specialized agencies and with the Inter-American Economic and Social Council.

(g) *Inflation.*—The Executive Secretary was asked to include in the economic survey a study of all factors generating inflationary pressures.

(h) *Public Health.*—The Commission, accepting the offer made by the World Health Organization and the Pan American Sanitary Organization to co-operate with the Commission in dealing with the problems of public health and social welfare, invited the two Organizations to submit a concrete program of co-operation in this field before the next session of the Commission.

(i) *Latin America and World Recovery.*—A further resolution adopted by the Commission instructed the Executive Secretary to make a study analyzing the relationship between the economic rehabilitation of non-American countries and the development of economic and commercial activities in Latin America, as well as the effects of this relationship. This directive was complementary to that covering the economic survey.

(6) *Consideration by the Council of the Commission's First Report*

The report (E/840) of the Economic Commission for Latin America (ECLA) was considered by the Economic and Social Council during the latter's seventh session, at the 208th, 209th and 211th plenary meetings on August 20, 21 and 23, 1948.

During the debate, the Council members discussed various technical points related to the work of the Economic Commission for Latin America, especially the question of the way ECLA should carry out its task of promoting economic development in Latin America.

The representative of the U.S.S.R. declared that foreign capital investments—particularly by the United States—characterized that economy and prevented not only its advance from its present semi-colonial status, and its industrialization, but also tended to undermine the political independence of the area. He felt that Latin American countries should concentrate on the development of their domestic markets and seek to diversify

their economic structure, characterized in many cases by reliance upon only a very few products or even one product, with the result that a fluctuation in the world market price of the few commodities concerned could affect drastically, for better or worse, the entire economy of a given Latin American country. While foreign capital investments were necessary during the transitional phase, such investments should not be blindly encouraged; rather they should be regulated so as to minimize or prevent their undesirable effects.

While conceding the dangers of foreign capital investments, the representatives of Latin American members of the Council felt that the U.S.S.R. representative had not paid sufficient attention in his criticisms to the constructive aspects of the question: whatever might have been the practices in the past, it was, they said, a fact that recent and current foreign capital investments were helping to bring about the desired industrial development of Latin American countries and to diversify their economies. Then, too, better control had been instituted, e.g., by forming mixed companies of national and foreign capital, and so affording greater protection to national interests. On the other hand, they declared, it was only fair and equitable to permit foreign investors to take out at least part of the profits resulting from their investments. Furthermore, it was undeniable that the investment of foreign capital created domestic capital which in turn could be used to further the development of industrialization. Similar views were expressed during the debate by the representatives of the United Kingdom and the United States, who reiterated the desire and belief of their own Governments that the industrialization of Latin America would be beneficial to world economy as such.

A further point on which there was a difference of opinion in the Council was the role of immigration in Latin American economy. The U.S.S.R. representative criticized ECLA's policy in promoting immigration from Europe, which, he stated, needed all its available manpower for its own needs. Latin American representatives pointed out, on the other hand, that the immigration policy of Latin America, in addition to aiding the New World's economic development, met the needs of many displaced persons and refugees.

The Council approved two resolutions dealing with the work of the Economic Commission for Latin America. One of these was resolution 147 (VII) D, passed by the Economic and Social Council in connection with its consideration of the report of the second session of the Transport and Communications Commission, in which the Transport

and Communications Commission was requested "to make a further study of problems of maritime shipping, including freight rates, affecting Latin America, in order to facilitate consideration of these matters as soon as possible by the Economic Commission for Latin America".³⁹

The other resolution (145(VII)), which in its original form was submitted jointly (E/978) by the representatives of Brazil, Chile, Peru and Venezuela, was approved at the 211th meeting of the Economic and Social Council on August 23, 1948, by a vote of 15 to 2, with 1 abstention, and reads as follows:

"The Economic and Social Council,

"Having considered the report of the first session of the Economic Commission for Latin America,

"Takes note with satisfaction of the decision taken by the Commission at its first session in furtherance of the purpose set forth in its terms of reference;

"Expresses its satisfaction with the arrangements made for the co-ordination of the Commission's work with the Inter-American Economic and Social Council;

"Approves the use of Spanish as a third working-language of the Commission and the production in Portuguese of the final text of the Commission's report and its resolutions."

d. PROPOSED ECONOMIC COMMISSION FOR THE MIDDLE EAST

The General Assembly, by its resolution 120-(II)⁴⁰ of October 31, 1947, took note of the Economic and Social Council's decision to establish an *ad hoc* Committee to study the factors bearing on the establishment of an Economic Commission for Latin America and of the favorable reception given to this proposal by the Second Committee; it invited the Council "to study the factors bearing upon the establishment of an Economic Commission for the Middle East".

The Council during its sixth session considered this question at its 135th, 136th and 167th meetings on February 10 and 11 and March 8, and at the twelfth and thirteenth meetings of the Economic Committee on February 21 and 24.

The representative of Lebanon urged the establishment of an Economic Commission for the Middle East for the benefit of the area and of other important regions and in the interests of the United Nations. The Middle East area, he held, provided the criteria requisite for the creation of a regional economic commission. He pointed out that regional commissions were established primarily to deal with urgent economic problems of reconstruction and development, for areas which were intrinsically

³⁹ See p. 568.

⁴⁰ See p. 100.

economically important. The proposed Economic Commission for the Middle East, he explained, would be complementary to the functional commissions of the Council, would co-operate with the specialized agencies, and would stimulate governments within the area to concerted action. He further pointed out that the countries in the Middle East could not provide internally the capital needed to develop investment goods, all their energies being spent on the production of consumption goods, and yet to increase production of consumption goods they needed to increase production of investment goods. The area needed outside assistance in the form of finance, technology and expert advice.

Urgent measures should be taken for agricultural development, irrigation, drainage, land reclamation and soil conservation, and a program of industrialization was needed to raise the standard of living. A regional economic commission, he declared, could render a real service which no other organ of the United Nations could perform as well.

The representative of Chile, supporting the establishment of an Economic Commission for the Middle East, suggested that an *ad hoc* Committee should be set up to study all aspects concerning its establishment. This proposal was supported by the representatives of United Kingdom, China, France, Brazil, Turkey, United States, Netherlands, Denmark and New Zealand. The representative of New Zealand, however, thought that the Council should proceed cautiously, particularly in view of the political uneasiness in the Middle East. The representatives of Egypt and Syria, invited by the President of the Council to participate in the debate by virtue of Article 69 of the Charter, also spoke in favor of the setting up of a commission, emphasizing the need for raising the standard of living and for obtaining technical advice.

The Economic Committee at its thirteenth meeting on February 24 adopted a Lebanese proposal (E/AC.6/17) for the setting up of an *ad hoc* Committee, with certain amendments accepted by the Lebanese representative. The Committee discussed the question of the *ad hoc* Committee's composition and decided that Member States which were not members of the Council but whose collaboration was necessary in assisting the development of the Middle East should be invited to participate as full members of the *ad hoc* Committee.

A USSR proposal to delete Turkey from the list of members of the *ad hoc* Committee, on the ground that it was a member of the Economic Commission for Europe, that the composition of the *ad hoc* Committee to some extent foreshadowed that of the Commission, and that none except the

Great Powers were members of two regional commissions, was defeated by a roll call vote of 13 to 2 in the Economic Committee, and by a vote of 15 to 2, with 1 abstention, in the Council.

The report of the Economic Committee was considered by the Council at its 167th plenary meeting on March 8. A Lebanese amendment (E/703/Add.2) to the draft resolution submitted by the Economic Committee concerning the establishment of the *ad hoc* Committee (E/703) was adopted by 17 votes, with 1 abstention. This amendment inserted a reference, in the preamble of the draft, to the Council's resolution establishing the Economic Commission for Latin America. The resolution as a whole, as amended by the Lebanese delegation, was then adopted by 14 votes, with 4 abstentions.

The representative of the USSR explained that his delegation had abstained from voting because, although it approved of the principle of establishing an *ad hoc* Committee, it did not approve of that Committee's composition. The Canadian representative abstained from voting because of his delegation's reservation with regard to the danger of multiplying the regional organs of the United Nations.

The resolution adopted (107(VI)) reads as follows:

"The Economic and Social Council,

"Taking note of General Assembly resolution 120(III) of 31 October 1947, inviting the Council to study the factors bearing upon the establishment of an economic commission for the Middle East;

"Considering that by its resolution of 25 February 1948, the Council has, at its sixth session, established an Economic Commission for Latin America;

"Recognizing that the countries of the Middle East are faced with serious post-war problems of economic adjustment threatening the economic stability of these countries, with their less developed economies; and

"Recognizing that co-operative measures among all the countries of the Middle East can be of practical assistance in raising both the level of economic activity and the standard of life in the Middle East and in strengthening the economic relations of these countries both among themselves and with other countries of the world, and that such measures would be facilitated by close co-operation with the United Nations and its subsidiary organs as well as with regional organizations in the Middle East such as the Arab League,

"Establishes an ad hoc Committee consisting of China, France, Lebanon, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, and Venezuela, and invites the following States Members of the United Nations to participate as full members of the ad hoc Committee: Egypt, Iran and Iraq

"Decides upon the following terms of reference for the Committee:

"(1) The Committee shall consider the factors bearing upon the establishment of an economic commission for the Middle East within the framework of the United Nations and shall present to the Council, dur-

ing its seventh session, a report with recommendations concerning the creation of such a commission;

"(ii) The Committee may consult with interested agencies both within and without the United Nations; "Requests the Secretary-General to give special and immediate aid to the Committee by initiating studies defining and analysing the economic problems of the countries of the Middle East which threaten the stability and development of their economies; and

"Requests the Committee, in collaboration with the Secretary-General, to engage in speedy consultations with the Governments of the countries in the region for the purpose of ascertaining their views in this matter, and to take these views into consideration in the formulation of its recommendations."

The *ad hoc* Committee met during April-June 1948 and adopted a report to the Council (E/AC.26/16) recommending that an economic commission should be established forthwith for the Middle East, with a structure similar to that of the previously established regional economic commissions.

The *ad hoc* Committee noted the urgent economic problems arising directly or indirectly from the World War or from current world economic maladjustments which have subjected the economy of the Middle Eastern countries to severe strain. Such problems called for concerted regional efforts towards their solution. While they might be conceived of in a sense as problems of economic reconstruction, the Committee held that that term must not be understood as implying merely a return to conditions prevailing before the war. These conditions had been far from satisfactory throughout this region, which had been characterized as a whole by marked under-development of the economy, and the economic reconstruction called for in the Middle East must be understood to include such a degree of broader development as would make it possible to expand economic activity and raise the standard of living substantially above pre-war levels in a not-too-distant future.

The Committee pointed out that the countries of the Middle East form a region with great potentialities deriving from its natural resources, capable of rendering an important contribution to world economic recovery, and sufficiently large and populous to warrant the establishment of a regional commission.

The *ad hoc* Committee presented in its report a draft resolution setting out the terms of reference, membership and geographical scope of the proposed Commission.

The terms of reference recommended in the draft resolution provided, *inter alia*, that the Commission should:

"(a) initiate and participate in measures for facilitat-

ing concerted action for dealing with urgent economic problems arising out of the war and for raising both the level of economic activity and the standard of living in the Middle East, and for maintaining and strengthening the economic relations of the Middle Eastern countries both among themselves and with other countries of the world;

"(b) make or sponsor such investigations and studies of economic and technological problems and developments within territories of the Middle East as the Commission deems appropriate;

"(c) undertake or sponsor the collection, evaluation and dissemination of such economic, technological and statistical information as the Commission deems appropriate."

The draft resolution recommended the following Members of the United Nations as members of the proposed Commission: Afghanistan, Egypt, Ethiopia, Greece, Iran, Iraq, Lebanon, Saudi Arabia, Syria, Turkey and Yemen. It further recommended that new members might be admitted by the Council after consultation with the Commission.

With respect to Non-Self-Governing Territories, the draft resolution recommended, *inter alia*, that

"Any Non-Self-Governing Territory in the Arabian Peninsula, the Eastern Mediterranean and North East Africa may, on presentation of its application to the Commission by the Member [of the United Nations] responsible for the international relations of such territory be admitted by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory may be admitted as an associate member of the Commission on itself presenting its application to the Commission."

The draft resolution recommended that the Commission might admit in a consultative capacity states not Members of the United Nations within its geographical scope.

The geographical scope of the Commission's work, it was recommended, should be the territories of the members of the Commission as well as the Non-Self-Governing Territories and the territories of states in the Arabian peninsula, the Eastern Mediterranean and North East Africa, admitted by the Commission as associate members or in a consultative capacity.

A specific provision was made for effective co-operation between the proposed Commission and the League of Arab States and for proper co-ordination of their activities, in so far as the members of the League of Arab States are concerned, to avoid unnecessary duplication of efforts.

The report of the *ad hoc* Committee was placed on the agenda of the seventh session of the Council. During the Council's discussion of the state of business at its 203rd meeting, it was decided that, owing to pressure of business, consideration

of a number of items, including this report, should be postponed.

e. REGIONAL ECONOMIC COMMISSIONS

The Economic and Social Council at its 111th plenary meeting on August 11, 1947, considered a New Zealand draft resolution (E/537) which proposed the consideration of the whole question of regional commissions by the Economic and Employment Commission and its two sub-commissions.

The U.S.S.R. representative suggested that the question should be referred to the Economic and Employment Commission since the functions and scope of the sub-commissions had only recently been defined. The Lebanese representative considered that fears of regional economic autarchy were exaggerated, but thought it might be wiser to consider the question after the regional economic commissions had met. The Canadian representative thought the Council should consider the general principle of establishing regional economic commissions, and that a world-wide policy for economic development should be established before the solution of economic problems was attempted on a regional basis.

After adopting a Canadian amendment to delete a reference to the sub-commissions of the Economic and Employment Commission, the Council by 9 votes to 7, with 2 abstentions, adopted the revised resolution (72(V)) as follows:

"The Economic and Social Council,

"Taking note of the fact that it has already established an economic commission for Europe and an economic commission for Asia and the Far East,

"Taking note of the proposal advanced for the establishment of an economic commission for Latin America and the references made to the possible establishment at a later date of an economic commission for the Middle East,

"Requests the Economic and Employment Commission to examine and report to the Council upon the general questions involved in the creation of regional economic commissions as a means for the promotion of the aims and objectives of the United Nations."

During the sixth session of the Council, at its 132nd, 133rd and 172nd plenary meetings on February 9 and March 10, the question was again considered. The representative of New Zealand submitted verbally a draft resolution which requested the Economic and Employment Commission to note the desire of the Council that the examination of the question of regional economic commissions be made later at a stage when it would have at its disposal more experience than at present of the activities of the regional commissions to guide it.

This suggestion was supported by the United Kingdom representative. The Canadian and Chinese representatives thought that it was important to define the relationship between regional and functional commissions.

At the 172nd plenary meeting of the Council on March 10, the Council considered a new draft resolution (E/747) on the matter presented by the representative of New Zealand, who explained that it was in substitution of his previous proposal, as a new regional commission had since come into existence. The present resolution was intended to ensure that the Economic and Social Council should examine the whole field.

The Council by a vote of 16 to 0 adopted the New Zealand draft resolution. Its text (108(VI)) is as follows:

"The Economic and Social Council,

"Having regard to resolution 72(V) requesting the Economic and Employment Commission to examine and report to the Council upon the general questions involved in the creation of regional economic commissions as a means for the promotion of the aims and objectives of the United Nations,

"Requests the Economic and Employment Commission to note the desire of the Council that the examination be made at a stage when it would have at its disposal more experience than at present of the activities of the regional commissions to guide its deliberations.

"Meanwhile,

"The Economic and Social Council

"Calls to the attention of the specialized agencies and of the regional economic commissions of the Council the desirability of ensuring the closest possible co-operation and, where appropriate, joint action in fields of common concern."

5. Reconstruction of Ethiopia and Other Devastated Areas Not Included in the Report of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas

In resolution 38(IV) adopted at its fourth session on March 28, the Economic and Social Council requested the Secretary-General "to make a field survey, with the concurrence of the Governments and administrations concerned and at their request, of the reconstruction problems of Ethiopia and of other devastated territories not included in the reports of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas".

The Council also requested the Secretary-General to report to its fifth session "the measures necessary to effect a speedy reconstruction" in the countries which requested a field survey.

The Secretary-General submitted a report to the

Council's fifth session (E/450 and Corr. 1, and Add. 1 and 2).

On April 7, 1947, the Secretary-General transmitted copies of this resolution to all Member nations. In view of the specific reference to Ethiopia a special inquiry was addressed to the Ethiopian Government on April 16, 1947, asking if it wished to request such a field survey (E/450, Annex I). On July 16, 1947, the Ethiopian Government informed the Secretary-General (E/450/Add. 2) that sufficient progress had been made in reconstruction in Ethiopia since its liberation to warrant concentrating United Nations efforts on reconstruction in countries more recently liberated. The Government added in its cable:

"In renouncing in favor of other United Nations more immediately in need of urgent assistance Ethiopian Government wish reserve their rights and position in favor eventual long term assistance programmes."

In view of the specific references to devastated territories of North Africa in the discussion of the question at the fourth session of the Economic and Social Council, the Secretary-General also addressed a specific inquiry on May 12, 1947, to the United Kingdom Government as to whether it wished field surveys to be made with respect to any territories in North Africa, such as Cyrenaica, Eritrea and Tripoli, falling within the terms of reference of the resolution (E/450, Annex II). On June 19, the Secretary-General was advised by the United Kingdom Government that it would be glad to have such field surveys carried out in Cyrenaica, Eritrea and Tripoli (E/450, Annex III).

The Secretary-General reported that preparations were under way for making a field survey in these territories, but that the details had not been arranged and that it was not therefore possible to present estimates of costs (E/450 and Add. 1). Owing to the brief space of time since the request had been received, it was not possible for the Secretary-General to make a substantive report to the fifth session of the Council.

The Economic and Social Council considered the Secretary-General's report at its 93rd meeting on July 24, and agreed that, as there was no substantive problem for decision, the Council should merely take note of the report (resolution 71(V)).

Subsequently, the Secretary-General received a letter from the Government of the United Kingdom, dated August 22, 1947, requesting the postponement of the survey of Eritrea, Cyrenaica and Tripoli until after the visit to the three territories of the Four-Power Commission of Investigation, to be sent out under the terms of Annex XI of the

Treaty of Peace with Italy. On September 15, 1947, the Secretary-General expressed his agreement to the postponement of the survey (E/450/Add. 3).

6. Financial Needs and Foreign Exchange Position of Devastated Countries

The Economic and Social Council at its fourth session in March 1947 considered an interim report by the Secretary-General on the Needs of the Devastated Countries of the United Nations for Long-Term and Short-Term Financing of Urgent Reconstruction Requirements (E/288), submitted in accordance with resolution 5(III) adopted at the Council's third session.

The report covered the following Member countries: Belgium-Luxembourg, Czechoslovakia, Ethiopia, France, Greece, Netherlands, Poland and Yugoslavia. It covered only European areas, to avoid duplication with the Working Group for Asia and the Far East of the Temporary Sub-Commission on Economic Reconstruction of Devastated Areas. It included, however, four non-member countries—Austria, Finland, Hungary and Italy—on the grounds that the United Nations Special Technical Committee on Relief Needs after the Termination of UNRRA considered in its report all countries formerly assisted by UNRRA, and that the existing means of international credit had been drawn upon both by Members and non-members of the United Nations.

On March 28 the Council adopted resolution 34(IV), *inter alia* requesting the Secretary-General to extend the study to all devastated areas of the United Nations and to present a further report on Financial Needs, especially in respect of the net requirements of the devastated countries for freely convertible foreign currency.⁴¹

The Secretary-General accordingly reported to the fifth session of the Council on the action taken (E/457 and Add. 1).

A questionnaire (E/457, Annex 1) had been sent to the following Member Governments: Australia (for New Guinea and Papua), Belgium, Byelorussian S.S.R., China, Czechoslovakia, Denmark, Ethiopia, Finland, France, Greece, India, Luxembourg, Netherlands, Norway, Philippines, Poland, Siam, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States (for Southern Korea) and Yugoslavia. For the same reasons for which non-

⁴¹See *Yearbook of the United Nations*, 1946-47, pp 488-89.

member countries were included in the Secretary-General's interim report, the questionnaire was also sent to the Governments of the following non-member countries: Albania, Austria, Finland, Hungary and Italy.

The questionnaire covered, *inter alia*, the estimates for 1947 of quantities and costs of commodities, requirements and receipts of foreign exchange, gold and foreign exchange holdings, credits and loan applications.

Up to July 27, 1947, replies had been received from the following Governments: Belgium, Czechoslovakia, Ethiopia, France, India, Philippines, United Kingdom, United States (for Southern Korea), Albania, Austria and Finland.

The Secretary-General's report was considered by the Council at its 93rd plenary meeting on July 24. As the Secretary-General's questionnaire had been answered by only a few countries, the Council decided simply to take note of it (resolution 64(V)).

The Secretary-General issued a full report on the Foreign Exchange Position of the Devastated Countries on September 22, 1947 (E/576), and a supplement thereto (E/576/Add. 1) on October 7. Both were later combined into a single document (E/576/Rev. 1) issued on November 20, 1947, to which an addition (E/576/Rev. 1/Add. 1) was issued on August 9, 1948.

The principal differences between the interim report (E/288 and Rev. 1) and the report are that the latter contained fuller and more recent information concerning the balance of payments estimates for 1947 and potential sources of external assistance; and that seven additional countries were included, namely, Burma, Denmark, Norway, Philippines, Siam, Southern Korea and United Kingdom.

The survey indicated that the total 1947 foreign exchange requirements on current account of the 21 countries covered in the report were estimated at the equivalent of \$US20,262,000,000, including \$US2,639,000,000 for non-members of the United Nations.⁴² The 1947 export and other current receipts for the same countries⁴² were estimated at the equivalent of \$US13,154,000,000—with non-members of the United Nations accounting for \$US1,083,000,000 of this amount—leaving a foreign exchange deficit for 1947 estimated at the equivalent of \$US7,108,000,000. Resources on capital account which the countries concerned expected to become available in 1947, either from reductions of foreign assets, from the sale of gold reserves, from estimated unexpended balances of foreign credits for use in 1947, from UNRRA con-

tributions or from other sources (appropriately reduced to allow for payments on capital account), were estimated to reduce this foreign exchange deficit by 5,469,000,000 U. S. dollar equivalents, leaving an estimated 1947 net deficit of 1,638,300,000 U. S. dollar equivalents.⁴²

The following tabulation, taken from Table I of the report, shows the (approximate) estimated 1947 net foreign exchange deficits for the countries concerned:

Country	U. S. Dollar Equivalents
Czechoslovakia	146,000,000
Poland	369,000,000
Yugoslavia	341,600,000
Siam	57,600,000
Albania	26,000,000
Austria	170,200,000
Finland	34,600,000
Hungary	84,800,000
Italy	236,000,000
Burma (not available)	—
Southern Korea	172,500,000
TOTAL	1,638,300,000

The other countries covered in the survey—i.e., Belgium and Luxembourg, Denmark, France (with overseas territories), Greece, Netherlands, Norway, United Kingdom, Ethiopia and Philippines—were expected to meet their anticipated 1947 foreign exchange deficits entirely through resources on capital account (see above) or from other sources.

The report also declared that, as correctly foreshadowed by the interim report, the "task of European reconstruction, not to mention that of the Far East, is far greater than was foreseen when the International Bank for Reconstruction and Development and the International Monetary Fund were created and when the major post-war governmental credits were granted".

The supplement (E/576/Rev. 1/Add. 1), which appeared on August 9, 1948, contained a tabulation of postwar international loans and grants up to June 1948, by recipient countries and by sources, covering the whole world, totalling the equivalent of \$US27,717,000,000, but excluding certain types of loans and grants.

7. Relief Needs after the Termination of UNRRA

Pursuant to resolution 48(1) on Relief Needs After the Termination of UNRRA, adopted by the General Assembly on December 11, 1946, which called upon all Members of the United Nations to assist in the furnishing of relief and

⁴²But not including Burma, because of incomplete data.

recommended that all Members keep the Secretary-General informed concerning their plans for meeting relief needs in 1947,⁴³ the Secretary-General arranged a number of informal consultations among governments concerning their relief plans and programs. On May 23, 1947, the Secretary-General formally requested all Members of the United Nations for information concerning their plans for meeting relief needs and the progress of their relief activities. A detailed report concerning the above activities, including the replies received from Member Governments, was submitted by the Secretary-General to the fifth session of the Economic and Social Council (E/462 and addenda) and was noted by the Council in resolution 63 (V) at its 107th plenary meeting on August 6. Information subsequently received was noted in the *Annual Report of the Secretary-General on the Work of the Organization, July 1947-30 June 1948* (A/315).

On the basis of information made available by Member Governments (not including China), the Secretary-General estimated that the assistance planned ranged from 60 to 70 per cent of the total requirements of \$US\$83 million as estimated by the Special Technical Committee on Relief Needs After the Termination of UNRRA.

Major contributions by the Governments of Australia, Canada, the United Kingdom and the United States are described below.

The *Australian* contribution of £A4 million, or approximately \$US12.8 million, related to post-UNRRA relief, IRO, UNICEF and the UNESCO Reconstruction Fund; almost \$5.3 million was stated to be available for general post-UNRRA relief (excluding shipping costs), and 3.2 million for UNICEF. The contribution consisted of wool, food, medical supplies, clothing and certain types of industrial equipment.

The *Canadian* contribution of about \$US18 million included \$12.5 million for post-UNRRA relief and \$5 million for UNICEF, the remainder being allocated to the Canadian Council for Reconstruction through UNESCO and the Canadian Appeal for Children. The contribution consisted largely of canned and salted fish.

The *United Kingdom* contribution of £10 million, or approximately \$US40 million, was earmarked for Austria and included \$6 million in the form of a commercial credit granted for the purchase of wool. To the extent that direct contributions were spent on relief imports such as food, no stipulations were made for repayment, but in so far as the remainder of the contribution was used for the purchase of goods for recon-

struction purposes, terms of repayment would be discussed later.

The *United States* contribution amounted to \$300 million, not including \$40 million allotted to UNICEF. The assistance programmed consisted of cereals (56 per cent of total value); other foods (11 per cent); fuel (13 per cent); seeds, fertilizers and pesticides (2 per cent); medical supplies (2 per cent); shipping costs (15 per cent); and other (1 per cent).⁴⁴

8. Control of World Oil Resources

The International Co-operative Alliance submitted to the fifth session of the Economic and Social Council an item concerning the control of world oil resources. The Alliance proposed the creation of a United Nations Petroleum Commission under the authority of the Economic and Social Council. This proposal was based on a resolution adopted by the International Co-operative Alliance Congress, held at Zurich in 1946, in which it emphasized

"the immediate need of placing control and administration of the oil resources of the world under an authority of the United Nations, and, as a first step in that direction, the oil resources of the Middle East, by and with the consent of the states involved, these resources to be administered in such a way that co-operative organizations can be assured of receiving an equitable share."

The matter was discussed at the 111th and 112th plenary meetings of the Council on August 11 and 12, 1947.

The ICA presented documents (E/449 and Add.1) in support of its proposal, and its representatives made an explanatory statement to the Council. The Alliance suggested that the United Nations should consider the question urgently because (a) rivalry for the acquisition of new oil fields might endanger the peace of the world, (b) equitable access to world oil resources was a vital condition for the world's economic reconstruction, and (c) there was a tendency on the part of large oil enterprises of many countries to fix prices without considering the interests of the consumer. The Alliance further suggested that a proposal from the United Nations to the states involved to sign a convention or agreement under United Nations auspices might lead to the establishment of the necessary inter-

⁴³See *Yearbook of the United Nations*, 1946-47, p. 159.

⁴⁴See *Third Report to Congress on the United States Foreign Relief Program*, U. S. Department of State, Sept. 1948.

national control. This proposal, it considered, should first be addressed to the Middle East countries, where the greater part of the unexploited oil resources of the world appeared to be situated. Such an agreement should stipulate that oil resources should be exploited in the public interest and assure to all equal access to them.

It was also suggested that the Council might decide to instruct the Secretariat to collect and study information on the subject from Member nations, specialized agencies and non-governmental organizations, so as to enable the Economic and Employment Commission to consider it at its next meeting.

In the Council's discussions the view was generally expressed by representatives that if a study were made it should not be confined to only one part of the world, the Middle East. The United States representative felt that the real problem was the present world oil shortage, and that in view of the imminent establishment of the International Trade Organization, consideration of the question should be postponed until the principles of free production and the protection of the consumer, embodied in its Charter, were put into effect. The United Kingdom representative was also in favor of postponing consideration of the question on the grounds that it was not practicable and feasible to consider the question at that time. The representatives of Lebanon and the U.S.S.R. thought that if oil were controlled other raw materials should be controlled also. The French representative suggested that the matter should be studied by the Economic and Employment Commission.

By 8 votes to 2, with 8 abstentions, the Council at its 112th meeting on August 12 decided that it could do no more at its fifth session than take note of the proposals submitted by the International Co-operative Alliance (resolution 66(V)).

9. *Question of the Damage Caused to the Federal People's Republic of Yugoslavia by the Withholding of Its Gold Reserves by the United States of America*

At its 142nd meeting, on February 16, 1948, the Economic and Social Council began its deliberations concerning the "question of the damage caused to the Federal People's Republic of Yugoslavia by the withholding of its gold reserves by the United States of America", an item placed on the agenda of the Council's sixth session by the Yugoslav delegation.

In a memorandum (E/624) and in an oral statement made by the Yugoslav representative, who had been invited to the Council's table to participate without vote in the discussion of the case, it was said the United States had refused to restore gold entrusted to it by Yugoslavia during the war for safekeeping; that this refusal was extremely prejudicial to the Yugoslav economy, adversely affecting the achievement of higher living standards, economic and social progress and full employment; and that, because of economic interdependence, the issue in turn also affected the general European economy. The Yugoslav representative submitted a draft resolution (E/SR.142, pp. 4-5) in which the Council would resolve to recommend to the United States Government that "without further delay it cease causing damage to Yugoslavia by its further retention of the property of the National Bank of the Federal People's Republic of Yugoslavia now in the safekeeping of the United States".

At the same (142nd) meeting, the representative of the United States stated that the Council was not, in his opinion, an appropriate forum for dealing with the question raised by the Yugoslav Government, since it was not the Council's function to deal with disputes as such which might arise between nations, even if these disputes were of an economic nature; nor was the Council qualified, he submitted, to act as an arbitral tribunal, a conciliation agency or a court. Nevertheless, the representative of the United States added, he wished to indicate that the United States also had claims against Yugoslavia, towards which latter country, moreover, his Government had acted in exactly the same way as it had acted towards many other countries possessing assets in the United States. Whenever claims and counter-claims had been made on one side or the other, negotiations had been opened to reach a simultaneous settlement of all outstanding questions. The method of negotiation between the United States and Yugoslavia had not yet been exhausted, he added, and he hoped that such bilateral negotiations would lead to agreement. The representative of the United States reiterated his opinion that the question raised by Yugoslavia went beyond the Council's competence.

The view that the Council was not competent to consider the Yugoslav complaint was shared by the representatives of Australia, the United Kingdom, Brazil, Turkey and Canada at the 142nd and 143rd meetings of the Council on February 16. Some of these representatives argued that the Council had no right to take up any particular

dispute, even if it contained important economic aspects, unless it were of general international interest; and that the Council had no right to address a recommendation to a particular country, as distinct from recommendations addressed to Members of the United Nations in general. Several representatives held that Yugoslavia should have addressed its complaint to the International Court of Justice, which, in their opinion, would be fully competent to consider the case.

At the same meetings, however, the representatives of Yugoslavia, the U.S.S.R., Poland and the Byelorussian S.S.R. held that the Council's competency to consider the matter could not be open to doubt. They also declared that there had been a precedent when the Council had approved at its third session a resolution recommending that a conference of interested states be held to consider the question of international traffic on the Danube and the restitution to Czechoslovakia and Yugoslavia of Danubian barges, then under the control of United States occupation authorities.⁴⁵ They felt that the Council's competency was being questioned in the present case simply because a majority of Council members did not wish to embark upon a matter which would inevitably lead them to some criticism of the United States.

The representative of Denmark, at the 143rd meeting, suggested that the Council refer the Yugoslav case to the Economic Committee with the request that it "examine the question whether the Council is competent to deal with a matter of this kind" and that it "submit a reasoned report to the Council, serviceable for future similar cases". This Danish suggestion was adopted by a vote of 9 to 7, with 2 abstentions, while a second part of the same Danish proposal—viz., that the Economic Committee, if it did decide the matter came within the Council's competence, should also report on the substance of the Yugoslav proposal—was rejected by a vote of 10 to 5, with 3 abstentions.

The Economic Committee considered the question of the Council's competence at its 16th, 17th and 18th meetings on March 2, 3 and 4, 1948. At the Committee's request, the Secretary-General prepared a document (E/AC.6/25) setting forth the opinion of the legal department of the Secretariat, namely, that the Council

"... has the right to interpret the scope of its own functions and powers, subject to this right being questioned where a conflict exists. (b) That the Council has jurisdiction to deal with the item in question and any other international economic matter from the economic aspect. (c) That the Council has also jurisdiction to deal with the item in question and any other international economic matter from the dispute aspect, provided it con-

siders such dispute to be related to an international economic problem and to be of a nature such as would primarily be the concern of the Council. (d) That the Council would never have jurisdiction to deal with a dispute as such, but only with a dispute of an economic character of the kind outlined in this memorandum."

Also before the Economic Committee was an Australian note (E/AC.6/23), holding that the Yugoslav case was primarily a legal dispute and that it was "not appropriate" for the Council to deal with such a dispute, which should be settled by negotiation, or, if necessary, by arbitration or by reference to the International Court of Justice.

There was complete agreement, in the Economic Committee, on only one point: that it was up to the Council itself to decide its own jurisdiction in a given case. A majority of members, however, disagreed with the view that the Yugoslav case could be regarded as falling within the Council's jurisdiction, although they employed differing lines of argument to arrive at this conclusion. A minority—the representatives of Yugoslavia, the U.S.S.R., the Byelorussian S.S.R. and Poland—defended the thesis that the Council was competent in the matter.

Yugoslavia proposed a draft resolution (E/AC.6/27) to the effect that the Council "is competent to consider the case submitted by the Yugoslav delegation". It was rejected by a vote of 12 to 3, with 2 abstentions. The Committee, by a vote of 11 to 3, with 3 abstentions, then adopted a United States draft resolution, amended by the representative of France, to the effect that the Council "decides that this question does not fall within the jurisdiction of the Council" (E/743).

The representative of Poland, declaring that one of the objections raised against Council consideration of the Yugoslav case, namely, that it concerned only one or two Members of the United Nations rather than Members generally, could be met by adopting a general resolution, proposed a draft resolution (E/AC.6/28) in which the Council would have resolved "to recommend Member States to return all monetary reserves which they have received during the war for safekeeping from countries victims of aggression by Germany, Japan or their allies". The Chairman of the Economic Committee ruled that consideration of this draft resolution, which dealt with the substance of the question, would be beyond the Committee's terms of reference, and that the proposal was therefore inadmissible.

The recommendation (E/743) of the Economic

⁴⁵See *Yearbook of the United Nations*, 1946-47, p. 504.

Committee was discussed by the Council at its 167th to 170th meetings on March 8 and 9. A roll-call vote at the 169th meeting on March 9 found all but four Council members supporting the conclusion that the Yugoslav case did not fall within the Council's competence. Of the four members not supporting this conclusion, three, the Byelorussian S.S.R., Poland and the U.S.S.R., voted against it, while the fourth, Lebanon, abstained. Before taking this vote, the Council had upheld a presidential ruling, challenged by the representative of Poland, that a Polish amendment (E/743/Add. 1), which would have reversed the Economic Committee's recommendation, was inadmissible.

Finally, the Council, after a series of votes on modifications proposed by the representatives of Denmark (E/760), Venezuela (E/759), and, jointly, Chile, France, the United Kingdom and Venezuela (E/763), at its 170th meeting on March 9, 1948, adopted the resolution reproduced below (111(VI)). While thus accepting the basic principle of the Council's lack of competence in the Yugoslav case, the Council, at the suggestion of the representative of Venezuela, added a paragraph expressing the hope that the United States and Yugoslavia would soon settle their dispute, the vote on this paragraph being 13 to 2, with 3 abstentions. In withholding support from this recommendation, the representatives of Turkey, Canada and Denmark explained that they thought it contradictory for the Council to express its hope for the settlement of a matter which it regarded as being outside its competence, adding that they personally shared the hope but questioned the propriety of including this paragraph, which to some extent constituted a recommendation, in the resolution.

Other representatives felt that there was no inconsistency, since the paragraph in question was an implied appeal for conciliation rather than a recommendation, and thus did not contradict the view that the Council itself was not competent to deal with the matter.

The resolution adopted at the 170th meeting on March 9 (111(VI)) reads as follows:

"The Economic and Social Council,

"Having examined the question as to whether it should consider the substance of the matter raised by the Federal People's Republic of Yugoslavia regarding its gold reserves in the United States of America;

"Considering that it could not examine the substance of this matter without thus being led into the consideration of the different aspects of the particular dispute existing between the United States of America and the Federal People's Republic of Yugoslavia;

"Considering that it has no competence to take cogni-

zance of such aspects because of the juridical issues involved,

"Decides that this matter does not fall within the competence of the Council; and

"Expresses its hope that the United States of America and the Federal People's Republic of Yugoslavia will settle their dispute as soon as possible."

10. Joint Economic Board for Palestine

In accordance with the General Assembly's resolution 181(II),⁴⁸ the Economic and Social Council, at its 174th meeting on March 11, considered the question of the election of the three non-Palestinian members of the Joint Economic Board for Palestine. The U.S.S.R. representative, supported by the Byelorussian and Polish representatives, proposed that the Council should proceed to elect the three members at its sixth session, the proposal was rejected by the Council by 9 votes to 3, with 6 abstentions. Other representatives, including the United States representative, thought that the question should be deferred to the next session, since procedural questions had not been solved and the Council had not yet received the necessary information; moreover, the Palestine Commission had recommended that the question should be dealt with at the seventh session of the Council. The Chilean, Netherlands and New Zealand representatives considered that the question of the election itself was not on the agenda, but merely the necessary preliminary measures. The Council adopted by 14 votes, with 4 abstentions, a compromise proposal (E/773) jointly put forward by Poland and Venezuela with amendments proposed by Canada, U.S.S.R., Denmark and the United States. In this resolution (112(VI)) it requested Member States to submit to the Secretary-General, not later than June 15, 1948, the names of suitable candidates for nomination as non-Palestinian members of the Joint Economic Board and requested the Secretary-General to submit to the Council's seventh session the list of nominees for election after consulting the Palestine Commission on the terms and conditions of service.

11. Co-ordinated Action to Meet the World Food Situation

At its sixth session the Council considered an item proposed by the Food and Agriculture Organization concerning co-ordinated action to meet the continuing world food crisis (E/G13, E/666)

⁴⁸See p. 251.

The FAO drew the Council's attention to the urgent need for co-operation between all United Nations agencies in a sustained campaign to increase food production. It drew attention (E/613) to the increased pressure of demand, through population growth, full employment policies and more equitable distribution, and showed that the world production of food was not substantially on the increase. The FAO Conference at Geneva had adopted a resolution referring to the Economic and Social Council the problem of the needed parallel development in industry, and FAO outlined the types of action which it could take through its Member nations and those which were outside its scope (E/666).

The Council considered the question during its sixth session, at its 147th and 158th plenary meetings on February 20 and March 2, and the 14th and 15th meetings of its Economic Committee on February 25 and March 1.

Many representatives stressed the gravity of the problem and the necessity for concerted action by the United Nations, its economic commissions and the specialized agencies. The Australian, French, United Kingdom and United States representatives regretted that the FAO report, though valuable as an analysis, did not contain more specific recommendations. The United States representative thought that more information should be requested from FAO on the following points: a precise definition of the nature of the food crisis in its immediate and long-range aspects; an analysis of the non-agricultural factors impeding agricultural production, such as the lack of capital and of transport facilities and adverse health conditions, especially in regard to areas where food production could be increased within a relatively short period; the type of co-ordinated action possible for increasing food production, such as improving transportation or increasing fertilizer or coal shipments to a particular area; and an estimate of the potential increase of food production resulting from the application of those measures.

The U.S.S.R. representative recalled the General Assembly's recommendations (resolution 45(I))⁴⁷ on equitable food distribution regardless of political considerations, which, he stated, had not been implemented. A U.S.S.R. amendment (E/AC.6/20) to the effect that certain states had failed to carry out the recommendations of the General Assembly's resolution 45 (I) and that in consequence food prices had risen to the detriment of the consumers, was defeated by 14 votes to 2, with 1 abstention, in the Economic Committee, and upon being presented again in the Council was

defeated in paragraph by paragraph votes. A drafting sub-committee of the Economic Committee considered a joint draft resolution proposed by France, the United States, Chile and Canada (E/AC.6/W.8) and amendments proposed by the representatives of Chile, China, Netherlands, Poland, U.S.S.R. and United Kingdom (E/AC.6/20). It submitted a text which was approved with one drafting amendment by the Economic Committee (E/716), and, with the addition of a Polish amendment (E/AC.6/20) by the Council at its 158th plenary meeting, by 13 votes, with 4 abstentions. This resolution (103(VI)) called on Member States to "give serious consideration to the continuing world food shortage and take measures individually and in co-operation with the FAO and, where appropriate, with other international agencies and organizations of which they are members, to contribute to the solution of these problems". The resolution also invited the specialized agencies concerned and the regional economic commissions, in consultation with FAO, to study suitable measures to increase food production, by the elimination of the supply shortage of materials directly and indirectly affecting the production of fertilizers, agricultural machinery and the availability of transport. The Council also initiated arrangements under which it would give further attention to this problem at subsequent sessions by asking FAO to report to the seventh session of the Council on progress achieved in the co-ordination of these studies and to report to "the first session of the Council following the 1948 Annual Conference of the FAO" (i.e., the Council's eighth session) on the measures taken by Member States, regional commissions and the specialized agencies to alleviate the world food crisis. FAO was also asked to recommend what further action might be taken.

At its seventh session, the Council received the report of FAO (E/817) on progress in the co-ordination of studies and suitable measures to bring about an increase in food production. The report described the arrangements and consultations held by FAO with the regional economic commissions of the Council and with the specialized agencies.

FAO had recommended to the Economic Commission for Asia and the Far East the establishment of a joint Working Party on Agricultural Requisites with representatives of the Executive Secretary of ECAFE and the Director-General of FAO. It had proposed to the Economic Commis-

⁴⁷See *Yearbook of the United Nations*, 1946-47, pp. 172-73.

sion for Latin America a joint working party comprising personnel of ECLA and FAO to examine agricultural development plans with a view to determining requirements of production requisites, and working parties of experts representing Member Governments to examine and deal with the measures necessary to supply these requisites. As a result of a joint recommendation by the Director-General of FAO and the Executive Secretary of ECE, the third session of ECE had established an *ad hoc* committee on agricultural problems to determine problems militating against the development and rehabilitation of Europe and European agriculture, the solution of which would be facilitated by co-operative measures by FAO and ECE, and to recommend the best means of securing this co-operation. The Executive Secretary of ECE had been authorized to convene, on the basis of the findings of the *ad hoc* committee and in consultation with the Director-General of FAO, working parties on specific matters requiring immediate action.

Membership in the *ad hoc* committee was open to members of ECE and to European Members of FAO who were not members of ECE. FAO had also held consultations with ILO, WHO Interim Commission, UNESCO, the International Bank for Reconstruction and Development and the International Monetary Fund.

The report was considered by the Council at the 32nd and 33rd meetings of its Economic Committee on August 13 and 14, and at its 222nd plenary meeting on August 27. After considering a draft resolution submitted by the United States (E/AC.6/W.20) and amendments proposed by Peru (E/AC.6/W.25), France (E/AC.6/W.26) and the U.S.S.R. (E/AC.6/W.27), the Economic Committee proposed to the Council a resolution (E/980/Rev.1) concerning the arrangements reported by FAO and, as the other proposals and verbal suggestions of representatives had to do with the substantive question of increasing food supplies, decided to adjourn further consideration of the question until its eighth session, when the further report of FAO would be received. The majority of representatives expressed approval of the steps taken by FAO.

A U.S.S.R. (E/AC.6/W.27), to the effect that the co-operation of regional economic commissions with specialized agencies must be within the framework of existing agreements between the United Nations and the specialized agencies and therefore "must take place by means of consultations and not by setting up joint committees or other joint organs", was defeated in the

Economic Committee by a vote of 12 to 3, with 2 abstentions, and upon being presented again in the Council (E/1023/Rev.1) was defeated by 14 votes to 3, with 1 abstention.

The United Kingdom representative opposed the creation of standing joint committees and thought that co-operation between FAO and regional commissions could best be secured at the working party level by discussions between technical experts. The French representative emphasized the importance of consultation by FAO with certain non-governmental organizations.

The Council at its 222nd plenary meeting on August 27 adopted the resolution proposed by the Economic Committee (E/980/Rev.1), with amendments proposed by the United States (E/994). These amendments, which were adopted by 14 votes to 1, with 3 abstentions, provided that the Council should note the organizational arrangements which had been made, and delete a clause authorizing the establishment where necessary of joint *ad hoc* working parties.

The resolution, which was adopted by the Council by a vote of 15 to 2, with 1 abstention (resolution 140 (VII)), noted with satisfaction the progress recorded in the report of FAO with regard to the co-ordination of the work in this field. The Council also noted "the organizational arrangements which have been made in connexion with this work" and requested that FAO, and other specialized agencies and regional commissions continue their efforts in the closest co-operation.

12. *Interim Co-ordinating Committee for International Commodity Arrangements*

The Interim Co-ordinating Committee for International Commodity Arrangements was established at the fourth session of the Economic and Social Council by resolution 30 (IV) to facilitate inter-governmental consultation and action with respect to commodity problems.

The Committee held its first session in Geneva in August and September 1947. It expressed the belief that duplication of effort and overlapping of function would be avoided by a wide circulation of information about the work of various commodity organizations. It therefore prepared a survey of the activities of various international organizations operating in the commodity field and of the guiding principles of the Commodity Chapter of the ITO Charter. This Review of Interna-

tional Commodity Arrangements was issued in November 1947 (E/CA/2).⁴⁸

Under the resolution establishing the Committee, the Chairman was to represent the Preparatory Committee of the United Nations Conference on Trade and Employment. However, this Preparatory Committee ceased to exist on the convening of the Conference on November 21, 1947. Accordingly, the Economic and Social Council at its sixth session (161st plenary meeting) on March 3, 1948, by 14 votes to 0, with 3 abstentions, requested the Secretary-General, as suggested by the Conference, to amend the composition of the Committee to provide that the Chairman be nominated by the Interim Commission for an International Trade Organization (resolution 110 (VI)). The Interim Commission, through its Executive Board, subsequently nominated Sir James Helmore as Chairman.

The Committee co-operates closely with study groups and other international organizations concerned with commodity matters. In March 1948, a Rice Meeting was held in the Philippines under the joint auspices of ICCICA and FAO to stimulate co-operative action in dealing with the rice situation. At this meeting a constitution for an international rice organization was drafted; the resultant International Rice Commission was to hold its first session on March 7, 1949. ICCICA subsequently collaborated in developing arrangements between the various commodity groups, the FAO and the United Nations Statistical Office to prevent duplication in the collection of commodity statistics from governments. In order to avoid duplication of work, the Secretariat of ICCICA, which is provided by the Department of Economic Affairs, also performs certain services for the Interim Commission for the International Trade Organization.

The Committee met in Geneva in September 1948 and prepared a *Review of International Commodity Problems, 1948*.⁴⁹ The *Review* set out in general terms some analysis of the nature of the international problems relating to primary commodities, explained the principles and methods that had been accepted as a guide in dealing with these problems and reviewed inter-governmental action in the field.

The *Review* included a survey of the current situation in certain commodities, and the Committee pointed out that, while there were significant variations from commodity to commodity, an improvement over the immediate postwar supply situation had taken place in 1948. Reference was made to the glut of primary commodities during

the depression of the thirties and attention was drawn to the inter-related interests of all countries in preventing such conditions. During 1948 inter-governmental discussions helped in the co-ordination of national programs and policies regarding a number of primary commodities, including wheat, rice, sugar, tin, rubber, wool and cotton, but no formal agreements relating to any of them came into force.

13. Timber Conference

At its fourth session, on March 28, 1947, the Economic and Social Council adopted resolution 31 (IV) welcoming the initiative taken by the Food and Agriculture Organization in calling an international timber conference to convene in Czechoslovakia on April 28, 1947, and urging Members of the United Nations, to whose economy Europe's production, import and export of forest products was important, to participate in the conference.⁵⁰

The Food and Agriculture Organization submitted to the fifth session of the Economic and Social Council a report (E/455) unanimously adopted by the Conference, which ended on May 10, 1947. The report recommended short-term measures to relieve the timber shortage and long-term measures for the restoration of forests, adequate management, improved working conditions in the forests and technical programs in forest industries.⁵¹

The Conference recommended that a European Timber Committee should be set up within the framework of the Economic Commission for Europe with the technical assistance of FAO, and that it should pay particular attention to:

"(a) increasing available timber supplies and decreasing waste of wood in order to help in meeting the needs of European reconstruction.

"(b) aiding in reducing economic difficulties mentioned in the resolution on increased production by certain countries by assisting them in obtaining necessary economic help.

"(c) the satisfactory distribution of available timber supplies."

Considering that the forest and timber problems of all European countries and of the non-European countries adjacent to the Mediterranean formed a technical whole, the Conference invited ECE to permit all such interested countries to participate

⁴⁸United Nations Publications, Sales No.: 1947.II.9.

⁴⁹United Nations Publications, Sales No.: 1948.II.6.

⁵⁰See *Yearbook of the United Nations, 1946-47*, p. 496.

⁵¹*Ibid.*, pp. 691-92.

in work in connection with forests and timber.

The report of FAO was considered by the Council at its 99th plenary meeting on July 29, 1947.

The French representative proposed verbally a draft resolution, in which the Council would state that, having considered the report and noted the recommendations of the Conference, it urged the governments concerned to take steps along the lines of the recommendations of the Conference, and noted with satisfaction that ECE had set up a Timber Sub-Committee and would therefore be able, with the technical assistance of FAO, to pay special attention to the three measures suggested by the Conference (see above). The French representative agreed to amend the resolution to include a suggestion from the United States representative that a request for advice from FAO be made by the prospective lender, such as the International Bank, and not at the instance of the individual country as recommended by the Conference.⁵³

The U.S.S.R. and Cuban representatives thought that the Council should take no decision on the substance of the recommendations contained in the report until it had been considered by FAO at its forthcoming annual conference. A Cuban proposal that the Council should merely take note of the report was voted on at the 99th meeting on July 29, and after one tie vote, was adopted by the Council by 7 votes to 6 (resolution 64(V)).

14. *United Nations Scientific Conference on the Conservation and Utilization of Resources*

The Economic and Social Council on March 28, 1947 (resolution 32(IV)), decided to call a United Nations Scientific Conference on the Conservation and Utilization of Resources for the purpose of exchanging information on techniques in this field and requested the Secretary-General to undertake the necessary preparatory work.

Accordingly the Secretary-General presented a report (E/605) to the sixth session of the Council. The Secretary-General recalled that according to the Council's resolution the Conference was to be "devoted solely to the exchange of ideas and experience on the matter among engineers, resource technicians, economists and other experts in related fields". Accordingly, the tentative agenda provided for a series of plenary sessions to discuss matters of broad general interest to technicians and administrators in the several resource fields with particular emphasis on the inter-relations of the various techniques in progress of resource develop-

ment. In addition, technical sessions would give experts an opportunity to exchange information on specialized subjects, such as minerals, fuels, power, water, soils, crops, livestock, forests, grazing range, fish and wild-life. The Secretary-General recommended that the Conference should be scheduled to convene on May 16, 1949, and adjourn on June 3, 1949, and that it should be held in the United States. In view of considerations advanced by the Advisory Committee which had been established under the terms of the resolution and which consisted of representatives of specialized agencies with important responsibilities in the fields related to the Conference program and other experts, the Secretary-General was exploring the possibilities of holding the Conference at a site away from the United Nations headquarters. These considerations were that another location might provide greater possibilities for observing practical applications of conservation techniques in the field, for information discussions between delegates and for saving time in travel to and from meetings.

The Secretary-General contemplated four main classes of participants in the Conference: (1) representatives from governmental services, members of non-governmental organizations and individuals to be selected from Member Governments; (2) individual specialists selected with the advice of the Preparatory Committee; (3) representatives of the United Nations and the specialized agencies; and (4) representatives of interested international organizations and learned societies and distinguished members of the professions, to be admitted at the discretion of the Secretary-General.

The Secretary-General proposed to expand the existing Advisory Committee into a Preparatory Committee and also to convene in certain regions informal meetings of experts to secure their views and advice on detailed plans. He requested the Council to establish a small temporary Consultative Committee from which he might seek advice concerning procedure and organization.

The report was considered by the Council at its 137th plenary meeting on February 11. The United States, Peruvian and Chilean representatives questioned the necessity of a temporary Consultative

⁵³The Conference had recommended that "FAO, on the request of any individual member government applying for a loan, should call the attention of the appropriate international organizations to the need of international credits" for the fulfilment of national forest policies, improvement of exploitation facilities, development of new forest resources and technical improvement of forest industries. (Food and Agriculture Organization of the United Nations—Report of the International Timber Conference, Mariánské Lázně, Czechoslovakia, 28 April–10 May 1947.)

Committee in addition to the Preparatory Committee. The Peruvian and Chilean representatives stressed the importance of the proposed conference from the point of view of under-developed countries, and the Peruvian representative suggested that it might be well to provide for the participation at the Conference of representatives of the regional economic commissions established or contemplated by the Council.

The United Kingdom representative urged that the number of items on the agenda of the Conference should be limited, otherwise there would be risk of not achieving practical and useful results; if the agenda were too full, governments might not be able to spare their specialists for a long enough period. Care should be taken to avoid duplication of the work of other organizations. This view was supported by the representatives of the Netherlands, China, Canada and Brazil. The Netherlands representative stated that the Conference should be a meeting of technical experts and not of diplomats, and emphasized the importance of co-operation with the specialized agencies. The Danish representative felt that the Conference was original in idea and method of preparation.

The representatives of the United Kingdom, China, Canada and France thought that if a location other than Lake Success were chosen for the Conference the resulting costs should not be borne by the United Nations budget.

The Chinese representative considered that since each country had to consult its experts on the subject of the Conference program the time allowed was too limited, and suggested that the Conference should be postponed to the end of the year 1949 or even the beginning of 1950.

The U.S.S.R. representative proposed that in view of the vast program suggested for discussion at the Conference, the Council should specify that the Conference should confine its purpose to an exchange of experience in the field of technical methods for the conservation and utilization of resources.

The Council unanimously adopted a United States draft resolution (E/645) as amended by the U.S.S.R. and Canada. As amended it reads as follows (resolution 109(VI)):

"The Economic and Social Council

"Takes note of the report of the Secretary-General on the preparations being made for the United Nations Scientific Conference on the Conservation and Utilization of Resources (document E/605); and

"Requests the Secretary-General to proceed with plans for the Conference, keeping in mind that the task of the Conference is to be limited to an exchange of experience in the techniques of the conservation and utilization of

resources, and to include in his progress report to the seventh session of the Council his definite recommendations concerning the arrangements for the Conference and its site, taking into consideration the discussion of the Council at its sixth session."

Accordingly the Secretary-General, proceeding with the advice of the Preparatory Committee created in accordance with the Council's resolution 32(IV), made a further report to the seventh session of the Council (E/827/Rev.1). The Council also had before it the report of the Preparatory Committee to the Secretary-General (E/869).

The Secretary-General reported that Members of the United Nations and other governments participating in the regional economic commissions of the United Nations would be invited to select individuals to attend the Conference, in addition to which the Secretary-General might invite representatives of non-governmental organizations, other interested international organizations and learned societies, and distinguished individual experts. He recommended that the Conference should be convened for fifteen working days during May and June 1949. He stated that if he could make arrangements not involving appreciable additions to costs for holding the Conference at a site within the United States that would offer particular advantages for a scientific conference devoted to resource techniques, he would recommend the selection of such a site, otherwise he proposed that the Conference should be held at the interim headquarters of the United Nations.

The Preparatory Committee consisted of experts nominated by FAO, ILO, UNESCO and the Interim Commission of WHO, and experts appointed by the Secretary-General from nine countries, to serve in their individual capacities.⁵³ It held meetings on June 7, 21 and 25 and from June 30 to July 1, 1948, and considered the provisional program of the United Nations Scientific Conference on the Conservation and Utilization of Resources (E/Conf.7/1) together with comments and suggestions from 21 governments received in response to a letter sent out by the Secretary-General on March 12. The Committee reported (E/869) that detailed suggestions had been contained in the replies received from the Governments of Belgium, Czechoslovakia, Ecuador, France, India, Netherlands, Philippines, Siam, Union of South Africa, United Kingdom and United States. In formulating the Conference program the Committee had also had suggestions from FAO, UNESCO, and ILO and from the World Power Conference, which

⁵³For list of members of the Preparatory Committee, see Annex II, p. 706.

had suggested modifications of the part of the Conference program relating to the generation and utilization of power. In accordance with the suggestions of several governments, the Committee had reduced the complexity of the program by a substantial decrease in the number of section meetings. The Committee recommended that the Conference should not be held at the interim headquarters, but at some place where little time would be lost in local transportation, where the participants would be able to inspect significant resource developments and where they would be able to associate with each other informally without inconvenience.

The matter was considered by the Economic and Social Council at its 206th plenary meeting on August 19. In introducing the report, the Assistant Secretary-General for Economic Affairs stated that the plenary sessions of the Conference would review the world resource situation, basic resource techniques and resource techniques of special interest to less developed countries. Specialists would discuss more specific topics in sectional meetings, he stated—for example, power and energy resources, forests, mineral resources, or land, as well as specific techniques and practices for resource conservation and utilization as they applied to particular resources. The French, Peruvian, Canadian and U.S.S.R. representatives expressed misgivings that the scope of the Conference was too wide to give adequate consideration to the technical subjects covered.

After discussing the alternative merits of holding the Conference at or away from headquarters, the Council, by 13 votes to 0, with 5 abstentions, decided (resolution 141 (VII)) that the Conference should be held in the United States, "the site to be outside the New York City area if the additional cost to the United Nations would not exceed \$40,000, but otherwise at interim headquarters". The Council approved the Secretary-General's recommendation that the Conference should be held in May or June 1949 for fifteen working days and requested him to proceed with the preparatory work required.³⁴

The primary concern of the Conference, according to its provisional program (E/CONF.7/1),³⁵ would be the practical application of science to resource management and human use rather than to minute refinements in research and scientific methodology. The provisional program stated that the conservation and wise utilization of natural resources are problems of immediate concern to all nations, and that no country, however favored, has yet succeeded in exploiting to the full the possibil-

ities which the scientific utilization of resources offers for a sustained advance in the standard of life. The requisite methods and techniques for such an advance, it was pointed out, are at hand or in process of development, as a result of the work of many experts of many kinds throughout the world. It was stated that the Conference was intended as a step in the mobilization of the world's scientific and practical knowledge so as to equip the nations of the world for the task of raising and maintaining the living standards of their people.

The revised program of the Conference (E/CONF.7/2) fell under the following main headings: the world resources situation—using and conserving resources, resource technique of special interest to less-developed countries; experience in the inter-related application of resource techniques; and summary and review of the Conference.

15. *Proposed Economic Conference of the Amazon Basin Countries*

At its seventh session (225th plenary meeting on August 28) the Economic and Social Council considered a Peruvian proposal (E/826) that the Council should call an International Economic Conference of the Amazon Basin Countries "with the purpose of setting up the framework for the best social utilization of its natural resources, that will benefit a world-expanding economy", and should request the Secretary-General to make the necessary preparations for the Conference. The proposal was supported by the Brazilian and Venezuelan representatives. At the suggestion of the Brazilian representative the Peruvian representative agreed to alter his proposal so that the Conference should be held in 1949 rather than in 1948. The New Zealand representative proposed (E/1045), in view of the large amount of preparatory work required for such a conference, that the question should be studied by the Economic Commission for Latin America, the secretariat of which was already engaged on an extensive economic survey of the whole area. The Council by 9 votes to 6, with 3 abstentions, rejected the Peruvian proposal, and adopted by 10 votes, with 8 abstentions, the New Zealand proposal, with an amendment proposed by Brazil providing for consultation with

³⁴The Interim Committee on Programme of Meetings of the Economic and Social Council, at a meeting held on February 24, 1949, decided that the Conference would begin the latter half of August 1949 at Lake Success.

³⁵Reproduced as Annex A to the revised program (E/CONF.7/2).

the Institute of the Hylean Amazon. In its resolution (146(VII)) the Council referred:

"to the Economic Commission for Latin America for its analysis and consideration, in consultation, where appropriate, with the International Institute of the Hylean Amazon, the proposal for an economic conference of the Amazon Basin countries."

16. Fiscal Questions

a. PROGRAM ESTABLISHED BY THE COUNCIL

The Fiscal Commission held its first session at Lake Success from May 19 to 29, 1947, and submitted a report to the fifth session of the Economic and Social Council dealing with the work which might be undertaken in its field (E/440).

This report suggested: certain general arrangements concerning the establishment within the United Nations Secretariat of an international fiscal information or reference service; the provision of technical advice to governments and international bodies, the co-operation to be obtained from governments; and the establishment of liaison with national fiscal administrations.

The Economic and Social Council considered the report at its 87th and 93rd plenary meetings on July 22 and 24, and at the fifth meeting of its Economic Committee on July 21. General approval was expressed of the report. Various representatives, including those of Canada, Czechoslovakia, Norway, the United States and the United Kingdom, felt that in view of the ambitious nature of the program and the expenditure involved in the work proposed for the Secretariat, a priority should be established among the tasks suggested. The representative of Canada proposed that priority should be given to fiscal research that had been interrupted during recent years; the representative of Norway suggested that priority should be given to the questions of double taxation and fiscal evasion, the United States representative suggested that the priority should be: (1) performance of service functions; (2) collection of data on which the Commission would base recommendations of substance; (3) compilation and publication of data; and (4) continuation of the work of the League of Nations in the field of international taxation, etc. The representatives of China and Lebanon expressed particular approval of the recommendations of the Commission concerning technical help to be given to economically less advanced countries.

The representative of the USSR, who was the Chairman of the Fiscal Commission, explained that

the Commission had unanimously approved the report and the majority of the Commission had considered the work proposed as a minimum, taking into account the financial implications involved.

The Council decided to leave it to the Secretary-General to take the necessary measures to carry out the Commission's recommendations "within the limits of available financial resources".

It accordingly adopted without discussion, at the 73rd plenary meeting on July 24, resolution 67(V) as follows:

"The Economic and Social Council

"1. Takes note of the report of the first session of the Fiscal Commission (document E/440),

"2. Requests the Secretary-General, within the limits of available financial resources.

"(a) To take appropriate measures to build up a fiscal information service, for the purpose of providing authoritative information on fiscal problems which may be referred to the Commission by Member Governments, the Economic and Social Council and its commissions, other organs of the United Nations, the specialized agencies, and non-governmental agencies in category A;

"(b) To arrange to make available, on request, technical advice, information and assistance on fiscal matters coming within the terms of reference of the Fiscal Commission, to the Economic and Social Council, its other commissions, and other organs of the United Nations, the specialized agencies and Member Governments, with special reference, in the case of economically less advanced countries, to means of facilitating their development and raising their standards of living, in accordance with resolution No. 51 (IV) of the Council of 28 March 1947,

"(c) To report promptly to the Fiscal Commission all cases where, in his opinion, the programmes, recommendations or projects considered or approved by the Economic and Social Council or any of its other commissions contain important fiscal provisions or implications which may touch on matters coming within the purview of the Fiscal Commission,

"(d) To request Member Governments to co-operate with the United Nations by transmitting to the Secretary-General, as soon as practicable after release, for the use of the Fiscal Commission, copies of publications issued by them relating to budgets, Government revenue and other receipts, appropriations and expenditure, public debt, special studies of taxation problems and information on the most significant facts and trends relative to public finance in the course of each year,

"(e) To arrange for the compilation and publication of a *Public Finance Survey, 1937-1947*, in continuation of the series 'Public Finance' formerly published by the League of Nations regarding Government revenue and other receipts, classified as to sources; expenditures, classified according to principal categories; and public debt, classified according to dates of maturity, domicile, and rates of interest, and, if practicable, to make preparations for the periodic publication in the future of the information outlined above;

"(f) To arrange for the publication of the volume *Public Debt, 1914-1947*, which was commenced by the League of Nations,

"(g) To ascertain from other commissions whether any special studies of a technical nature should be made by the Fiscal Commission in order properly to advise them on the fiscal aspects of their enquiries (for example, fiscal methods relating to anti-depression policies);

"(h) Subject to the policies of the General Assembly and the Economic and Social Council, to invite non-member Governments to co-operate in supplying the information listed in the preceding paragraphs;

"(i) To make a review and revision of the work which has already been accomplished by the League of Nations in the field of international tax problems, with particular reference to further action to be taken for the solution of such problems;

"(j) To collect, publish and distribute the text of treaties for the prevention of double taxation, and for mutual assistance in the collection of taxes and the exchange of information;

"(k) To obtain from Members of the United Nations and to compile information on their administrative practices, so that Members negotiating treaties may know what techniques are available for securing and exchanging information, and for co-operating in the collection of taxes;

"(l) To collect information on tax systems (including statutes, regulations and administrative practices) particularly those aspects of such systems which

"(i) Have the effect of imposing more burdensome taxes on foreigners than on nationals or on international transactions than on domestic ones (for example: those systems which impose higher rates on foreigners; tax capital transfers in or out of a country; refuse foreigners the privilege accorded nationals of deducting expenses attributable to income from the taxing country; provide for presumptive or empirical tax assessments on foreigners);

"(ii) Have the effect of making special concessions to foreigners, or as respects international transactions;

"(iii) Give taxes extra-territorial application;

"(iv) Tax international travel, transport and communications;

"(v) Make special tax provisions for foreign-held public debt;

"(m) To collect detailed documentary material on internal tax legislation in every country as far as such legislation covers foreign nationals or resources;

"(n) To collect from Members their comments on the model bilateral tax conventions prepared at the Regional Tax Conference held in Mexico City in 1943 under the auspices of the Fiscal Committee of the League of Nations and at the final session of the Fiscal Committee held in London in 1946, the comments to cover three types of treaties: double taxation of income; double taxation of estates and successions; reciprocal administrative assistance, and to circulate these comments to the members of the Fiscal Commission well in advance of the next session;

"(o) To study these problems from the point of view of their effects on international trade and investment;

"(p) To invite Member States, by questionnaires or other appropriate means, to report on fiscal problems which, in their opinion, should be given consideration by the Fiscal Commission, and to request the Secretary-General to furnish to the Commission, before its next

session, a list of such problems raised, with appropriate comments.

"3. *Notes that information furnished by Member States to the Secretary-General in accordance with these resolutions will be such as is available in accordance with the applicable national regulations.*

"4. *Requests Members of the United Nations to assist the Secretary-General in the action he may take in compliance with the above recommendations.*"

b. IMPLEMENTATION OF PROGRAM BY THE SECRETARIAT

Following the conclusion of the first session of the Fiscal Commission and the approval of its recommendations by the Economic and Social Council in resolution 67(V) of July 24, 1947, the Fiscal Division of the Secretariat undertook the following activities and compilations.

(1) *Fiscal Information Service.*—Action was taken to secure comprehensive material on the fiscal legislation, administration and public finance developments of Member nations. The means used for that purpose were the following: circular letters and questionnaires to Members; contacts with their delegations; correspondence with national officials; missions to a number of countries; and use of Secretariat facilities and public libraries in the area of New York City and in Washington, D. C.

(2) *Technical Assistance* to Member Governments in the Field of Public Finance.*—Exploratory work was done on the financial and administrative aspects of economic development in economically less developed countries, as well as on international tax relations, with a view to rendering technical assistance. The conclusions of this work were to be reported to the Fiscal Commission at its next session in 1949.

Technical assistance in the fiscal field was given in various forms and degrees to Venezuela and Brazil.

Upon the request of the Government of Venezuela, the Fiscal Division took part during 1947 in a program of reform of the public finances and administration of the country, giving technical assistance and advice in various fields, the most important of which were: budgeting (preparation, structure, and formulation of the budget); administrative reform (creation of a civil service); fiscal reform (reorganization of a fiscal department, etc.); and other fields (creation of a central administration of ports). (See E/CN.I/Sub 3/W.4.)

Technical advice was given to the Brazilian Government in the form of a memorandum prepared by the Fiscal Division in July 1948, revisa-

ing certain aspects of international fiscal problems existing in Brazil.

(3) *Public Finance Survey*.—This work was to have consisted of a series of pamphlets containing tables presenting, on as comparable a basis as possible for some 60 countries, data on government expenditures, revenues, cash position, and debt, together with notes on budgetary procedures and comments relating fiscal developments to economic, social and administrative factors.

Work was started along these lines on various countries. Because of an increasing demand for tabular data, it appeared desirable to make available to the various organs of the United Nations, specialized agencies and Member Governments such information for as many countries as possible at the earliest possible date, without delaying their release until the analytical part of the work had been completed. Consequently, a series of mimeographed documents entitled "Public Finance Data" were prepared for issue by the end of 1948. By September 1948 data had already been collected and was being checked on the following fourteen countries: Argentina, Canada, Chile, China, India, Iran, Ireland, Norway, Portugal, Sweden, Switzerland, United Kingdom, United States and Venezuela.

The Public Finance Survey as outlined above does not meet, nor was it originally intended to meet, the need for monthly data on fiscal development which various United Nations organs and specialized agencies have increasingly felt for some time in connection with their research and operations. To meet this requirement, the Fiscal Division, in consultation with the Division of Statistics of the International Monetary Fund, began preparing a questionnaire, to be sent by the Secretary-General to all Member Governments, to assist the United Nations, specialized agencies and Member Governments in analyzing the effects of government financial activities on economic variables such as price, monetary circulation and national income. The questionnaire was to request annual data for the period from 1936 to 1948 and monthly or quarterly data from 1947 regarding the following items:

1. Central government expenditure
2. Central government receipts
3. Results from government monetary operations
4. Foreign grants received
5. Domestic borrowing
6. Redemption of domestic debt
7. Foreign borrowing
8. Redemption of foreign debt
9. Cash balance
10. Aggregate outstanding domestic debt
11. Aggregate outstanding foreign debt

(4) *Public Debt 1914-1946*.—A volume entitled *Public Debt 1914-1946*⁵⁶ was published (in English) in August 1948. (The French edition was being prepared for publication in 1949.) This study presented in tabular form data on public debt for 52 countries from 1914-46 and for some twenty countries up to 1947.

For each country, with a few exceptions, two tables were prepared. Table I shows the domestic debt, subdivided into long-term and short-term, the foreign debt and total debt since 1914. Information regarding debt service is given, showing, separately, interest and amortization payments on the domestic and foreign public debt. It also contains for reference purposes data on price movements and exchange rates.

Table II shows the position of the most important loans or types of obligations outstanding, and whenever possible, their purpose, nominal rate of interest, date of issue and maturity. The major differences in concepts and definitions of public debt are discussed in a General Note. Information was provided by finance ministries of Member Governments.

(5) *Review of Work of League of Nations*.—The Secretariat prepared a comprehensive survey of the history and meaning of the work undertaken by the League of Nations in the field of international tax relations, of the results achieved and of the problems remaining to be dealt with.

(6) *Administrative Practices related to the Assessment and Collection of Taxes*.—The Fiscal Division of the Secretariat collects and publishes information on the administrative practices in Member countries relating to the assessment and collection of taxes. The compilation of the relevant legislative materials and their analytical and comparative study are designed to aid the governments in the negotiation of tax agreements by making available to them information on the means existing for exchanging information between national revenue authorities and for their co-operation in the collection of taxes.

(7) *International Tax Agreements*.—The Secretariat prepared for publication in November 1948 the first volume containing the texts of over 100 international tax agreements for the prevention of double taxation and fiscal evasion (E/CN.8/30).⁵⁷ This volume constitutes a continuation of the six-volume *Collection of International Tax Agreements and Internal Legal Provisions for the Prevention of Double Taxation and Fiscal Evasion* published by the League of Nations from 1928

⁵⁶United Nations Publications, Sales No.: 1948.XVI.1.

⁵⁷United Nations Publications, Sales No.: 1948.XVI.2.

to 1936. The volume contains a comprehensive index of tax agreements concluded since 1843. The agreements are divided into ten groups according to the subject matter. The three most important groups are those which include, respectively, the General Agreements on Income and Property Taxes, the Agreements on Estate and Gift Taxes and the Agreements on Administrative Assistance between Revenue Authorities. It is planned to publish supplements from time to time with texts of new agreements concluded hereafter.

(8) *Survey of Trends in Recent Tax Agreements.*

—The Secretariat initiated a survey of the nature, meaning and import of trends in recent tax agreements and a comprehensive analysis of such agreements entered into between countries of the same region or at a comparable level of economic development.

(9) *Tax Treatment of Foreign Nationals, Resources and Transactions.*

—The Secretariat collects and publishes information on those aspects of tax systems which accord more burdensome treatment or give special concessions to foreigners or, in respect of international transactions, give taxes extra-territorial application, tax international travel, transport and communications and make special tax provisions for foreign-held public debt. To this end, the Fiscal Division has prepared a "Questionnaire on the Tax Treatment of Foreign Nationals, Assets and Transactions" (E/CN.8/W.19), which refers specifically to each type of direct and indirect tax, listing every aspect which might possibly present differences in the treatment of persons, assets or transactions, depending on whether they are wholly domestic, foreign or international. The documents and information thus collected are intended both for the preparation of individual reports on each country covered and for over-all comparative analysis.

(10) *Comments on Model Tax Conventions.*

The Secretariat published and distributed statements by Member Governments on their views on the London and Mexico Model Tax Conventions for the avoidance of double taxation and fiscal evasion prepared by the Fiscal Committee of the League of Nations in 1943 and 1946. Ultimately, the Fiscal Division will publish a fully annotated edition of the Model Conventions containing all comments from the Member Governments with a review of the salient differences and problems of the two models.

(11) *Effects of Tax Measures on International Trade and Investment.*

—Preparatory work was undertaken relating to the compilation of source

material and the outline of a study on the "Incidence and Economic Effects of Taxation on the Flow of International Trade and Investment", with particular reference to relief measures contained in international tax agreements and national tax legislation.

(12) *Implementation of Decisions of Other Organs of the United Nations Specialized Agencies and Non-Governmental Organizations.*—In compliance with the resolution of the Economic and Social Council, the Secretariat followed the work of other organs of the United Nations, specialized agencies and non-governmental organizations impinging on the field of international tax relations and prepared comprehensive documentation containing information on actions and decisions of those organs which are of interest to the Fiscal Commission.

(13) *Liaison and Co-ordination.*—Since the work of the Fiscal Commission is closely connected with that of other organs and specialized agencies of the United Nations, the Fiscal Division provided for close co-ordination with them and has been represented at meetings and international conferences.

17. Statistical Activities

The Statistical Commission held its second and third sessions from August 28 to September 4, 1947, and from April 26 to May 6, 1948. The first session of the Sub-Commission on Statistical Sampling was held from September 22 to 27, 1947.⁵⁸ The report of the second session of the Commission (E/577) was considered at the Council's sixth session, and that of its third session (E/795) at the seventh session of the Council. The questions dealt with are considered below.

At its third session the Statistical Commission adopted a program for its future work and decided that priorities should be given to the following studies: review and development of indices of industrial production; development of standards for price indices; revision of the League of Nations Minimum List of Commodities for International Trade Statistics; further study of statistics on national income and related subjects; assistance to governments which may request technical guidance in planning and executing their national censuses in 1950; desirability of achieving comparability in

⁵⁸The second session of the Sub Commission was held from August 30 to September 11, 1948, but its report (E/CN.3/52) was not considered by the Commission during the period reviewed in this Yearbook.

housing statistics; statistical sampling; collaboration with the statistical work of other commissions; and a program of statistical education and training.

The Commission's report was considered at the 30th and 31st meetings of the Council's Economic Committee and at the 220th meeting of the Council. Members expressed appreciation of the work of the Commission. Various members endorsed the program proposed by the Commission calling attention to particular items in it of special interest to them.

a. CO-ORDINATION OF THE STATISTICAL ACTIVITIES OF THE UNITED NATIONS AND THE SPECIALIZED AGENCIES

The Economic and Social Council on March 29, 1947 (resolution 40(IV)),⁵⁹ requested that periodic reports be made to the Statistical Commission on progress achieved in developing administrative procedures and agreements through which effective statistical co-ordination may be secured between the United Nations and the agencies brought into relationship with it. At its second and third sessions the Commission considered reports from the Secretary-General on the question (E/CN.3/28 and 41) and noted with satisfaction the progress so far achieved.

Under the arrangements made, the Statistical Office has become the central statistical unit in the Secretariat responsible for the co-ordination of United Nations statistics. It conducts statistical investigations on behalf of various parts of the organization, and conducts research and supplies statistics for a wide variety of special purposes.⁶⁰

Inter-agency co-ordination is achieved among other ways through the Consultative Committee on Statistical Matters, composed of representatives of the specialized agencies and the United Nations. By September 21, 1948, the Committee had reached agreements respecting standardization of several technical statistical practices and had assisted in formulating general arrangements for the consolidation or co-ordination of statistical programs. In addition, special procedures to deal with the problems of requests to governments for statistics had been established. The Statistical Office acts as the central point for the exchange of questionnaires and for the collection and dissemination of comments by each agency on draft questionnaires. This permits the needs of international agencies for statistics to be met without duplication in requests to governments. An integrated plan for the preparation and publication of international statistical yearbooks was being worked out between the United Nations and the specialized agencies.

At its third session the Statistical Commission recommended that the United Nations and the specialized agencies plan their programs to develop systematically collected and published statistics rather than rely upon *ad hoc* requests from governments, with the object of providing that the monthly, quarterly and annual publications of the United Nations and the specialized agencies will include, as far as practicable, all the statistical series needed for the conduct of international affairs.

The Statistical Commission at its third session continued its study of several related aspects of the development of national statistics and the improvement of their comparability. It made proposals to provide more adequately for the recognition of statistical problems peculiar to European countries and the further implementation among European countries of international recommendations on statistical standards. In particular, it considered the special statistical interests of the Economic Commission for Europe. On the Statistical Commission's recommendation, the Council at its 220th plenary meeting on August 27, 1948, adopted by 16 votes to 2 the following resolution (149(VII)B):

"The Economic and Social Council,

"Taking note of the desirability of obtaining the active co-operation of national statistical offices in the implementation of the recommendations of the Statistical Commission, and by providing a channel for the referral by Governments to the Statistical Commission of problems of statistical comparability, and

"Recognizing the relatively large number of European countries with closely related statistical interests, the urgent character of these interests, and the particular opportunity now available of achieving rapid and substantial progress through discussion of these common purposes,

"Requests the Secretary-General to encourage and facilitate consultation among representatives of the statistical agencies of European Governments upon statistical questions."

The Brazilian representative drew attention in the Council's Economic Committee to the particular requirements of countries where statistical services were less developed, and proposed that the Council's recommendation should refer to them and not merely to the particular needs of Europe. His view was supported by the representatives of the United Kingdom and Venezuela, and a joint resolution was worked out by those

⁵⁹See *Yearbook of the United Nations, 1946-47*, p. 507.

⁶⁰For a classified list of work in progress or planned by the United Nations and the specialized agencies, see *Directory of Economic and Statistical Projects No. 1*, January 1948. United Nations Publications, Sales No.: 1948.II.D.1.

representatives and adopted by the Committee (E/960). The U.S.S.R. representative in this connection proposed (E/1008) that the resolution would acquire the necessary general character by the omission of the word "European" from the resolution. Other members of the Council, however, felt that the statistical problems of Europe and of the under-developed countries were not the same. The Council adopted by 16 votes to 0, with 2 abstentions, resolution 149(VII)C, inviting the Commission at its next session to consider as a matter of urgency "how statistically underdeveloped countries requiring assistance in remedying deficiencies of statistical data can be helped to improve their basic statistical services"; and requesting "the Secretary-General to collect any necessary data on existing statistical deficiencies and possible remedial measures to facilitate early consideration of the problem by the Commission".

The Council also authorized the Statistical Office to undertake a program of technical assistance to Member Governments in connection with plans for censuses of population to be taken in and around 1950. The Statistical Office will arrange for expert consultants to work with census administrations in a limited number of countries to assure adequate planning on administrative and technical matters.

The Statistical Office collaborated with FAO, the Government of Mexico and the Inter-American Statistical Institute in the conduct of a technical training institute in Mexico City from October to December 1948. More than 60 highly qualified census administrators and experts from sixteen countries attended the Institute, which provided instruction for the agriculture and population censuses to be taken in 1950.

b. STANDARD INTERNATIONAL CLASSIFICATION

At its first session, the Statistical Commission established a committee to develop an international standard classification of statistics of industrial activity. At its second session, the Commission recommended that the draft classification so developed (E/CN.3/35) be circulated to Member Governments and specialized agencies for comment. At its third session, the Statistical Commission recommended a revised draft of the International Standard Industrial Classification of all Economic Activities. The classification was considered by the Council at its seventh session at the 30th and 31st meetings of the Economic Committee on August 5 and 11, and at the 220th plenary meeting on August 27, 1948.

The U.S.S.R. representative criticized the proposed classification (E/795/Add.1), in particular,

on the ground that it did not take into account activities in countries with planned economies, and suggested that the classification should be reviewed. While various representatives agreed that the classification was not perfect, and saw the difficulties inherent in drafting a classification that would permit a comparison of economic activities in both planned economies and those based on private enterprise, they emphasized the urgent need for adopting an international standard in the field of industrial statistics in order that the statistics collected by national governments in the forthcoming censuses might be organized so as to yield comparable data. A U.S.S.R. proposal (E/1008) that the classification should be referred back to the Commission and that Member Governments should be asked for their comments on it was rejected by a vote of 13 to 3, with 2 abstentions. The Council recommended by 14 votes to 2, with 2 abstentions, in resolution 149 (VII) A, that Member Governments:

"... make use of the International Standard Industrial Classification of all Economic Activities either by:

"(a) Adopting this system of classification as a national standard, or

"(b) Rearranging their statistical data in accordance with this system for purposes of international comparability."

A similar program for the development of comparability in international trade statistics was being undertaken by the Statistical Commission. In addition, the work of the International Labour Organisation in developing an international standard classification of occupations was being studied by the Statistical Commission in order to integrate related aspects of the classifications. It was anticipated that these classifications would be available to governments for use in connection with their census programs for 1950. The Secretariat was given the responsibility for formulating a proposal for the development of a statistical classification of commodities for use in general economic analysis.

c. COLLECTION AND PUBLICATION OF STATISTICS

Three types of statistical publications arise out of the work of the Statistical Office of the United Nations as part of its program in the collection and publication of statistics and the development of statistical standards. The first consists of economic and social statistics of current interest to international organizations and Members of the United Nations published in the *Monthly Bulletin of Statistics*.

As at September 21, 1948, nearly two thousand separate series were being collected and maintained for publication in the *Monthly Bulletin of Statistics*. As part of its central responsibility, the Statistical Office collects and maintains certain series primarily for the benefit of one or more of the specialized agencies, such series appearing in their regular publications. On the other hand, many of the series appearing in the *Monthly Bulletin* are provided by specialized agencies such as the International Labour Organisation and the International Monetary Fund. In addition, the Statistical Office, in co-operation with several specialized agencies, undertakes the collection of monthly statistics of external trade to meet urgent needs of several agencies by a consolidated collection. A *Supplement to the Monthly Bulletin of Statistics* is published describing in detail the content, scope and limitations of the statistical series appearing in the *Monthly Bulletin of Statistics*. The Statistical Office also issues *Population and Vital Statistics Reports* each month. This publication contains the latest estimate of population for each area of the world, and the latest census totals. From time to time special tables dealing with population or vital statistics are also published.

A second type of statistics covering a much wider field of statistics is collected by the United Nations and published in the *Statistical Yearbook*, which will contain data in the following fields:

- Area, Population and Vital Statistics
- Manpower
- Agriculture, Forestry and Fishing
- Industry
- Transport and Communications
- Internal Trade
- External Trade
- Balance of Payments
- Wages and Prices
- Currency, Banking, Stock Exchange
- National Income
- Public Finance
- Social Statistics
- Education and Culture

This type of Statistics is also published in the *Demographic Yearbook*, which is designed to be the central source of international data on population, vital statistics and related subjects for the various countries of the world. The first edition will include statistics on area, population, labor force, mortality, natality, nuptiality and international migration, together with an explanatory text and information on sources. These publications form part of a co-ordinated plan for various yearbooks prepared by the specialized agencies and the United Nations. Annual statistics of external trade are also being prepared.

The third type of statistical publication arises out of the specific projects of research or special studies undertaken by the Statistical Office as part of its program for the development of statistics or as a result of research undertaken at the request of one of the organs of the United Nations. Such studies include a report on *National Income Statistics of Various Countries, 1938-1947*.

d. STATISTICAL SAMPLING

The Sub-Commission on Statistical Sampling, the establishment of which was authorized by the Economic and Social Council at its second session,⁶¹ is composed of individual experts appointed by the Statistical Commission. The Sub-Commission is responsible for advising on the use and application of statistical sampling methods in meeting the needs of the United Nations, specialized agencies and Member Governments for statistical information. At its first session it reported (E/CN.3/37) in detail on: (a) the desirability of carrying out a sample survey in conjunction with censuses proposed for 1950 in the fields of agricultural and population enquiries; (b) the conditions under which a sample survey should be made instead of a complete enumeration; (c) the opportunity for obtaining additional information through the use of the same basic sampling structure; and (d) the advantages of a series of repeated sample surveys in obtaining more detailed information and information of better quality in given fields of statistics.

The Sub-Commission issued a statement on the *Uses of Sampling in Censuses of Population, Agriculture, Public Health and Commerce*, which illustrates some of the more important uses of the sampling techniques and emphasizes the advantages and disadvantages, and the proper application, of scientific sampling methods. As a basis for its long-range program for the dissemination of information on sampling techniques, the Sub-Commission prepared a series of recommendations concerning the preparation of reports of sampling surveys.⁶²

The Sub-Commission considered specific problems in the application of sampling to agricultural censuses at the request of FAO and began preparing similar recommendations regarding family budget inquiries and manpower statistics at the request of ILO.

⁶¹See *Yearbook of the United Nations, 1946-47*, p. 508.

⁶²These recommendations were subsequently published by the Statistical Office of the United Nations as *The Preparation of Sampling Survey Reports*. (Statistical Papers, Series C. No. 1, January 1, 1949.)

e. PROGRAM FOR THE EDUCATION AND TRAINING OF STATISTICIANS

The Economic and Social Council at its seventh session adopted by 15 votes to 0, with 3 abstentions, resolution 149(VII)D, approving the recommendation of the Statistical Commission that a study be undertaken in collaboration with the specialized agencies regarding the shortages of trained statisticians and the needs for education and training in statistics which confront international and national statistical organizations, and requesting the Secretary-General to formulate an international program to meet these needs in a report of the fourth session of the Statistical Commission.

f. RESEARCH IN STATISTICAL METHODS AND DEVELOPMENT OF STANDARDS

In addition to the foregoing general program, work in certain special fields has been emphasized by the Statistical Commission and the Statistical Office. With a view to developing comparability and international standards, special programs of research were undertaken on the statistics of national income, national expenditure and related aggregates, and systems of social accounts. In similar fashion, comparability is sought in the statistics of prices, including prices of imports and exports and the construction of index numbers. In order to provide a basic tool for economic analysis, indices of industrial production and the scope and method of the construction of such indices were being studied, so that recommendations regarding their use in current national statistics might be formulated. In addition, a review was begun of the definitions and use of statistics of housing as well as studies of the problems of migration statistics.

A series of *Studies of Census Methods*, prepared by the Secretariat in collaboration with the statistical staffs of FAO and ILO, is published by the United Nations for the guidance of national statistical officers. Co-operation in the development and promotion of standards for population and vital statistics is part of the program undertaken by the Secretariat working with the staffs of WHO and FAO.

The Statistical Office issues from time to time a brief review and comment on the significant developments in international and national statistical activities in *Statistical Notes*, which is circulated to statistical offices of Member Governments and international agencies.

Three methodological studies undertaken by

the Committee of Statistical Experts of the League of Nations were published by the Secretary-General as directed by the Economic and Social Council Resolution 40 (IV).

g. TRANSFER OF RESPONSIBILITY FOR ECONOMIC STATISTICS UNDER 1928 CONVENTION

In accordance with resolution 24 (I) adopted by the General Assembly on February 12, 1946, relating to the transfer of certain functions and activities of the League of Nations,¹¹¹ the Statistical Commission at its first session (E/264) requested that a draft protocol amending the International Convention Relating to Economic Statistics (1928) be prepared. The draft was approved by the Commission at its second session, from August 28 to September 4, 1947, and submitted to the Economic and Social Council at the Council's sixth session. The U.S.S.R. and Ukrainian S.S.R. members on the Commission recorded reservations on the grounds that the decision to take over these functions contravened the General Assembly's resolution 54 (I) of December 14, 1946,¹¹² empowering the Secretary-General to take over and continue the non-political functions of the League of Nations with the exception of "those functions and activities exercised pursuant to international agreements"; the problems of international co-operation in the sphere of statistics, it was maintained, were comprehensively dealt with by the decisions of the Economic and Social Council. The Ukrainian reservation pointed out that a considerable number of countries belonging to the United Nations took no part in concluding the 1928 Convention, and the U.S.S.R. reservation stated that the actual activities of the Statistical Commission were considerably broader than those of the League of Nations Committee of Statistical Experts and included all the necessary functions previously performed by that Committee.

These arguments were raised again when the question was discussed by the Council at its 156th plenary meeting on February 11, its 158th plenary meeting on March 2, and the thirteenth and fourteenth meetings of its Economic Committee on February 24 and 25.

The Council, however, by a vote of 15 to 2 adopted a resolution (114 (VI)A) recommending that the General Assembly approve the functions and powers exercised by the League of Nations in respect of economic statistics under the 1928

¹¹¹See *Yearbook of the United Nations, 1946-47*, p. 111.

¹¹²*Ibid.*, p. 263.

Convention, and submitting to the General Assembly a draft resolution and draft protocol to this end. The Council stated that it considered that "in view of the resolution of the General Assembly on the relations of the Members of the United Nations with Spain, adopted on 9 February 1946, all action under this Protocol and the Convention mentioned above should be suspended with respect to the Franco Government in Spain as long as this Government is in power".⁶⁵

b. WORLD STATISTICAL CONGRESS

The World Statistical Congress, convened in Washington from September 8 to 12, 1947, under authority of resolution 40(IV) of the Economic and Social Council, was attended by leading statisticians from all countries.

The Congress focussed the attention of its members upon the uses for and the needs of international organizations for adequate and reliable statistical information from national governments. It also brought to the attention of the United Nations the need for more trained personnel in national statistical services as well as the need for providing advice and assistance in developing national statistical systems.

i. INTERNATIONAL CENSUS PLANS

In the report of its second session (E/577), submitted to the sixth session of the Economic and Social Council, the Statistical Commission expressed general approval of the standard minimum list of subjects proposed by the Population Commission for the 1950 censuses of population (E/571, Annex II) and the supplementary list of subjects proposed for optional inclusion in these censuses (E/571, Annex III).⁶⁶ In reference to a progress report received on the work of the Committee on the 1950 Census of the Americas, it reiterated its support of this project, noting with approval the program of training in census methods.

With reference to a memorandum submitted by FAO on the proposed 1950 World Census of Agriculture (E/CN.3/32), the Commission endorsed the objectives of the project and welcomed the steps taken to conduct co-operatively such a census in all parts of the world. It requested the Economic and Social Council to draw the attention of all Member nations to the proposed 1950 World Census of Agriculture, and to stress the importance of making adequate provisions for the preparatory work in order that such a census may be taken in as many countries as possible. The Council adopted

this recommendation by 14 votes, with 2 abstentions (resolution 114(VI)B).

At its third session the Statistical Commission (E/795) gave further consideration to the suggested list of subjects to be included in the 1950 census of population. It considered that the list of subjects and the accompanying definitions should be issued by the Secretary-General for the information of governments and for such use in the national censuses as might be practicable in the light of national conditions, needs and objectives. It urged, however, that the views of interested specialized agencies and other inter-governmental organizations should be co-ordinated before the list of subjects and accompanying definitions were issued. In reviewing the list of topics and the suggested definitions, the Commission considered it not practicable to regard the list of subjects⁶⁶ as a recommended minimum for all countries in view of the wide differences in national needs and statistical facilities. It considered, however, that all countries taking censuses should try to provide comparable data on the following items: total population, age, sex, marital status and types of economic activities. It also pointed out the desirability of using statistical sampling methods in population censuses.

18. Transport and Communications

The Transport and Communications Commission held its second session in Geneva from April 12 to 20, 1948. It reviewed international developments in the fields of transport and communications and of travel questions, but was particularly concerned with questions relating to: (1) regional problems and organization in the field of inland transport; (2) certain world-wide problems in the field of inland transport; (3) the facilitation of the international movement of persons and goods; (4) the co-ordination of activities in the fields of aviation, shipping and telecommunications with respect to safety of life at sea and in the air; and (5) transport statistics. In addition, the Commission, as requested by the Council at its sixth session (resolution 133(VI)), considered the applications of certain non-governmental organizations in the field of transport and communications for consultative status and considered the parts of the Pro-

⁶⁵On November 18, 1948, the General Assembly passed a resolution authorizing the transfer of responsibility to the United Nations under the amended convention relating to Economic Statistics of 1928.

⁶⁶See p. 640.

visional Questionnaire on Trust Territories which related to transport and communications.

The report of the Transport and Communications Commission (E/789) was considered during the seventh session of the Council at the 19th to 23rd, 38th and 39th meetings of the Council's Economic Committee on July 22, 23, 24 and 26 and August 24 and 25, and at the 223rd plenary meeting of the Council on August 28. The various decisions taken are given below.

a. REGIONAL PROBLEMS AND ORGANIZATION

The Commission considered studies prepared by the Secretary-General at the request of the Council (resolution 35(IV))⁶⁷ concerning future organization in the field of inland transport in Asia and the Far East—including the Middle East—and the Americas. The Commission also took up the question of a study of future organization in the field of inland transport in Africa.

(1) *Asia and the Far East*.—The Council at its seventh session (223rd plenary meeting) unanimously endorsed a recommendation of the Transport and Communications Commission which had also been endorsed by the Economic Commission for Asia and the Far East (E/839) that the latter Commission be requested to convene an early meeting of inland transport experts of the countries represented in it to examine: (a) the problems with respect to rehabilitation and co-ordinated development of inland transport facilities and services in Asia and the Far East; and (b) the means which are best suited to promote the solution of these problems, either by setting up regional machinery or otherwise (it being understood that any such machinery would be part of the Economic Commission for Asia and the Far East) (resolution 147(VII)C).

(2) *Middle East*.—The Transport and Communications Commission similarly recommended that, if and when an Economic Commission for the Middle East is established, the Council should request it to convene an early meeting of inland transport experts of the countries represented in it for purposes similar to the above (E/789).

After discussion at the 20th, 21st and 38th meetings of the Economic Committee on July 22 and 23 and August 2, and at the 223rd plenary meeting on August 28, the Council decided to postpone consideration of this recommendation until it had taken a decision on the report of the *ad hoc* Committee on the proposed Economic Commission for the Middle East. As consideration of the establishment of this Commission was postponed until the

eighth session, the Council took no action on the recommendations at its seventh session.

(3) *Latin America*.—The Transport and Communications Commission had recommended that the question of the means best suited to promote the solution of problems in the field of inland transport in Latin America should be referred to the Economic Commission for Latin America (E/789). The latter Commission had recommended that problems of transport affecting Latin America, including freight rates, be further studied by the Transport and Communications Commission (E/840). The Council at its seventh session at the 21st, 22nd and 23rd meetings of its Economic Committee, from July 23 to 26, considered the two recommendations.

The representatives of Venezuela, Chile and Brazil emphasized the importance to Latin American countries of maritime freight rates. The United Kingdom representative proposed (E/AC.6/29/Rev.1) that this question should be referred to the Inter-Governmental Maritime Consultative Organization as the specialized agency concerned with shipping; the Canadian and Netherlands representatives thought that that agency should be consulted. The three Latin American representatives, however, were opposed to a mention of IMCO on the ground that the Organization was largely concerned with technical matters, and that its structure was such that the interests of a large number of small countries whose shipping services were insufficiently developed could not be adequately represented on it.

At its 223rd plenary meeting on August 28, the Council adopted by 15 votes to 0, with 2 abstentions, resolution 147(VII)D, in which it recognized that the question of inland transport should be studied by the Economic Commission for Latin America, with appropriate assistance from the Transport and Communications Commission. At the same time, it requested the Secretary-General, in preparing the Economic Survey of Latin America, to give particular attention to problems of transport, taking into account the previous experience of other regional commissions. It also requested the Transport and Communications Commission to make a further study of the problems of maritime shipping, including freight rates affecting Latin America, in order to facilitate consideration of these matters as soon as possible by the Economic Commission for Latin America.

(4) *Africa*.—The Transport and Communications Commission had recommended (E/789) that the

⁶⁷See *Yearbook of the United Nations*, 1946-47, p. 503.

Secretary-General be asked to study the question of future organization in the field of inland transport in Africa.

The representatives of New Zealand and France stated at the 21st meeting of the Economic Committee on July 23 that Africa could not be considered as a region from the point of view of transport. The Council decided to take no action on the recommendation.

(5) *Co-ordination among Inland Transport Experts of Different Regions.*—In accordance with a recommendation of the Transport and Communications Commission the Council at its 223rd plenary meeting on August 28 adopted by 13 votes to 1, with 2 abstentions, resolution 147 (VII) E drawing the attention of the regional economic commissions to the advantages of permitting experts from other regions to participate in their work on inland transport when questions which might affect other regions are under consideration.

b. WORLD-WIDE PROBLEMS IN THE FIELD OF INLAND TRANSPORT—IN PARTICULAR, ROAD AND MOTOR TRANSPORT

The Transport and Communications Commission reviewed the recent developments in the field of road transport and recognized that the world-wide Conventions of 1926 on Road and Motor Transport were obsolete.

The Commission recommended that a conference should be called with the object of concluding a new convention on road and motor transport. In the discussion of the matter at the 20th meeting of the Economic Committee of the Council on July 22, various representatives felt that the number of conferences was proving too great a strain on the personnel of smaller countries and on the Secretariat. The Netherlands and French representatives emphasized the importance of the conference for European countries; they also proposed that the Geneva Convention on the Unification of Road Signals of 1931 should be brought up to date. The Venezuelan representative pointed out that the problem of under-developed countries as far as road and motor traffic was concerned was somewhat different,—i.e., the construction, expansion and improvement of road networks—and proposed that the co-operation of the Economic Commissions for Asia and the Far East and for Latin America should be sought.

At the 223rd plenary meeting of the Council on August 28 a discussion ensued concerning the non-member states which should be invited to the conference. Some representatives expressed the view

that the non-member states invited should be specified, others thought that non-members invited to the United Nations Maritime Conference should be invited to this conference; some thought that all non-members invited should have the right to vote, some opposed in principle the granting of voting rights to non-members but thought that it should be accorded to signatories to the Conventions which were to be revised. After the discussion, the Council by 13 votes, with 4 abstentions, adopted resolution 147 (VII) B as follows:

"The Economic and Social Council

Instructs the Secretary-General:

"1. To convene a Conference of Governments, not later than August 1949, with the object of concluding a new world-wide Convention on Road and Motor Transport, the two world-wide Conventions of 1926, namely:

"(a) International Convention relating to Road Traffic;

"(b) International Convention relating to Motor Traffic, and the subsequent Convention of 1931 on the Unification of Road Signals, being obsolete. The draft text of the Inland Transport Committee of the Economic Commission for Europe, resulting from a study by this Committee, and the text of the 1943 Convention on the Regulation of Inter-American Automotive Traffic, *inter alia*, will serve as working-papers for the Conference;

"2. To request the Economic Commission for Europe to have the draft text referred to above completed and forwarded to the Secretary-General as soon as practicable;

"3. To invite the other regional commissions to submit any reports which they may desire on this subject;

"4. To circulate the above-mentioned texts to all the Governments invited to the Conference;

"5. To draw up a provisional agenda for the Conference;

"6. (a) To invite to participate in the Conference all States Members of the United Nations at the time of the convening of the Conference, and also the States not members of the United Nations which were invited to participate in the United Nations Maritime Conference; and

"(b) To request the Governments of the States invited to give their delegates full powers to sign, subject to ratification, such Convention as may be concluded at the Conference,

"7. To invite the specialized agencies, inter-governmental organizations and international organizations in this field, as may be appropriate, to send observers to the Conference;

"*Decides that the right to vote at the Conference may be exercised by all States Members of the United Nations and those States not Members which are invited under paragraph 6(a) above, and which are parties to any of the Conventions cited in paragraph 1 above.*"

(1) Co-ordination of Inland Transport

The question of the co-ordination of the various branches of the inland transport industry had been referred to the Transport and Communications Commission at the request of the International La-

bour Organisation. On the recommendation of the Commission (E/789) the Council, by 15 votes to 0, with 2 abstentions, adopted resolution 147-(VII)I distinguishing the short- and long-term aspects of the question. According to this resolution the former, resulting from war and postwar difficulties, should be dealt with on a regional level by regional transport bodies, where they exist, or by any other appropriate means, while the long-term aspects should be further reviewed by the Commission at its next session on the basis of documentation to be prepared by the Secretary-General.

C. FACILITATION OF INTERNATIONAL MOVEMENT OF PERSONS AND GOODS

(1) *Passports and Frontier Formalities*

At its fifth session, at the 115th plenary meeting on August 13, 1947, the Economic and Social Council considered the report of the Meeting of Experts on Passport and Frontier Formalities (E/436) suggesting the simplification of passport and visa regulations.⁶⁸

During the course of the discussion, the representative of Czechoslovakia stated that the proposed regulations were acceptable to his Government except the proposal that entry visas should be granted for a period of twelve months. The U.S.S.R. representative felt that the question of passports and frontier formalities was within the direct competence of the governments concerned and it was for the latter to determine such policy as they deemed necessary. He stated that his delegation would abstain from voting on the question.

The Council approved without objection resolution 73(V), which had been proposed by the United States, requesting the Secretary-General to prepare a comparative analysis of the relation between the practices of the Member Governments and the recommendations of the Meeting of Experts, and the extent to which Members have expressed their willingness to change their present practices to conform with the recommendations. The Secretary-General was requested to transmit the analysis to the Transport and Communications Commission for the formulation of proposals to the Council for further action which might be appropriately taken to reduce, simplify and unify the passport and frontier formalities of the various nations.

The Secretary-General accordingly prepared a report (E/CN.2/28/Part I and Part I, Add. 1, and Part II and Part II, Add. 1 and Add. 2) analyzing the replies of Members of the United Nations concerning the recommendations of the Meeting of

Experts to prepare for a World Conference on Passports and Frontier Formalities. After noting the report, the Transport and Communications Commission considered that neither a World Conference nor another Meeting of Experts was immediately required (E/789).

The Council discussed the question at the 23rd meeting of its Economic Committee. The U.S.S.R. and Byelorussian representatives again expressed the view that questions relating to passports and frontier formalities were internal matters within the exclusive domestic competence of governments, on which neither the Council nor the Transport and Communications Commission was competent to make recommendations.

The Council, on the recommendation of the Commission (E/789), adopted by 14 votes to 2, with 1 abstention, at its 223rd plenary meeting on August 28, resolution 147(VII)G. It requested the Secretary-General to bring to the attention of Member Governments the Council's view that it is desirable to reduce, simplify and unify passport and frontier formalities to the extent consistent with national security, and to report at the next meeting of the Commission on the progress made by Member Governments in this respect, by such means as bilateral and multilateral agreements and with particular reference to each of the recommendations made by the Meeting of Passport Experts.

(2) *Barriers to the International Transport of Goods*

The Transport and Communications Commission, noting that the International Chamber of Commerce had submitted a report (E/789) on barriers to the international transport of goods, considered that it was of the greatest importance to promote the freest possible flow of trade between nations. The Council, on the basis of a recommendation of the Commission, adopted, at its 223rd plenary meeting on August 28, by 13 votes to 2, with 2 abstentions, resolution 147(VII)A. It instructed the Secretary-General to study, in conjunction with the Executive Secretary of the Interim Commission of the International Trade Organization, the respective competence of the various international bodies concerned with this problem, and to report to the next session of the Transport and Communications Commission on the aspects which might usefully be considered by the Commission.

The U.S.S.R. representative had proposed the deletion of the reference to the Executive Secretary of the Interim Commission of the International

⁶⁸ See *Yearbook of the United Nations*, 1946-47, pp. 503-4.

Trade Organization on the ground that the United Nations had not yet entered into relationship with the Interim Commission. The Venezuelan representative explained his abstention on the resolution on the ground that as the Havana Charter had not yet been ratified it was premature to adopt a resolution on the competence of the various international bodies concerned with the problem.

d. CO-ORDINATION OF ACTIVITIES RELATING TO SAFETY OF LIFE AT SEA AND IN THE AIR

The Preparatory Committee of Experts at its meeting in January and February 1948 considered the co-ordination of activities in the fields of shipping, aviation and telecommunications with regard to safety of life. The Council at its 223rd plenary meeting adopted by 12 votes to 2, with 2 abstentions, resolution 147(VII)F, instructing the Secretary-General to transmit the report of this Committee to each of the organizations represented at its meeting as an initial basis for co-operative endeavor among them; the Secretary-General was also instructed to submit to the next session of the Transport and Communications Commission a report on the action taken by the Safety of Life at Sea Conference which was held in London in April and May 1948, and on the activities undertaken by the specialized agencies in the light of the report of the Preparatory Committee of Experts. The U.S.S.R. representative opposed the resolution since the report of the Preparatory Committee of Experts in question had not been considered by the Council.

e. TRANSPORT STATISTICS

The Transport and Communications Commission considered the problem of the establishment of internationally comparable statistics in the transport field, which had been referred to it at the request of the International Labour Organisation. It recommended that the Council should set up a working group of experts which, in consultation with the specialized agencies and regional commissions, should study the problems involved (E/789). The Statistical Commission at its third session endorsed this recommendation and in addition recommended that the Secretary-General be requested to undertake a preliminary survey of the scope of the work to be done in the field of transport statistics, and that the working group begin its work by a study of inland transport statistics (E/795).

The Council at its seventh session decided, on the suggestion of the United States representative, that the study should be undertaken by the Secre-

tary-General with the assistance of such experts as he considered advisable, rather than by a special working group. At its 223rd plenary meeting the Council adopted, by 14 votes to 3, resolution 147(VII)H, instructing the Secretary-General, in consultation with the specialized agencies and regional commissions concerned, and assisted by such independent experts as he may consider advisable, to make a study of the problems of establishing economic and technical statistical requirements in the transport field, of achieving comparability in the information to be collected and of standardizing forms for the collection of this information. The study was to be transmitted to the Transport and Communications and Statistical Commissions for their consideration.

19. United Nations Maritime Conference

Following a recommendation of the Transport and Communications Commission at its first session, the Council at its fourth session adopted resolution 35 (IV),⁶⁹ requesting the Secretary-General to convene a Conference of interested governments to consider the establishment of an intergovernmental maritime organization. The Council decided that the draft Convention prepared by the United Maritime Consultative Council on this matter, concerning the scope and purposes of the proposed organization, should serve as the basis of discussion for the Conference, and that the latter should also consider if the scope and purposes of the organization should include the removal or prevention of unfair restrictive practices by shipping concerns. The Secretary-General was instructed by the Council to invite all the Members of the United Nations and the following Governments to participate in the Conference: Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Portugal, Roumania, Switzerland, Transjordan and Yemen.⁷⁰

At its sixth session (124th meeting on February 3, 1948) the Council discussed the question of voting rights at the Conference. The representatives of the United States, Canada, New Zealand, China and Brazil spoke in favor of adhering to the practice, adopted by the Council in respect of other conferences called by it, of not granting voting rights to non-members of the United Nations, on the grounds that Members carried the obligations and responsibilities contained in the Charter, and political difficulties might arise if voting rights

⁶⁹See *Yearbook of the United Nations*, 1946-47, pp. 500-1.

⁷⁰Yemen later became a Member of the United Nations.

were given to non-members. The United Kingdom, Peruvian, U.S.S.R., Australian, Venezuelan, French and Lebanese representatives thought that non-members invited to conferences should be given full voting rights, since they were invited as participants. The United Kingdom, Australian and Venezuelan representatives instanced the difficulties which had occurred at the Havana Trade Conference where it had proved necessary to adopt a compromise formula in order to get over the difficulties caused by the Council's decision that non-members of the United Nations had not the right

to vote. By a roll-call vote of 9 to 8, with 1 abstention, the Council decided (resolution 113(VI)) that voting rights at the Conference should be exercised by both Members and the non-members which had been invited.

The United Nations Maritime Conference met in Geneva from February 19 to March 6, 1948.⁷¹

The Council at its seventh session (169th plenary meeting on August 12) adopted without discussion by 16 votes to 0, with 2 abstentions, resolution 148 (VII), taking note of the Secretary-General's report on the Conference (E/853).

G. SOCIAL, HUMANITARIAN AND CULTURAL QUESTIONS

1. Human Rights

a. INTERNATIONAL BILL OF HUMAN RIGHTS

At its fourth session, the Economic and Social Council established a procedure and a time table for the formulation of an International Bill of Human Rights (resolution 46(IV)).⁷²

The following seven stages were laid down:

- (i) Preparation of a draft by a drafting committee on the basis of documentation prepared by the Secretariat;
- (ii) Consideration of the draft by the Commission on Human Rights;
- (iii) Submission of the resulting draft to Members of the United Nations for observations, suggestions and proposals;
- (iv) Consideration of the above observations, suggestions and proposals as a basis of a redraft, if necessary, by the Drafting Committee;
- (v) Consideration of the resulting draft by the Commission on Human Rights;
- (vi) Consideration by the Council of the resulting text;
- (vii) Submission of the draft Bill by the Council to the General Assembly.

(1) Second Session of the Commission on Human Rights

The Commission on Human Rights at its second session at Geneva from December 2 to 17, 1947, considered the preliminary draft of an International Bill of Human Rights prepared by the Drafting Committee at its first session from June 9 to 25, 1947 (E/CN.4/21).

Two views had been expressed there regarding the form which the draft Bill should take. Some representatives thought that it should be in the form of a declaration or manifesto, others that the

declaration should be supplemented by a convention or conventions on specific rights. Both documents were presented to the Commission. The draft Declaration had been discussed in some detail, but consideration of the draft Convention had been limited to a general examination of the possible substantive contents of a draft convention. No decision was taken by the Drafting Committee as to whether there should be a draft declaration only or a draft declaration together with a draft convention.

The Commission decided to draw up simultaneously a draft declaration, which would be a declaration of general principles, and a draft convention, which would be a convention on such specific rights as would lend themselves to binding legal obligations, and at the same time to consider the question of implementation. The three documents—to be known respectively as the International Declaration on Human Rights, the International Covenant on Human Rights and Measures for Implementation—would together form the "International Bill of Human Rights" (E/600).

In preparing this preliminary draft of the Bill, the Commission took into account suggestions made by its Sub-Commission on the Prevention of Discrimination and Protection of Minorities on five articles of the draft Declaration covering subjects within the terms of reference of the Sub-Commission (E/CN.4/52). In accordance with resolution 46(IV) of the Council, the Chairman and Vice-Chairman of the Commission on the

⁷¹For account of the Conference, see pp. 969-70.

⁷²See *Yearbook of the United Nations*, 1946-47, p. 525.

Status of Women were present at the second session of the Commission on Human Rights and took part in its deliberations without vote when sections of the draft Bill concerning particular rights of women were discussed.

In order to prepare the documents on the draft Declaration, draft Covenant and implementation, the Commission established three working groups. It considered in detail the resulting draft Declaration and in somewhat less detail the draft Covenant, but decided to take no decision on any specific principle or recommendation contained in the report on implementation. Thus it presented to the sixth session of the Council a draft Declaration and a draft Covenant prepared with unequal thoroughness, together with the report of its working group on measures for implementation.

The draft Declaration prepared by the Commission was a simple statement defining human rights and fundamental freedoms. Its force, upon adoption by the General Assembly, would be of a moral rather than a legal nature; the Declaration would establish standards and indicate goals rather than impose precise obligations upon states.

Among the rights and freedoms enumerated in the 33 articles of the draft Declaration were: right to life, liberty, and security of person; right to freedom from arbitrary arrest; right to a fair trial; right to privacy; right to leave one's own country; right to seek and be granted asylum from persecution; right to own property; right to a nationality; freedom of thought and conscience; freedom of worship; freedom of expression and freedom of peaceful assembly; right to petition; right to take an effective part in the government of one's country; right to hold public office; right to work; right to social security; right to education; and right to rest and leisure.

The draft Covenant, on the other hand, was visualized as an instrument which would legally bind the states acceding to it. Such states would undertake to make their national laws conform to its standards, and would agree to the imposition of sanctions in the case of violation of the rights enumerated therein. For this reason, the draft Covenant was prepared in more precise language than the draft Declaration, and its enumeration of the rights to be protected was not so far-reaching. It was anticipated, however, that in time this first convention might be followed by others, giving legal effect to other rights enumerated in the Declaration, including economic or social rights.

The 27 articles of the draft Covenant were divided into three parts: the first part described the obligations of states which adhered to the Cov-

enant; the second part defined some of the rights and freedoms listed in the draft Declaration, in more precise terms; the third part described how accession to the Covenant would be effected and how amendments would come into force.

The measures of implementation formulated by the working group of the Commission related only to the proposed Covenant, and possible future conventions, since the Declaration was not envisaged as establishing legally enforceable obligations. Among the ideas put forward by the working group were the following: (1) that each state should incorporate into its own national law the principles of the Covenant on Human Rights; (2) that a standing committee should be appointed by the Economic and Social Council to mediate, conciliate and, if possible, rectify alleged violations of human rights; (3) that disputes not settled by this means should be forwarded to the Commission on Human Rights, which would decide whether the case should be sent to an international tribunal; (4) that an international tribunal should be empowered to give binding decisions on cases thus brought before it, establishing a body of law which would settle hundreds of similar cases; and (5) that the General Assembly, because of the powers conferred on it by the Charter with regard to questions of economic and social co-operation, should implement the decisions of the international tribunal in this field, should the necessity arise.

The Commission on Human Rights had no time to examine in detail the report of its working group on measures for implementation of the Bill of Human Rights but decided that it, together with the draft Declaration and draft Covenant, should be forwarded to governments for their comments during the first week in January 1948. The Commission also requested the Secretary-General to fix the date of April 3, 1948, as the time limit for the reception of replies from governments on the draft International Bill.

(2) *Consideration by the Council at Its Sixth Session*

In its consideration of the report of the Commission on Human Rights (E/600) at the Council's sixth session (128th plenary meeting on February 5, 1948), it was generally felt that consideration of the draft Declaration and draft Covenant should be deferred until the Council's next session, after the Commission had had an opportunity of reviewing the draft in the light of observations from governments. The Chilean and Australian representatives, however, thought that the Council should study the question of implementation as a guide to the Commission. The Australian representative

stressed the importance of including provisions for implementation in the draft Covenant and proposed (E/AC.7/42) that the Commission on Human Rights, through its Drafting Committee and at its next session, should be instructed to give particular attention to the implementation aspect of the Bill of Human Rights so as to be sure that draft articles were ready in time for submission to Member Governments well in advance of the Assembly's next session.

This draft resolution was considered at the 35th meeting of the Council's Social Committee, on February 20. The United States representative stated that his delegation entertained doubts with regard to the propriety of including that article in the Bill, and the U.S.S.R., Byelorussian and Polish representatives thought that the question should be deferred since it was bound up with the other parts of the draft Bill. The draft resolution with an amendment, accepted by the Australian representative, to give a more flexible time limit was adopted by the Social Committee by 8 votes to 3, with 7 abstentions, and by the Council at its 159th plenary meeting on March 2 by 9 votes to 3, with 5 abstentions.

In this resolution (116(VI)F) the Council directed "the Commission on Human Rights, through its Drafting Committee and at its next session, to give particular attention to the implementation aspect of the Bill of Human Rights, in order to ensure that draft articles on implementation may be submitted to Member Governments at the earliest possible date".

Following a recommendation of the Commission and after considering the matter at the 34th and 35th meetings of the Social Committee, the Council, at its 159th plenary meeting, also decided (resolution 116 (VI)E), by 14 votes, with 1 abstention, to refer to the International Labour Organisation for consideration and report Article 8 of the draft International Covenant, which referred to forced labor. The U.S.S.R., Polish and Byelorussian representatives opposed this decision, as no other specialized agencies had been consulted on the draft Bill.

(3) *Second Session of the Drafting Committee*

The Drafting Committee of the Commission on Human Rights held its second session at Lake Success from May 3 to 21, 1948. It considered comments on the draft International Bill of Human Rights which had been received from thirteen Member Governments. It also took into account the suggestions of the United Nations Conference on Freedom of Information concerning articles on freedom of information in the draft Declaration

and the draft Covenant (E/CONF.6/79),¹³ as well as suggestions made by the Commission on the Status of Women on two articles in the draft Declaration (E/615).¹⁴ It redrafted the entire draft Covenant; but had time to redraft only parts of the draft Declaration and did not consider the question of implementation.

(4) *Third Session of the Commission on Human Rights*

The third session of the Commission on Human Rights took place at Lake Success from May 24 to June 18, 1948. The Commission at that session based its work on the report of the second session of its Drafting Committee (E/CN.4/95). As this Committee had examined the draft Covenant in detail, the Commission decided to begin its work by discussing the draft Declaration, then to proceed to examine the question of implementation and finally the draft Covenant. It was able to complete a re-draft of the Declaration but had no time to consider the Drafting Committee's re-draft of the Covenant, nor to discuss implementation, as requested by the Economic and Social Council at its sixth session.

The Commission therefore presented to the seventh session of the Economic and Social Council the draft Declaration as redrafted at its third session; the draft Covenant as redrafted by the Drafting Committee at its second session, but not re-examined by the Commission itself; and the report of the working group on implementation, drawn up at the second session of the Commission, but not examined in detail by the full Commission.

Throughout its deliberations on the International Bill of Human Rights, the Commission was assisted by specialized agencies and non-governmental organizations. Representatives of the International Labour Organisation, the United Nations Educational, Scientific and Cultural Organization and the Preparatory Commission for the International Refugee Organization, and consultants from the American Federation of Labor, the International Federation of Christian Trade Unions, the Inter-Parliamentary Union, the World Federation of United Nations Associations, the Agudat Israel World Organization, the Catholic International Union for Social Service, the International Union of Catholic Women's Leagues, the Commission of the Churches on International Affairs, the Consultative Council of Jewish Organizations, the Co-ordinating Board of Jewish Organizations for Consultation with the Economic and Social

¹³See pp. 588-89.

¹⁴See pp. 599-600.

Council of the United Nations, the International Alliance of Women—Equal Rights, Equal Responsibilities, the International Committee of the Red Cross, the International Council of Women, the International Federation of Business and Professional Women, the Women's International Democratic Federation, the World Jewish Congress, the Liaison Committee of Women's International Organizations, the World Women's Christian Temperance Union and the World's Young Women's Christian Association took part in the proceedings of the Commission at its second and third sessions.

(5) Draft Declaration

The text of the draft Declaration as forwarded to the seventh session of the Council was as follows:

DRAFT INTERNATIONAL DECLARATION OF HUMAN RIGHTS

Preamble

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world; and

Whereas disregard and contempt for human rights resulted, before and during the Second World War, in barbarous acts which outraged the conscience of mankind and made it apparent that the fundamental freedoms were one of the supreme issues of the conflict; and

Whereas it is essential, if mankind is not to be compelled as a last resort to rebel against tyranny and oppression, that human rights should be protected by a regime of law, and

Whereas the peoples of the United Nations have in the Charter determined to reaffirm faith in fundamental human rights and in the dignity and worth of the human person and to promote social progress and better standards of life in larger freedom; and

Whereas Member States have pledged themselves to achieve, in co-operation with the Organization, the promotion of universal respect for and observance of human rights and fundamental freedoms; and

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now therefore the General Assembly

Proclaims this Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed by nature with reason and conscience, and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, property or other status, or national or social origin.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

1. No one shall be held in slavery or involuntary servitude.

2. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 5

Everyone has the right to recognition everywhere as a person before the law.

Article 6

All are equal before the law and are entitled without any discrimination to equal protection of the law against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 7

No one shall be subjected to arbitrary arrest or detention.

Article 8

In the determination of his rights and obligations and of any criminal charge against him, everyone is entitled in full equality to a fair hearing by an independent and impartial tribunal.

Article 9

1. Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any offence on account of any act or omission which did not constitute an offence, under national or international law, at the time when it was committed.

Article 10

No one shall be subjected to unreasonable interference with his privacy, family, home, correspondence or reputation.

Article 11

1. Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own.

Article 12

1. Everyone has the right to seek and be granted, in other countries, asylum from persecution.

2. Prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations do not constitute persecution.

Article 13

No one shall be arbitrarily deprived of his nationality or denied the right to change his nationality.

Article 14

1. Men and women of full age have the right to marry and to found a family and are entitled to equal rights as to marriage.

2. Marriage shall be entered into only with the full consent of both intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection.

Article 15

1. Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

Article 16

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 17

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 18

Everyone has the right to freedom of assembly and association.

Article 19

1. Everyone has the right to take part in the government of his country, directly or through his freely chosen representatives.

2. Everyone has the right of access to public employment in his country.

3. Everyone has the right to a government which conforms to the will of the people.

Article 20

Everyone, as a member of society, has the right to social security and is entitled to the realization, through national effort and international co-operation, and in accordance with the organization and resources of each State, of the economic, social and cultural rights set out below.

Article 21

1. Everyone has the right to work, to just and favourable conditions of work and pay and to protection against unemployment.

2. Everyone has the right to equal pay for equal work.

3. Everyone is free to form and to join trade unions for the protection of his interests.

Article 22

1. Everyone has the right to a standard of living, including food, clothing, housing and medical care, and to social services, adequate for the health and well-being of himself and his family and to security in the event of unemployment, sickness, disability, old age or other lack of livelihood in circumstances beyond his control.

2. Mother and child have the right to special care and assistance.

Article 23

1. Everyone has the right to education. Elementary and fundamental education shall be free and compulsory and there shall be equal access on the basis of merit to higher education.

2. Education shall be directed to the full development of the human personality, to strengthening respect for human rights and fundamental freedoms and to combating the spirit of intolerance and hatred against other nations and against racial and religious groups everywhere.

Article 24

Everyone has the right to rest and leisure.

Article 25

Everyone has the right to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement.

Article 26

Everyone is entitled to a good social and international order in which the rights and freedoms set out in this Declaration can be fully realized.

Article 27

1. Everyone has duties to the community which enables him freely to develop his personality.

2. In the exercise of his rights, everyone shall be subject only to such limitations as are necessary to secure due recognition and respect for the rights of others and the requirements of morality, public order and the general welfare in a democratic society.

Article 28

Nothing in this Declaration shall imply the recognition of the right of any State or person to engage in any activity aimed at the destruction of any of the rights and freedoms prescribed herein.

Note. The Commission has not considered the following article since measures of implementation were not discussed in its third session:

"Everyone has the right, either individually, or in association with others, to petition or to communicate with the public authorities of the State of which he is a national or in which he resides, or with the United Nations."

(6) Consideration by the Council at Its Seventh Session

Because of the pressure of business at its seventh session, the Council decided, at its 202nd plenary meeting on August 17, 1948, that the report of the Commission, which had been referred to its Human Rights Committee, should be recalled to the plenary session; and that in plenary there would be an opportunity for each member to make one general statement of position, without other debate or decisions than a decision to transmit the documents to the General Assembly, together with the statements of position.

Statements were made by all members at the 215th and 218th meetings of the Council on August 25 and 26. All members stressed the importance of the draft Declaration, though it was generally regretted that it had not proved possible to complete at the same time the draft Covenant and measures for implementation since it was recognized that the three formed part of an organic whole. The Netherlands, New Zealand and Danish representatives thought that the Declaration should be referred back to the Commission, and that if any discussion took place in the Assembly it should be only a provisional examination, the Netherlands representative holding that the Dec-

laration without measures for implementation was meaningless, and the New Zealand and Danish representatives pointing out that there had been insufficient time for governments to study the draft in detail and that the Declaration and Covenant should be adopted together. The majority, however, while agreeing on the importance of adopting the Covenant and the measures for implementation, pointed out that a long time had elapsed since work had begun on drafting the bill and thought that the adoption of the draft Declaration would mark a step forward in defining human rights and that this step should be taken without delay. They were, therefore, in favor of transmitting the draft Declaration to the third session of the Assembly.

It was generally recognized, however, that the draft Declaration in the form in which it was presented to the Council was still imperfect. The following were some of the main general criticisms:

(a) The aims of the Declaration were not sufficiently clearly stated; the Preamble was entirely abstract (Poland); the Preamble should be simplified (Canada and Venezuela).

(b) The Declaration should not be introduced by philosophical postulates from outdated theories of natural law, and therefore Article 1 should be omitted (Brazil).

(c) The Declaration was not sufficiently universal or international because it was based on domestic legislation and classic statements on human rights and did not therefore give sufficient prominence to rights which could not be enumerated in national declarations, such as the right of asylum (France).

(d) It had not proved possible to define the relations between the individual and the state, although this was a basic problem (Venezuela and Chile).

(e) As drafted, the Declaration was open to interpretation as an instrument of intervention in the domestic jurisdiction of states (Poland).

(f) The Declaration did not refer to ensuring and guaranteeing the implementation of rights and freedoms or to means of applying its provisions (U.S.S.R.).

(g) The Declaration failed to maintain consistently the principles of full equality (U.S.S.R.).

Criticisms were made that provisions had been omitted from the draft Declaration, and proposals were made for the inclusion of additional provisions, relating to the following subjects:

(a) The principle of religious tolerance (the Netherlands);

(b) The protection of the individual against threats, intimidation and oppression (Brazil);

(c) Reference to democracy and to the neces-

sity for the eradication of Fascism (Poland and the U.S.S.R.);

(d) The prohibition of Fascist and Nazi propaganda and propaganda of racial and national hostility (U.S.S.R.);

(e) The obligations of the individual to his neighbor, family, nation and society (Poland and the U.S.S.R.);

(f) The right to native language and culture (Poland and the U.S.S.R.);

(g) An express reference to minority rights (Denmark);

(h) A guarantee of all economic rights, the right to work and to rest, and the right to education (Poland);

(i) The paternal power of parents over their minor or non-emancipated children and their obligation to provide them with sustenance and education (Brazil);

(j) A statement that the rights enumerated in the Declaration were not exhaustive (Venezuela).

Among the criticisms concerning existing articles were the following:

(a) That the permissible restrictions on the rights of association should be made more explicit (Brazil);

(b) That the scope of certain rights had been narrowed or distorted, as in the clauses referring to arbitrary arrest and equal pay (France);

(c) That it was perhaps unnecessary to include Article 5 (referring to recognition before the law) and Article 23 (referring to the right to education), the latter being more appropriately a matter for UNESCO; a simple general statement of the right to social security would be preferable to the articles on social security (Article 20), the right to work (Article 21) and the right to a standard of living (Article 22), since these articles were really a declaration of governmental responsibilities in this field (Canada).

The Turkish representative suggested that it would be necessary to effect a reconciliation between the language of the Declaration and that of the draft Covenant.

The French representative reserved his Government's right to propose that the General Assembly should (1) invite all states to take early action to bring their laws and practices into line with the Declaration and set up the administrative and judicial instances of appeal necessary for the respect of human rights, and (2) recall the need for pursuing the study of conventions intended to ensure the practical observance of human rights and recommend their adoption.

Both the French and United States representatives pointed out that the question of human rights had special facets which ought to be the subject of special conventions.

The Council adopted without vote resolution 151(VII) by which it transmitted to the General Assembly the draft International Declaration of Human Rights submitted to the Council by the Commission on Human Rights in the report of its third session, together with the remainder of the report of the Commission and the records of the proceedings of the Council on this subject.

b. COMMUNICATIONS CONCERNING HUMAN RIGHTS

(1) Procedure for Handling Communications

At its fifth session the Council established a procedure for handling communications concerning human rights, consideration of which had been deferred from the Council's fourth session.

The Commission on Human Rights, in the report of its first session (E/259) had proposed that the Secretary-General be requested:

"(a) to compile a confidential list of communications received concerning human rights before each session of the Commission;

"(b) to furnish this confidential list to the members of the Commission upon request, without divulging the contents of these communications or the identity of their authors;

"(c) to enable the members of the Commission, upon request, to consult the originals of these communications,

"(d) to inform the writers of all communications concerning human rights, however addressed, that their communications would be brought to the attention of the Commission on Human Rights."

The recommendations of the Commission were considered by the Economic and Social Council at its 87th and 106th plenary meetings on July 21 and August 19, and at the 12th, 13th, 14th and 17th meetings of its Social Committee on July 24, 28 and 30 and August 4.

The U.S.S.R. representative opposed the recommendations on the grounds that the Charter had already enumerated the bodies with which the Council, and consequently its commissions, could enter into relationship, and from which reports and information could be received. Sufficient information could be obtained from Member States of the United Nations, from the specialized agencies and from non-governmental organizations having consultative status. He felt that consideration of communications from other organizations or from individuals would take the attention of the Commissions away from their real tasks. This view was supported by the Byelorussian representative. Both

representatives also opposed the consideration of anonymous communications.

Other representatives felt that the Commission might profit by receiving communications which might contain suggestions useful for its work.

The question was discussed in considerable detail in the Social Committee. A U.S.S.R. proposal to delete the relevant section of the Commission's report was rejected by 13 votes to 3, with 2 abstentions. Proposals and discussions were in general aimed at providing: (1) that the time of the Commission should not be unduly taken up with considering communications and that it should not be turned into a "complaints bureau" of the United Nations; (2) that the identity of writers of communications should be adequately protected, (3) that the form of acknowledging communications should not mislead the writers into thinking that they would automatically be considered by the Commission; and (4) that the Commission should itself decide which communications would be made available to members in the original.

A United States proposal (E/486) suggested, *inter alia*, that the Commission should forward petitions relating to Trust Territories to the Trusteeship Council with appropriate comments. This suggestion was, after a tie vote, referred for consideration to the Joint Committee of the Trusteeship and Economic and Social Councils.⁷⁵

A United Kingdom proposal (E/AC.7/25), "to furnish member states not represented on the Commission with a brief indication of the substance of any communication concerning human rights which refers explicitly to territory administered by them", was accepted with slight amendments by 13 votes, with 4 abstentions.

A Czechoslovak proposal (E/AC.7/27), "That the communications in order to be submitted to the procedure of examination by the Commission on Human Rights must have the following qualifications:

"(1) the intention to protect the human rights must be evident

"(2) they must not emanate from an anonymous unauthenticated or irresponsible source", was rejected by 10 votes to 4.

A New Zealand draft resolution (E/AC.7/24) which sought to combine the proposals of the Commission on Human Rights with certain amendments contained in the United States proposal in "an attempt to correlate the responsibilities of the United Nations under Article 55 of the Charter with the duties of the Commission on Human

⁷⁵See pp. 510-12, 731-33.

Rights" was considered at the 13th and 14th meetings of the Social Committee in a paragraph by paragraph discussion of the proposed draft resolution. At the end of its discussions the Social Committee by 14 votes to 2, with 2 abstentions, approved a draft resolution based largely on that put forward by the New Zealand delegation.

This was adopted by the Council at its 106th plenary meeting on August 5, by 14 votes to 2, with 2 abstentions (resolution 75(V)), as follows:

"The Economic and Social Council,

"Having considered chapter V of the report of the first session of the Commission on Human Rights concerning communications (document E/259),

"Approves the statement that 'the Commission recognizes that it has no power to take any action in regard to any complaints concerning human rights';

"Requests the Secretary General

"(a) To compile a confidential list of communications received concerning human rights, before each session of the Commission, with a brief indication of the substance of each;

"(b) To furnish this confidential list to the Commission, in private meeting, without divulging the identity of the authors of the communications;

"(c) To enable the members of the Commission, upon request, to consult the originals of communications dealing with the principles involved in the promotion of universal respect for and observance of human rights;

"(d) To inform the writers of all communications concerning human rights, however addressed, that their communications have been received and duly noted for consideration in accordance with the procedure laid down by the United Nations. Where necessary, the Secretary-General should indicate that the Commission has no power to take any action in regard to any complaint concerning human rights;

"(e) To furnish each Member State not represented on the Commission with a brief indication of the substance of any communication concerning human rights which refers explicitly to that State or to territories under its jurisdiction, without divulging the identity of the author;

"Suggests to the Commission on Human Rights that it should at each session appoint an ad hoc committee to meet shortly before its next session for the purpose of reviewing the confidential list of communications prepared by the Secretary-General under paragraph (a) above, and of recommending which of these communications, in original, should, in accordance with paragraph (c) above, be made available to members of the Commission on request."

(2) Modification of Procedure for Handling Communications

During its second and third sessions, the Commission on Human Rights received, in private meetings, confidential lists of communications concerning human rights compiled by the Secretary-General. At each session an *ad hoc* Committee of the Commission reviewed the lists of communications and submitted reports to the Commission.

At its second session, the Commission decided that the task of the Sub-Commission on Prevention of Discrimination and Protection of Minorities would be facilitated if the Economic and Social Council agreed to modify and extend resolution 75(V) so as to give members of the Sub-Commission, with respect to communications dealing with discrimination and minorities, and at the request of the Commission in each case, the same facilities as were enjoyed by the members of the Commission (E/600).

At its second session also, the Commission requested the Economic and Social Council to reconsider the procedure laid down in resolution 75(V). In particular, the Commission suggested that the Secretary-General should be requested to compile before each session of the Commission: (1) a non-confidential list of communications in which the authors stated that they had already divulged or intended to divulge their names, or that they had no objection to their names being divulged; and (2) a confidential list of communications which would be furnished to the Commission, in private meetings, without divulging the identity of the authors (E/600).

The Council considered the question during its sixth session, at its 128th plenary meeting on February 5 and the 32nd meeting of the Social Committee on February 19, on the basis of a draft resolution prepared by the Secretariat to give effect to the Commission's recommendations (E/AC.7/W.20).

The United States, New Zealand and U.S.S.R. representatives were in favor of retaining the original procedure as referred to in points (a) and (b) of resolution 75(V). The United States representative thought that the impression should not be created that the Commission dealt with individual complaints as such, or that it could be used as publicity for worthless facts or documents. The Lebanese representative proposed that the Secretary-General should be requested to compile three confidential lists including (1) anonymous communications and (2) signed communications, the authors of which had divulged their names or intended to do so, or had no objection to their publication and (3) signed communications, the authors of which expressed the wish that their names should not be divulged. After the first part of this proposal had been defeated in the Social Committee by 3 votes to 2, with 12 abstentions, the Lebanese representative withdrew the proposal, and the Committee by 13 votes, with 3 abstentions, adopted a Canadian proposal to amend the text of resolution 75(V) to allow the names of authors to

be divulged "in cases where the authors state that they already divulged or intend to divulge their names, or that they have no objection to their names being divulged".

The amended resolution was adopted by the Social Committee by 13 votes, with 3 abstentions (E/704), and by the Council by the same vote at its 157th plenary meeting on March 1. The resolution adopted by the Council (116(VI)A) reads as follows:

"The Economic and Social Council,

"Having reconsidered the procedure for communications relating to human rights laid down in resolution 75(V), as regards points (b) and (e),

"Decides to amend the procedure provided for in point (b) of the above resolution by adding to the text of point (b) the following words: 'except in those cases where the authors state that they have already divulged or intend to divulge their names or that they have no objection to their names being divulged'; and in point (e) by adding the following words: 'except as provided for in paragraph (b) above'; and

"Resolves to give the members of the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities, with respect to communications dealing with discrimination and minorities the same facilities as are enjoyed by members of the Commission under resolution 75(V) and the present resolution."

At the same meeting the Council unanimously decided at the suggestion of the President to request the Secretary-General to present a factual account to its next session of the practices of other organs of the United Nations in regard to communications. A memorandum on this question was prepared by the Secretary-General (E/587) and circulated to members of the Council at its seventh session.

At its third session, the Commission on Human Rights suggested that the Council should request the Secretary-General in the future to ask the Governments sending replies to communications brought to their attention in accordance with paragraph (c) of resolution 75(V) whether they wished their replies to be transmitted to the Commission on Human Rights in summary form, or presented in full as restricted or unrestricted documents (E/800).

The Economic and Social Council took no action on the question of communications at its seventh session.

c. YEARBOOK ON HUMAN RIGHTS

The Economic and Social Council on June 21, 1946, requested (resolution 2/9) the Secretary-General, *inter alia*, to make arrangements for the compilation and publication of a yearbook on law and usage relating to human rights, the first edition of which should include all declarations and bills

on human rights now in force in the various countries.

At its third session, the Commission on Human Rights expressed the view that court decisions, being as important as provisions of constitutions, ordinary laws and international treaties, should also be included in the yearbook. It also expressed the view that the correspondents, appointed by each government to provide the Secretary-General with the necessary documents accompanied, when necessary, by appropriate explanations, should also report court decisions concerning human rights, it being understood that the Secretary-General would have the responsibility for deciding on the use to be made of the court decisions as well as the other documents supplied to it, bearing in mind the size of the yearbook, its general purpose and budgetary implications (E/800).

The first volume of the *Yearbook on Human Rights*⁷⁶ was presented to the seventh session of the Economic and Social Council on August 24, 1948.

The first volume contained all constitutional provisions relating to human rights. In the case of countries, such as the United Kingdom, which have no written constitution, or where the constitutions, as in Australia, Canada, New Zealand and the Union of South Africa, contain no general provisions concerning human rights, the observance of human rights being guaranteed by the ordinary law, the *Yearbook* contained statements by qualified jurists on the law and usage relating to human rights.

The laws and regulations of certain countries relating to human rights which came into force in 1946 were also included in the first issue. In addition, some ordinary legislation adopted before 1946 was added in the case of countries liberated in 1944 and 1945 in order to give a clear picture of the recent development of human rights in those countries. The *Yearbook* contained statements and studies describing and commenting on the law relating to human rights in sixteen countries, and indicating any recent changes in the law. The statements are in lieu of written constitutional texts where none exist or where the constitution does not mention human rights. The studies, on the other hand, dealt with certain countries where there are constitutional provisions relating to human rights. In addition to five statements, there were eight studies which dealt with the principles of human rights in general, and five studies which dealt with specific questions in this field or described the recent evolution of the law governing human rights.

⁷⁶United Nations Publications, Sales No.: 1948.XIV.1.

The Economic and Social Council, at its seventh session, took no action on the first issue of the *Yearbook on Human Rights*.

d. PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

The Sub-Commission on the Prevention of Discrimination and the Protection of Minorities held its first session at Geneva from November 24 to December 6, 1947. Its report (E/CN.4/52) was considered by the Commission on Human Rights at its second session and the Commission made recommendations (E/600) on it to the sixth session of the Council.

(1) Declaration of Human Rights

The Sub-Commission, *inter alia*, considered those articles of the draft International Declaration of Human Rights, as drawn up by the Drafting Committee of the Commission on Human Rights, which dealt with the prevention of discrimination and the protection of minorities, and proposed amendments to them.

The Commission at its second session endorsed the Sub-Commission's view that the machinery for the implementation of the rights stated in these articles would be of vital importance and would form but one part of the machinery for the implementation of human rights as a whole.

The Commission approved the suggestion of the Sub-Commission that "the prevention of discrimination is the prevention of any action which denies to individuals or groups of people equality of treatment which they may wish", but postponed consideration of the Sub-Commission's text on the protection of minorities.

(2) Studies

On the suggestion of the Sub-Commission, the Commission recommended that the Economic and Social Council (a) request the Secretary-General to organize studies and prepare analyses to help the Sub-Commission in determining the main types and the causes of discrimination and, in doing so, to consider whether or not the groups involved were of recent or of long historic origin, and whether they had been active protesting minorities; (b) adopt the necessary measures to provide the Sub-Commission with all the information required in order to distinguish between genuine and spurious minorities; (c) invite the Secretary-General to keep in mind the desirability of formulating effective educational programs in connection with the prevention of discrimination and the protection of minorities; (d) invite UNESCO's collaboration,

suggesting that it consider the advisability of initiating and recommending the general adoption of a program of disseminating scientific facts with regard to race, and the creation of a committee of world leaders in educational theory and practice which would study the basic principles of democratic and universal education, in order to combat any spirit of intolerance or hostility as between nations and groups.

The Council considered these recommendations at its 128th and 157th plenary meetings on February 5 and March 1, and at the 33rd meeting of the Social Committee on February 19 on the basis of a draft resolution prepared by the Secretariat to give effect to the Commission's recommendations (E/AC.7/W.20).

The Brazilian representative thought it important to distinguish between historical and artificial minorities. The Netherlands, French, Lebanese, Australian and United Kingdom representatives thought the studies proposed were too comprehensive, and might be too costly. The Netherlands representative thought that such studies might create an unfavorable state of mind among minorities in regions where no discrimination existed. The Australian representative, supported by representatives of the United Kingdom and the Netherlands, thought that the studies should not be undertaken until the Declaration on Human Rights had been adopted.

The French representative proposed the deletion of the references to the distinction between historical and recent, and genuine and spurious minorities, as this was a political matter which was outside the competence of the Secretariat. These deletions were approved by 12 votes to 1, with 4 abstentions, and 15 votes, with 4 abstentions, respectively, by the Committee, which also adopted by 10 votes, with 6 abstentions, a Lebanese amendment to suggest the dissemination of scientific facts "designed to remove what is commonly called racial prejudice", rather than scientific facts "concerning race".

The Committee, however, rejected four U.S.S.R. proposals to (1) provide for the participation of national social and cultural minority organizations in formulating education programs (rejected by 5 votes to 4, with 6 abstentions); (2) specify that the main types of discrimination were "for reasons of race, sex, language or religion" (rejected by 5 votes to 4, with 7 abstentions); (3) refer in place of the "causes" of discrimination to the "social and economic conditions in which groups which are discriminated against find themselves" (rejected by 8 votes to 3, with 4 abstentions); (4) delete the invitation to UNESCO to consider creating a com-

mittee of world leaders on the ground that UNESCO was a cultural organization and should not extend its activities to a political sphere (rejected by 10 votes to 2, with 4 abstentions).

After paragraph by paragraph votes, the amended resolution was adopted by 11 votes to 0, with 5 abstentions, by the Social Committee, and by 11 votes to 0, with 6 abstentions, by the Council at its 157th plenary meeting. The U.S.S.R., United Kingdom and Chinese representatives abstained from voting on the ground that the resolution singled out only the educational aspect of the problem. The resolution adopted by the Council (116(VI)B) reads as follows.

"The Economic and Social Council

"A. Requests the Secretary-General.

"(i) To organize studies and prepare analyses designed to assist the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities in determining the main types of discrimination which impede the equal enjoyment by all of human rights and fundamental freedoms and the causes of such discrimination, the results of such studies and analyses to be made available to members of the Sub-Commission,

"(ii) To keep in mind, in connexion with any studies he may make in the fields of the prevention of discrimination and the protection of minorities, the desirability of formulating effective educational programmes in these fields and to report any findings that might assist the Sub-Commission in making appropriate recommendations to this end;

"B. *Advise* UNESCO of the interest of the United Nations in effective educational programmes in the fields of the prevention of discrimination and the protection of minorities, and

"(i) *Requests* UNESCO to make available to the Sub-Commission any relevant material or analyses that might result from that organization's proposed study of social tensions or from any other UNESCO programme;

"(ii) *Suggests* collaboration between the United Nations and UNESCO in the formulation of such a programme;

"(iii) *Suggests* that UNESCO consider the desirability of initiating and recommending the general adoption of a programme of disseminating scientific facts designed to remove what is commonly known as racial prejudices; and

"(iv) *Invites* UNESCO to consider the creation of a committee of world leaders in educational theory and practice, which should make it its business to study and select the most common and basic principles of a democratic and universal education in order to combat any spirit of intolerance or hostility as between nations and groups."

(3) *Minorities Treaties*

The Commission on Human Rights, at the request of the Sub-Commission, drew the attention of the Council to document C.L. 110. 1927, of the League of Nations, which reproduces a large number of texts of treaties and declarations relating to

international obligations undertaken to combat discrimination and to protect minorities. The Commission requested the Council to consider the question whether, and to what extent, those treaties should be regarded as being still in force and suggested that an advisory opinion in the question might be sought from the International Court of Justice. The Council discussed the question at its 128th and 159th plenary meetings on February 5 and March 2, and the 34th meeting of its Social Committee on February 20. On the proposal of the United Kingdom representative, it was decided to request the Secretary-General to study the question and report to the Commission, as it was thought it would then be clearer if a reference to the International Court was necessary. The U.S.S.R. representative thought that the proposed study was unnecessary, as the treaties and declarations referred to were all part of the system established by the Treaty of Versailles and related to conditions which no longer existed. The Council at its 159th plenary meeting adopted, by 15 votes to 2, resolution 116(VI) requesting the Secretary-General to

"study the question whether and to what extent the treaties and declarations relating to international obligations undertaken to combat discrimination and to protect minorities, the texts of which are contained in League of Nations document C.L.110.1927.1 Annex, should be regarded as being still in force, at least in so far as they would entail between contracting States rights and obligations the existence of which would be independent of their guarantee by the League of Nations, and to report on the results of this study to a later session of the Commission on Human Rights with recommendations, if required, for any further action to elucidate this question."

(4) *Peace Treaties*

On the recommendation of the Sub-Commission, the Commission on Human Rights at its second session declared that in any peace treaties still to be ratified there should be included, whenever appropriate, specific clauses seeking to protect human rights and minority rights (E/600). In the Council's discussion of the report at its sixth session (128th plenary meeting) this suggestion was supported by the Netherlands representative but objected to by the U.S.S.R. representative as outside the competence of the Council.

(5) *Terms of Reference of the Sub-Commission*

Finally, the Sub-Commission requested the Commission on Human Rights to re-examine the terms of reference of the Sub-Commission in order to clarify them and to extend their scope. The Commission at its second session deferred such re-examination, and at its third session postponed consideration of the question until it had drawn up

a draft International Bill of Human Rights, including measures for implementation. It decided that reconsideration of the Sub-Commission's terms of reference would be on the agenda of its fourth session, and expressed the view that there was no need for the Sub-Commission to meet prior to the next session of the Commission, since the draft International Bill of Human Rights had not been completed.

e. STATELESS PERSONS

At its second session, the Commission on Human Rights (E/600) expressed the wish (a) that the United Nations make recommendations to Member States with a view to concluding conventions on nationality, and (b) that early consideration be given by the United Nations to the legal status of persons who do not enjoy the protection of any government, in particular pending the acquisition of a nationality, as regards their legal and social protection and their identity papers. The Commission recommended that such work be undertaken in consultation with those specialized agencies at present assuming the protection of some categories of persons not enjoying the protection of any government, and that due regard be paid to relevant international agreements and conventions.

The question was considered by the Council at its 128th and 159th plenary meetings on February 5 and March 2, and at the 34th and 35th meetings of its Social Committee on February 20. The United States proposed a draft resolution (E/AC.7/41), requesting the Secretary-General to undertake, in consultation with interested commissions and specialized agencies, a study of relevant international agreements and conventions; the drafting of a proposed convention on the subject of stateless persons; a study of the interim measures which might be taken by the United Nations to afford protection to stateless persons, including the issuance of necessary documents; and to make a report on these subjects, with recommendations, to an early session of the Council. The United States representative subsequently withdrew his proposal in favor of a United Kingdom draft resolution (E/AC.7/62) introduced with the object of making more specific the distinction between *de jure* stateless persons whom their countries had deprived of nationality and persons stateless *de facto*, including political exiles and non-repatriable persons. The United States, United Kingdom and Brazilian representatives emphasized that two questions were involved: that of nationality, which would need serious and detailed study; and that of taking

provisional measures to protect *de facto* stateless persons. The U.S.S.R., Polish and Byelorussian representatives opposed the draft resolution on the grounds that provisions concerning *de facto* stateless persons which did not take account of the opinions of their countries of origin would constitute a violation of the sovereignty of those states and would have no legal force, and that since refugees and displaced persons were concerned, the question should not be dealt with irrespective of the General Assembly's resolution 62 (I) on the subject which had laid stress on repatriation.⁷⁷

The United Kingdom draft resolution, with minor amendments, accepted by the United Kingdom representative, designed to make it more general, was adopted by the Social Committee at its 35th meeting on February 20 by 15 votes to 3 and by the Council at its 159th plenary meeting on March 2 by the same vote. In this resolution (116(VI)D) the Council took note of the suggestions of the Commission, recognized

"that this problem demands in the first instance the adoption of interim measures to afford protection to stateless persons, and secondly the taking of joint and separate action by Member nations in co-operation with the United Nations to ensure that everyone shall have an effective right to a nationality."

and requested the Secretary-General in consultation with interested commissions and specialized agencies

"(a) To undertake a study of the existing situation in regard to the protection of stateless persons by the issuance of necessary documents and other measures, and to make recommendations to an early session of the Council on the interim measures, which might be taken by the United Nations to further this object;

"(b) To undertake a study of national legislation and international agreements and conventions relevant to statelessness, and to submit recommendations to the Council as to the desirability of concluding a further convention on this subject."

f. TRADE UNION RIGHTS (FREEDOM OF ASSOCIATION)

At the fourth session of the Economic and Social Council, the World Federation of Trade Unions proposed the agenda item "Guarantees for the exercise and development of trade union rights". In considering this item the Council had before it memoranda submitted by the World Federation of Trade Unions (E/C.2/28) and by the American Federation of Labor (E/C.2/32) and adopted a resolution (52(IV)) transmitting these documents to the International Labour Organisation with a

⁷⁷See *Yearbook of the United Nations*, 1946-47, p. 170.

mittee of world leaders on the ground that UNESCO was a cultural organization and should not extend its activities to a political sphere (rejected by 10 votes to 2, with 4 abstentions).

After paragraph by paragraph votes, the amended resolution was adopted by 11 votes to 0, with 5 abstentions, by the Social Committee, and by 11 votes to 0, with 6 abstentions, by the Council at its 157th plenary meeting. The U.S.S.R., United Kingdom and Chinese representatives abstained from voting on the ground that the resolution singled out only the educational aspect of the problem. The resolution adopted by the Council (116(VI)B) reads as follows:

"The Economic and Social Council

"A. Requests the Secretary-General.

"(i) To organize studies and prepare analyses designed to assist the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities in determining the main types of discrimination which impede the equal enjoyment by all of human rights and fundamental freedoms and the causes of such discrimination, the results of such studies and analyses to be made available to members of the Sub-Commission,

"(ii) To keep in mind, in connexion with any studies he may make in the fields of the prevention of discrimination and the protection of minorities, the desirability of formulating effective educational programmes in these fields and to report any findings that might assist the Sub-Commission in making appropriate recommendations to this end;

"B. Advises UNESCO of the interest of the United Nations in effective educational programmes in the fields of the prevention of discrimination and the protection of minorities, and

"(i) Requests UNESCO to make available to the Sub-Commission any relevant material or analyses that might result from that organization's proposed study of social tensions or from any other UNESCO programme;

"(ii) Suggests collaboration between the United Nations and UNESCO in the formulation of such a programme;

"(iii) Suggests that UNESCO consider the desirability of initiating and recommending the general adoption of a programme of disseminating scientific facts designed to remove what is commonly known as racial prejudices; and

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The Commission on Human Rights, at the request of the Sub-Commission, drew the attention of the Council to document C.L. 110. 1927, of the League of Nations, which reproduces a large number of texts of treaties and declarations relating to

international obligations undertaken to combat discrimination and to protect minorities. The Commission requested the Council to consider the question whether, and to what extent, those treaties should be regarded as being still in force and suggested that an advisory opinion in the question might be sought from the International Court of Justice. The Council discussed the question at its 128th and 159th plenary meetings on February 5 and March 2, and the 34th meeting of its Social Committee on February 20. On the proposal of the United Kingdom representative, it was decided to request the Secretary-General to study the question and report to the Commission, as it was thought it would then be clearer if a reference to the International Court was necessary. The U.S.S.R. representative thought that the proposed study was unnecessary, as the treaties and declarations referred to were all part of the system established by the Treaty of Versailles and related to conditions which no longer existed. The Council at its 159th plenary meeting adopted, by 15 votes to 2, resolution 116(VI) requesting the Secretary-General to

"study the question whether and to what extent the treaties and declarations relating to international obligations undertaken to combat discrimination and to protect minorities, the texts of which are contained in League of Nations document C.L.110 1927.1 Annex, should be regarded as being still in force, at least in so far as they would entail between contracting States rights and obligations the existence of which would be independent of their guarantee by the League of Nations, and to report on the results of this study to a later session of the Commission on Human Rights with recommendations, if required, for any further action to elucidate this question."

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On the recommendation of the Sub-Commission, the Commission on Human Rights at its second session declared that in any peace treaties still to be ratified there should be included, whenever appropriate, specific clauses seeking to protect human rights and minority rights (E/600). In the Council's discussion of the report at its sixth session (128th plenary meeting) this suggestion was supported by the Netherlands representative but objected to by the U.S.S.R. representative as outside the competence of the Council.

(5) *Terms of Reference of the Sub-Commission*

Finally, the Sub-Commission requested the Commission on Human Rights to re-examine the terms of reference of the Sub-Commission in order to clarify them and to extend their scope. The Commission at its second session deferred such re-examination, and at its third session postponed consideration of the question until it had drawn up

a draft International Bill of Human Rights, including measures for implementation. It decided that reconsideration of the Sub-Commission's terms of reference would be on the agenda of its fourth session, and expressed the view that there was no need for the Sub-Commission to meet prior to the next session of the Commission, since the draft International Bill of Human Rights had not been completed.

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The question was considered by the Council at its 128th and 159th plenary meetings on February 5 and March 2, and at the 34th and 35th meetings of its Social Committee on February 20. The United States proposed a draft resolution (E/AC.7/41), requesting the Secretary-General to undertake, in consultation with interested commissions and specialized agencies, a study of relevant international agreements and conventions; the drafting of a proposed convention on the subject of stateless persons; a study of the interim measures which might be taken by the United Nations to afford protection to stateless persons, including the issuance of necessary documents, and to make a report on these subjects, with recommendations, to an early session of the Council. The United States representative subsequently withdrew his proposal in favor of a United Kingdom draft resolution (E/AC.7/62) introduced with the object of making more specific the distinction between *de jure* stateless persons whom their countries had deprived of nationality and persons stateless *de facto*, including political exiles and non-repatriable persons. The United States, United Kingdom and Brazilian representatives emphasized that two questions were involved: that of nationality, which would need serious and detailed study; and that of taking

provisional measures to protect *de facto* stateless persons. The U.S.S.R., Polish and Byelorussian representatives opposed the draft resolution on the grounds that provisions concerning *de facto* stateless persons which did not take account of the opinions of their countries of origin would constitute a violation of the sovereignty of those states and would have no legal force, and that since refugees and displaced persons were concerned, the question should not be dealt with irrespective of the General Assembly's resolution 62(I) on the subject which had laid stress on repatriation.¹⁷

The United Kingdom draft resolution, with minor amendments, accepted by the United Kingdom representative, designed to make it more general, was adopted by the Social Committee at its 35th meeting on February 20 by 15 votes to 3 and by the Council at its 159th plenary meeting on March 2 by the same vote. In this resolution (116(VI)D) the Council took note of the suggestions of the Commission, recognized

"that this problem demands in the first instance the adoption of interim measures to afford protection to stateless persons, and secondly the taking of joint and separate action by Member nations in co-operation with the United Nations to ensure that everyone shall have an effective right to a nationality,"

and requested the Secretary-General in consultation with interested commissions and specialized agencies

"(a) To undertake a study of the existing situation in regard to the protection of stateless persons by the issuance of necessary documents and other measures, and to make recommendations to an early session of the Council on the interim measures, which might be taken by the United Nations to further this object;

"(b) To undertake a study of national legislation and international agreements and conventions relevant to statelessness, and to submit recommendations to the Council as to the desirability of concluding a further convention on this subject."

f. TRADE UNION RIGHTS (FREEDOM OF ASSOCIATION)

At the fourth session of the Economic and Social Council, the World Federation of Trade Unions proposed the agenda item "Guarantees for the exercise and development of trade union rights". In considering this item the Council had before it memoranda submitted by the World Federation of Trade Unions (E/C.2/28) and by the American Federation of Labor (E/C.2/32) and adopted a resolution (52(IV)) transmitting these documents to the International Labour Organisation with a

¹⁷See *Yearbook of the United Nations*, 1946-47, p. 170.

request that the item should be placed upon the agenda of its forthcoming session, and that a report should be sent to the Council for its consideration at its next session. The Council also decided to transmit these documents to the Commission on Human Rights in order that it might consider those aspects of the subject which might appropriately form part of the bill or declaration on human rights.⁷⁸

The International Labour Organisation considered this question at the thirtieth International Labour Conference, and the Conference adopted a report (E/485) for transmission to the Council as requested. This report describes the twofold action taken on this subject by the International Labour Conference. The Conference adopted unanimously two resolutions and approved a list of points as a basis for discussion at the next session of the Conference.

The resolutions adopted related to: (1) freedom of association and protection of the right to organize and to bargain collectively; and (2) international machinery for safeguarding freedom of association. The first resolution concerned the fundamental principles on which freedom of association must be based. It represented the first stage of the program of action to be undertaken by the International Labour Organisation. The next stage visualized was the embodiment in one or several international labor conventions to be submitted for adoption at the 1948 Conference of these principles and of methods for encouraging (1) the exercise of the right of freedom of association without fear of restraint; (2) collective agreements; (3) voluntary conciliation and arbitration; and (4) co-operation between public authorities and employers' and workers' organizations. In respect to the second resolution, the Governing Body of the International Labour Organisation was requested to arrange for close and detailed study of the subject and to report on all its aspects to the next session of the Conference.

The Council considered the report of the Conference at its 108th and 109th plenary meetings on August 8, 1947. Representatives of the International Labour Organisation, the World Federation of Trade Unions, the American Federation of Labor and the International Federation of Christian Trade Unions participated in the discussions.

Various representatives expressed satisfaction at the promptitude with which the International Labour Organisation had considered the question at the request of the Council, and cited the case as a good example of the co-ordinating functions of the Council, since the item was suggested by a non-

governmental organization and referred for consideration to a specialized agency concerned with this particular field. Representatives also called attention to the importance of the fact that the report had been adopted unanimously by the ILO Conference, consisting of representatives of governments, employers and workers.

The U.S.S.R. representative considered that the Council should take as a basis for its discussions on the question the original proposal (E/C.2/28) submitted by the World Federation of Trade Unions and should regard the ILO report as complementary. His delegation endorsed the WFTU proposal, which drew the Council's attention to the fact that a policy was at present being followed in many countries to abolish the basic rights of trade unions, emphasized the importance of the development of trade unions and called for the setting up of a special committee by the Council to safeguard trade union rights. A proposal to take the WFTU proposal as a basis of discussion was rejected by the Council by 10 votes to 2, with 6 abstentions.

A Czechoslovak draft resolution (E/534) to transmit the ILO report to the Social Commission with the request that the Commission "complete and consolidate the text" transmitted by the ILO in a practical form and make recommendations to the Council on the implementation of the proposed principles was also rejected by the Council, by 9 votes to 1, with 8 abstentions. The Czechoslovak representative, in explaining the draft resolution, stated that only the general aspects of the problem had been considered by the Council, and that the appropriate body to consider the substance of the matter was the Social Commission; the Commission on Human Rights, to which it had also been referred, would also only deal with general principles. Certain members of the Council, however, felt that, as the Council had already referred the question to an expert body, the ILO, which was taking action on the question, it would only cause further delay and confusion to refer it also to the Social Commission.

The Council decided to adopt a resolution jointly proposed by the United Kingdom, the Netherlands and the United States (E/533) as amended by the inclusion of certain paragraphs from the Czechoslovak proposal. These paragraphs provided for the recognition of the principles proclaimed by the International Labour Conference and a request to the ILO to continue its efforts so that one or several international conventions might be quickly adopted. A Norwegian verbal amendment that

⁷⁸See *Yearbook of the United Nations*, 1946-47, p. 553.

would have had the Council transmit the report to the Social Commission, requesting it to present its comments to the Council's next session "in order that the Council may present the comments it desires for the consideration of the International Labour Conference in drafting one or more conventions in this matter", was rejected by 7 votes to 5, with 6 abstentions.

The resolution (84(V)) was adopted by the Council by 15 votes to 2, with 1 abstention, at its 109th meeting on August 8, and reads as follows:

"The Economic and Social Council,

"Having received the report transmitted by the International Labour Organisation in pursuance of the Council's request at its fourth session that the memoranda on the subject of trade union rights submitted to the Council by the World Federation of Trade Unions and the American Federation of Labor might be placed on the agenda of the International Labour Organisation at its next session and that a report might be sent for the consideration of the Economic and Social Council at its next session,

"Takes note of the report and observes with satisfaction the action taken and proposed by the International Labour Organisation within its recognized competence,

"Decides

"(a) To recognize the principles proclaimed by the International Labour Conference;

"(b) To request the International Labour Organisation to continue its efforts in order that one or several international conventions may be quickly adopted;

"(c) To transmit the report to the General Assembly;

"Awaits further reports on the subject to be transmitted by the International Labour Organisation and awaits also the report which it will receive in due course from the Commission on Human Rights on those aspects of the subject which might appropriately form part of the bill or declaration on human rights,

"Notes that proposals for the establishment of international machinery for safeguarding freedom of association are to be examined by the Governing Body of the International Labour Organisation,

"Considers that the question of enforcement of rights, whether of individuals or of associations, raises common problems which should be considered jointly by the United Nations and the International Labour Organisation, and

"Requests the Secretary-General to arrange for co-operation between the International Labour Organisation and the Commission on Human Rights in the study of these problems."

The General Assembly at its second session on November 17, 1947, in resolution 128(II)⁷⁹ approved the resolutions on trade union rights adopted by the fourth and fifth sessions of the Economic and Social Council (resolutions 52(IV) and 84(VI)).

The General Assembly, in this resolution also (1) stated its view that the inalienable right of trade union freedom of association is, as well as other social safeguards, essential to the improvement of the standard of living of workers, and to

their economic well-being; (2) endorsed the principles proclaimed by the International Labour Conference and the principles recognized in the Constitution of the International Labour Organisation and the Declaration of Philadelphia made by the International Labour Organisation; and (3) transmitted the report of the International Labour Organisation to the Commission on Human Rights with the same objects as those stated in resolution 52(IV) of the Economic and Social Council, and recommended to the International Labour Organisation on its tripartite basis "to pursue urgently in collaboration with the United Nations and in conformity with the resolution of the International Labour Conference concerning international machinery for safeguarding trade union rights and freedom of association, the study of the control of their practical application".

When preparing the draft International Bill of Human Rights, the Commission on Human Rights, at its second (E/600) and third (E/800) sessions, gave consideration to general provisions on freedom of association.

The Governing Body of the International Labour Office, in a report entitled *Freedom of Association and Protection of the Right to Organize* (Report VII, Appendix) prepared for the 31st session of the International Labour Conference at San Francisco in June 1948, considered the question of the adoption of a Convention on Freedom of Association and Protection of the Right to Organize. The Governing Body further pointed out that there might be advantage in elaborating some machinery, in consultation with the Commission on Human Rights, in addition to the machinery provided in the ILO Constitution, for dealing with cases in which, in addition to trade union rights, other rights of a more general character were involved. The Governing Body proposed, therefore, if the Conference agreed, to undertake the consultation with the United Nations envisaged in the above-mentioned resolutions of the General Assembly and the Economic and Social Council.

On July 6, 1948, the International Labour Conference adopted a Convention in two parts, (a) Freedom of Association and (b) Protection of the Right to Organize. The Conference also adopted a resolution requesting the Governing Body to enter into consultation with the competent organs of the United Nations for the purpose of examining what developments to existing international machinery may be necessary to ensure the safeguarding of the freedom of association.

⁷⁹ See pp. 132-33.

The Economic and Social Council, at its seventh session, in view of pressure of business, decided after discussion at its 177th and 178th plenary meetings on July 20, 1948, to defer to its next session, along with other items, the question of Trade Union Rights (Freedom of Association); and also the question of Infringements of Trade Union Rights, which had been proposed as an agenda item by the World Federation of Trade Unions (E/822).

g. SURVEY OF FORCED LABOR AND MEASURES FOR ITS ABOLITION

At its sixth session the Economic and Social Council postponed to its seventh session consideration of the agenda item "Survey of Forced Labor and Measures for its Abolition", proposed by the American Federation of Labor. At its seventh session the Council decided, after discussion at its 176th and 177th plenary meetings on July 19 and 20, to defer again consideration of this item (E/596).

2. Freedom of Information and of the Press

a. CONSIDERATION AT THE COUNCIL'S FIFTH SESSION

The Economic and Social Council during its fifth session considered the report (E/441 and Add. 1) of the Sub-Commission on Freedom of Information and of the Press at its 94th, 95th, 115th, 116th, 117th and 118th plenary meetings on July 25 and August 13, 14 and 15, 1947, respectively, and at the 16th to 21st meetings of the Social Committee on August 1, 4, 6, 7 and 8. The Sub-Commission had been established by the Commission on Human Rights and had been given two principal functions to perform: to examine what rights, obligations and practices should be included in the concept of freedom of information, and to report to the Commission on any issues that might arise from such examination; and to prepare a draft annotated agenda, and make other proposals concerning preparations for the United Nations Conference on Freedom of Information. At its first session, from May 19 to June 4, 1947, the Sub-Commission decided to postpone discussion of the concept of freedom of information until its next session and to concentrate instead upon the necessary arrangements for the Conference.⁸⁰

Since the next session of the Commission on Human Rights was not scheduled to take place until

after the fifth session of the Economic and Social Council, the latter authorized the Sub-Commission on Freedom of Information and of the Press to report directly to the Council.

The General Assembly had originally resolved (resolution 59 (I)) that a United Nations Conference on Freedom of Information should be held in 1947. The Sub-Commission found that this time schedule could not be adhered to and recommended that the Conference be held instead in March or April 1948. The Council, supporting the recommendation of the Sub-Commission, decided at its 95th plenary meeting on July 25 to choose March 23, 1948, as the opening day of the Conference and the city of Geneva as the Conference site.

By and large, the Council accepted without major modifications the substantive and procedural recommendations of the Sub-Commission. On the motion of the representative of Turkey (E/551), the Council, did, however, decide at its 115th plenary meeting on August 13, by a vote of 11 to 6, with 1 abstention, not to extend voting privileges to non-member states of the United Nations invited to attend the conference, thus reversing the recommendation of the Sub-Commission.

The proposal of the U.S.S.R. representative to invite the Mongolian People's Republic to the Conference was rejected at the same meeting by a vote of 8 to 3, with 7 abstentions.

The Council discussed the provisional agenda recommended for the Conference at its 116th, 117th and 118th plenary meetings. The main part of the discussion centred round a proposal (E/AC. 7/30) of the representative of the U.S.S.R., which would, *inter alia*, have designated the organization of a campaign explicitly for unmasking the vestiges of Fascism and for eradicating all forms of Fascist ideology as one of the major tasks of the free press. An amendment based on this proposal was rejected at the 118th plenary meeting by a vote of 12 to 3, with 3 abstentions. A joint French, Norwegian and Chilean amendment (E/AC. 7/39), offered as a possible compromise, would have called for the removing of the "remnants of Fascism and collaborationism from the media of information". In the course of the discussion, the sponsors of the amendment agreed to modify the first paragraph to read "to combat anti-democratic ideologies and remove the remnants of fascism and collaborationism from the media of information." The first paragraph was, however, rejected by a vote of 10 to 7, with 1 abstention. The Coun-

⁸⁰See *Yearbook of the United Nations*, 1946-47, II, 526-28.

cil also rejected, by a vote of 7 to 2, with 9 abstentions, a New Zealand amendment to insert in the section dealing with the tasks of the press a clause calling on the parties concerned "to forswear anti-democratic ideologies".

The Council then adopted, by a vote of 14 to 0, with 4 abstentions, a Lebanese compromise proposal imposing upon the press the duty to "combat any ideologies whose nature could endanger these rights and freedoms", i.e., the rights and freedoms of the press.

The second paragraph of the French, Norwegian and Chilean proposal (E/AC. 7/39), proposing the insertion of a new clause reading "to combat forces which incite war by removing bellicose influences from media of information", was adopted by a vote of 10 to 5, with 3 abstentions.

The provisional agenda, thus modified, was approved by the Council on August 15, 1947, by a vote of 15 to 2, with 1 abstention (resolution 74(V)).

The Council also decided to refer to the forthcoming Conference on Freedom of Information a communication from the International Organization of Journalists (E/448) regarding the desirability of drawing up a covenant on freedom of information and the need to create an instrument to implement such a covenant, and it took note of the interim report, transmitted by UNESCO, containing the results of an inquiry in certain war devastated countries concerning newsprint (E/507), and requested UNESCO to present to the Economic and Social Council any further reports on the subject which it might prepare. The Council also requested the Secretary-General to communicate with Member Governments not covered by any survey of UNESCO, in order to complete the survey made and to be made by UNESCO, and to present the results of this inquiry to the Economic and Social Council.

With these additions, and the modifications noted above, the Council, at its 118th meeting, adopted the report of the Sub-Commission (E/441 and Add. 1), together with the draft resolutions (E/547) as amended, by a vote of 16 to 0, with 2 abstentions.

In its resolution 74 (V) the Council decided that voting rights in the Conference were to be exercised only by Members of the United Nations, but the following non-member States were to be invited to participate in the Conference without voting rights: Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Pakistan, Portugal, Roumania, Switzerland, Transjordan and Yemen. Invitations to participate in the preparations for the

Conference and to attend the Conference without voting privileges were, at their request, to be extended also to the following:

Specialized agencies which had concluded agreements with the United Nations (as of August 15, 1947): International Labour Organisation, Food and Agriculture Organization of the United Nations, International Civil Aviation Organization, United Nations Educational, Scientific and Cultural Organization.

Other inter-governmental organizations which had not then (August 15, 1947) concluded agreements with the United Nations but which might do so in the future: International Bank for Reconstruction and Development, International Monetary Fund, International Refugee Organization, International Telecommunication Union, International Trade Organization, Universal Postal Union, World Health Organization.

Non-governmental organizations in category A: American Federation of Labor, International Chamber of Commerce, International Co-operative Alliance, International Federation of Agricultural Producers, International Federation of Christian Trade Unions, Inter-Parliamentary Union, World Federation of Trade Unions.

Non-governmental organizations in category B: International Organization of Journalists.

With the exception of the last-mentioned, all of the above-named organizations were to be accorded a status vis-a-vis the Conference equivalent to the status accorded them by the Economic and Social Council. The International Organization of Journalists was, however, for the purpose of the Conference, to be regarded as having category A status.

The main items proposed by the Council for the provisional agenda of the Conference were summed up by the Council in its subsequent report (A/382) to the General Assembly in these words:

"1. General discussion on the principles of freedom of information.

"2. Consideration of certain fundamental principles to which media of information should have regard in performing their basic functions of gathering, transmitting and disseminating news and information without fetters.

"3. Measures to facilitate the gathering of information.

"4. Measures to facilitate the international transmission of information.

"5. Measures concerning the free publication and reception of information.

"6. Consideration of the drafting of a charter of rights and obligations of media of information.

"7. Consideration of possible continuing machinery to promote the free flow of true information."

The Council also decided that any further items

In addition, the Conference prepared draft articles on freedom of information for the draft Declaration and the Covenant, respectively, of Human Rights, taking into account the recommendations of the Sub-Commission on Freedom of Information and of the Press formulated at the second session of that body (E/CONF.6/79, Annex B). It also adopted 43 resolutions grouped under the following headings:

1. General Principles (resolutions 1 to 4);
2. Measures to Facilitate the Gathering and International Transmission of Information (resolutions 5 to 24);
3. Measures concerning the Free Publication and Reception of Information (resolutions 25 to 38);
4. Continuing Machinery to Promote the Free Flow of Information (resolution 39);
5. Miscellaneous (resolutions 40 and 41); and
6. Possible Modes of Action by Means of Which the Recommendations of the Conference Can Best be Put into Effect (resolutions 42 and 43).

The Conference referred all its decisions, i.e., the three draft conventions and the resolutions, to the Economic and Social Council, and decided that all Governments invited to the Conference be requested to forward to the Secretary-General of the United Nations before July 5, 1948, their comments on the draft conventions proposed by the Conference as well as proposals of their own for other draft conventions based on the recommendations of the Conference. The Conference further requested the Council to examine at its seventh session the three draft conventions adopted at the Geneva gathering, in the light of comments and other draft conventions submitted by governments, and to submit to the third session of the General Assembly draft conventions which might be opened at that session for signature or accession by those states entitled and willing to become parties thereto and remain open subsequently for additional accessions.

e. CONSIDERATION AT THE COUNCIL'S SEVENTH SESSION

The Council, at its seventh session (180th meeting), referred the Final Act of the Geneva Conference (E/CONF.6/79) to its Human Rights Committee, which, however, had time to examine only the draft of the first of the three draft conventions (i.e., on Gathering and International Transmission of News) at its 13th to 26th meetings held from August 7 to 21. Because of the pressure of business, the Council, after a brief discussion at its 201st and 202nd plenary meetings on August 17, decided at the latter to recall the Final Act from the Committee, and, after allowing each Council member to make one general statement of position, to transmit the documents in question to the Gen-

eral Assembly, together with the aforementioned statements of position, but without any other debate or decisions.

The statements of position were made at the 219th, 221st and 223rd plenary meetings on August 26, 27 and 28, 1948. All Council members recognized and emphasized the extreme importance of freedom of information as a fundamental human right. The majority supported the three draft conventions in principle, and expressed their regret that the Council had been unable to complete its examination of them. Members recognized that none of the draft conventions had reached a completely satisfactory state. The objection was made by some Council members that they contained no provisions which would explicitly promote international peace and security, or would further the development of friendly relations between states, and, in particular, no provisions which would prohibit Fascist or war propaganda or the dissemination of racial, religious or national hatred. Some members thought the draft conventions did not go far enough, but were nevertheless acceptable as a minimum and represented a step in the right direction. Members also reserved their right to make further detailed comment in the General Assembly, where, it was hoped, the draft conventions would receive the exhaustive examination which the importance of the subject merited.

The Council, at its 221st and 223rd meetings, also considered resolution 39 of the Final Act of the Conference, relating to the implementation of the draft conventions and the consequent extension of the terms of reference of the Sub-Commission on Freedom of Information and of the Press. The Council decided at its 223rd meeting by a vote of 16 to 0, with 2 abstentions, to postpone until its eighth session consideration of this resolution, and requested the Secretary-General to collate the replies of governments to the requests for information, and to prepare a suggested program of work and priorities for submission to the third session of the Sub-Commission on Freedom of Information and of the Press (resolution 152(VII)A).

The Council further decided, in respect of the Final Act as a whole, to transmit it to the General Assembly with these modifications and omissions: the draft Convention on the Gathering and International Transmission of News, to be transmitted as redrafted by the Council's Human Rights Committee (E/1018); and resolution 39 (see above), to be withheld for the time being. The Council also decided to transmit to the Assembly the records of all relevant proceedings of the seventh session (resolution 152(VII)B).

f. DRAFT CONVENTIONS

The draft Conventions submitted by the Council to the General Assembly read as follows:

1. DRAFT CONVENTION ON THE GATHERING AND INTERNATIONAL TRANSMISSION OF NEWS

The Contracting States,
Desiring to implement the right of their peoples to be fully informed,

Desiring to improve understanding between their peoples through the free flow of information and opinion,
Having resolved to conclude a Convention for this purpose,

Have agreed as follows:

Article 1

For the purposes of the present Convention:

1. "Information agency" means any Press, radio or film organization created or organized under the laws and regulations of a Contracting State, regularly engaged in the collection and dissemination of news material, and includes Press associations, news feature services, newspapers, periodicals and radio, television, facsimile and any other broadcasting organizations and newsreel companies,

2. "Correspondent" means an individual employed by an information agency or a national of a Contracting State, who in either case is regularly engaged in the collection and reporting of news material, and who, when outside his State, is the holder of a valid passport identifying him as a correspondent or of a similar document internationally accepted identifying him as such;

3. "News material" means all news material, whether of information or opinion and whether visual or auditory, for dissemination to the public.

Article 2

In order to encourage the freest possible movement of correspondents in the performance of their functions, the Contracting States shall expedite, in a manner consistent with their respective laws and procedures, the administrative measures necessary for the entry into, residence in, travel through, and egress from their respective territories of correspondents of other Contracting States together with their professional equipment, and shall not impose restrictions which discriminate against such correspondents with respect to ingress into, residence in, travel through or egress from such territories.

Article 3

Each Contracting State shall, within the limits compatible with national security, permit and encourage access to news, official and non-official, for all correspondents of other Contracting States so far as possible on the same basis as for its own correspondents, and shall not discriminate among correspondents of other Contracting States as regards such access.

Article 4

The Contracting States shall permit egress from their territories of all news material of correspondents and information agencies of other Contracting States without censorship, editing or delay; provided that each of the Contracting States may make and enforce regulations relating directly to the maintenance of national security. Such of these regulations as relate to the transmission of news material shall be communicated by the State to correspondents and information agencies of other Con-

tracting States in its territory and shall apply equally to all correspondents and information agencies of other Contracting States.

If the requirements of national security should compel a Contracting State to establish censorship in peacetime it shall:

1. Establish in advance which categories of news material are subject to previous inspection; and publish the directives of the censor announcing forbidden matters.

2. Carry out censorship as far as possible in the presence of the correspondent or of a representative of the information agency concerned,

3. Where censorship in the presence of the press concerned is not possible:

(a) Fix the time-limit allowed the censors for the return of the news material to the correspondent or information agency concerned;

(b) Require the return of news material submitted for censorship direct to the correspondent or information agency concerned so that the correspondent or agency may know at once what has been censored in the text and what use may be made of the censored information;

(c) In the case of a telegram, base the charge on the number of words composing the telegram after censorship;

(d) Return the total telegraph charges for telegrams submitted for censorship, if the transmission has been delayed more than six hours by reason of censorship and the sender has cancelled the telegram before its transmission.

Article 5

The Contracting States, while recognizing that correspondents must conform to the laws in force in the countries in which they are operating, agree that correspondents of other Contracting States legally admitted into their territories shall not be expelled on account of any lawful exercise of their right to seek, receive or impart information or opinion.

Article 6

Correspondents and information agencies of one Contracting State in the territory of another Contracting State shall have access to all facilities in that territory generally and publicly used for the international transmission of news material and may transmit news material from one territory to another (including transmissions between the metropolitan and non metropolitan territories of any State) on the same basis and at the same rates applicable to all other users of such facilities for similar purposes.

Article 7

Each Contracting State shall permit all news material of correspondents and information agencies of other Contracting States to enter its territory and reach information agencies operating therein on conditions which are not less favourable than those accorded to any correspondent or information agency of any other Contracting or non-Contracting State.

Article 8

The present Convention shall not apply to any correspondent of a Contracting State who, while not otherwise admissible under article 2 into the territory of another Contracting State, is nevertheless admitted conditionally in accordance with an agreement between that Contracting State and the United Nations, or a specialized agency thereof, in order to cover its proceedings, or pursuant to a special arrangement made by that other Con-

tracting State in order to facilitate the entry of such correspondents.

Article 9

Nothing in this Convention shall be construed as depriving any Contracting State of its right to make and enforce laws and regulations for the protection of national security and public order.

Nothing herein contained shall be construed as depriving any Contracting State of its right to make and enforce laws and regulations prohibiting obscene news material.

Nothing in the present Convention shall limit the discretion of any Contracting State to refuse entry into its territory to any particular person, or to restrict the period of his residence therein, provided any such restriction does not conflict with the provisions of article 5.

Article 10^a

Article 11

In time of war or any other public emergency, a Contracting State may take measures derogating from its obligations under the present Convention to the extent strictly limited by the exigencies of the situation.

Any Contracting State availing itself of this right of derogation shall promptly inform the Secretary-General of the United Nations of the measures which it has thus adopted and of the reasons therefor.

It shall also inform him as and when the measures cease to operate

Article 12

The present Convention shall be ratified on behalf of the States signatory hereto in conformity with their respective constitutional procedures. The instruments of ratification shall be deposited with the Secretary-General of the United Nations, who shall notify all signatory and acceding States of each such deposit.

Article 13

The present Convention shall remain open for the accession of all States which are not signatories. Instruments of accession shall be deposited with the Secretary-General of the United Nations, who shall notify all signatory and acceding States of each such deposit.

Article 14

The present Convention shall come into force as soon as . . . States have deposited their respective instruments of ratification or accession. The Convention thereafter shall come into force with respect to each other State on the date of the deposit of its instrument of ratification or accession.

Article 15

1. Each Contracting State undertakes to take as soon as possible the necessary steps with a view to extending the provisions of the present Convention to the territories for whose foreign relations it is responsible.

To this end, having due regard to the position of each territory and particularly to the constitutional practice applicable thereto, each Contracting State may, at the time of its accession or at any time thereafter, by notification addressed to the Secretary-General of the United Nations; declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible. The Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification.

2. Each State which has made a declaration under paragraph 1 above extending the present Convention may, subject to the same conditions, at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to any territory named in the notification. The Convention shall then cease to extend to such territory as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification.⁶¹

Article 16

The present Convention shall remain in force indefinitely, but may be denounced by any Contracting State by means of six months' notice in writing given to the Secretary-General of the United Nations, who shall transmit a copy of the notice to each of the other Contracting States. After the expiration of this period of six months, the Convention shall cease in its effect as regards the State which denounces it, but shall remain in force for the remaining Contracting States.

IN WITNESS WHEREOF, the Plenipotentiaries of the respective States, being duly authorized thereto, have signed the present Convention.

⁶¹The delegations of France, the United Kingdom and the United States of America proposed that the following additional article be inserted:

"Any dispute between two or more Contracting States arising under the present Convention which has not been settled, and is not in process of settlement, by negotiation or otherwise, may be referred by any party to the dispute to a committee. Each State party to the dispute shall appoint a member of this committee and the Secretary-General of the United Nations shall appoint a member, a national of a State party to the Convention but not party to the dispute, who shall serve as Chairman of the committee. The committee shall investigate such dispute and issue a report and recommendation thereon, which shall be made public by the Secretary-General."

In the course of the discussions of the Human Rights Committee which are summarized in documents E/AC-27/SR.23 and 24, this proposal was withdrawn by the three delegations which had submitted it. It was agreed that this proposal and the record of the discussions be drawn to the attention of the Council so that the latter might decide whether they should be drawn to the attention of the General Assembly.

⁶²The Committee decided that its vote on the above text and the note which follows be included in its report. The above text was approved by a vote of 9 to 4, with 5 abstentions.

The delegations of Lebanon, Poland and the Union of Soviet Socialist Republics had proposed the following text to replace article 14 (new article 15) as adopted by the United Nations Conference on Freedom of Information:

"The provisions of the present Convention shall extend both to the metropolitan territories of States signing the present Convention and to all the territories under the authority or administration of such metropolitan powers (non-self-governing, trust and colonial territories), and the provisions in question shall apply equally both to the territories of the metropolitan powers and to the dependent territories mentioned.

"(a) The Secretary-General of the United Nations will immediately inform of the present Convention the States representing other States and Territories internationally, on behalf of such other States, such communication to be transmitted immediately to the authorities of non-self-governing, non-autonomous and similar territories.

"(b) Each State or territory for the international

DONE at this day of 1948, in the languages, each equally authentic, the original of which shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations shall transmit certified copies thereof to all the signatory and acceding States.

2. DRAFT CONVENTION ON THE INSTITUTION OF AN INTERNATIONAL RIGHT OF CORRECTION

The Governments Parties to the present Convention, Considering the danger to the maintenance of friendly relations between peoples and to the preservation of peace presented by the publication of inaccurate reports,

Considering that at its second session, the General Assembly of the United Nations recommended the adoption of measures designed to promote friendly relations among nations and to combat the dissemination of false or distorted reports likely to injure the friendly relations between States,

Considering, however, that it does not at present appear possible or desirable to envisage the institution on the international level of a procedure for verifying the accuracy of a report such as might lead to the imposition of penalties for the publication of false or distorted reports,

Considering moreover that to prevent the publication of false or distorted news or to reduce its pernicious effects, it is above all necessary to sharpen the sense of responsibility of the various media of information and to promote the wide circulation of news; that an effective means to this end is to give all those directly affected by a report which they consider false or distorted and which is spread by an organ of information the possibility of ensuring commensurate publicity for their corrections or replies; that the right of reply or correction has been embodied in the legislation of a large number of States and that its legitimacy is recognized in the draft of article 17 of the Covenant on Human Rights which the Sub Commission on Freedom of Information and of the Press decided, at its second session, to recommend to the Commission on Human Rights; that failing the adoption by all States in their own legislation of a like right available to foreign nationals under the same conditions as to their own nationals, it is particularly desirable to institute, on the international level, a right of correction; that it is necessary, however, in order to prevent any abuse, strictly to define the extent of the right of correction and clearly to specify the conditions for its exercise,

Have adopted the following articles:

Article 1

In cases where a Contracting State alleges that news reports likely to injure its relations with other States, transmitted from one country to another country by foreign correspondents or by news agencies and disseminated abroad, are false or distorted, it may submit its version of the facts (hereinafter called "*communiqué*") to the Contracting States within whose territories such reports have been published in one or more newspapers or periodicals or disseminated by radio. Such *communiqué* may be issued only with respect to news reports and must be without comment or expression of opinion. As far as possible, the *communiqué* should not contain a larger number of words than the news report objected to, and in no case more than double the number of words in the news report to be corrected. The *communiqué* must be accompanied by a verbatim text of the report as published or

disseminated, and by evidence that the report objected to has been transmitted from one country to another by a foreign correspondent or by a news agency.

Article 2

1. Any Government of a Contracting State receiving such a *communiqué* shall, whatever be its opinion concerning the facts in question, make available to the news enterprises functioning in the territory where it exercises its authority the *communiqué* of the Government exercising the right of correction and, within five clear days from the date of receiving this *communiqué*, shall facilitate its dissemination through customary channels in accordance with its procedure for releasing news concerning international affairs.

2. In the event of the failure of any Contracting State to discharge its obligation under this article with respect to the *communiqués* of another Contracting State, the latter may discharge, on the basis of reciprocity, its obligation with respect to any *communiqués* thereafter submitted to it by the defaulting State.

Article 3

If any of the Contracting States to which this *communiqué* has been transmitted fails to fulfil, within the prescribed time-limit, the obligation laid down in the preceding article, the Government exercising the right of correction may submit the said *communiqué* to the Secretary-General of the United Nations, who shall, within five clear days from the receipt thereof, give it appropriate publicity. This paragraph shall come into force as soon as the General Assembly of the United Nations has instructed its Secretary General to perform this duty.

Article 4

Every Contracting State may, to the extent strictly limited by the exigencies of the situation, derogate from its obligations under the present Convention:

(a) As long as a state of war or public emergency prevails in its own territory;

(b) As long as such a state prevails in the territory of one or other Contracting States, but only with regard to those States.

(Footnote 27, continued)

relations of which another State is responsible may accede to the present Convention by notification of accession addressed to the Secretary-General of the United Nations through the agency of the State representing it internationally, such notification of accession to be transmitted to the Secretary-General of the United Nations without delay.

"(c) The present Convention shall come into force with respect to any State or territory referred to in the preceding paragraph as from the date of deposit of its instrument of accession, even if the State which is responsible for its international relations does not ratify the Convention.

"(d) A State or territory which has acceded to the present Convention in accordance with the preceding paragraph may denounce it at any later date by means of six months' notice in writing given to the Secretary-General of the United Nations through the agency of the State representing it internationally.

"The Secretary-General of the United Nations shall transmit a copy of the notice to each of the other Contracting States. After the expiration of this period of six months, the Convention shall cease in its effects as regards the State or territory which denounces it."

A summary of the discussions of the Committee is contained in documents E/AC.27/SR.25 and 26.

Article 5

Any dispute between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall be referred to the International Court of Justice for decision unless the Contracting States agree to another mode of settlement.

Article 6

The present Convention shall be open for accession to every State invited to the United Nations Conference on Freedom of Information held at Geneva in March and April 1948, and to every other State which the General Assembly of the United Nations shall, by resolution, declare to be eligible.

Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 7

When any two of the States mentioned in article 6 have deposited their instruments of accession, the present Convention shall come into force between them on the thirtieth day after the date of the deposit of the second instrument of accession. It shall come into force for each State which accedes after that date on the thirtieth day after the deposit of its instrument of accession.

Article 8

Any Contracting State may denounce the present Convention by notification of denunciation to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

Article 9

1. A State Party to the present Convention may, at the same time of its accession thereto or at any time thereafter, by notification addressed to the Secretary-General of the United Nations, declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification. The respective Contracting States undertake to seek immediately the consent of the Governments of such territories to the application of the present Convention to such territories, and to accede forthwith on behalf of and in respect of each such territory, if and when its consent has been obtained.

2. A State which has made a declaration under paragraph 1 above extending the present Convention may, with the consent of the Government concerned, at any time thereafter, by notification to the Secretary-General of the United Nations, declare that the Convention shall cease to extend to any territory named in the notification, and the Convention shall then cease to extend to such territory six months after the date of receipt by the Secretary-General of the United Nations of the notification.

Article 10

The Secretary-General of the United Nations shall notify each of the States referred to in article 6 of the date of the deposit of every instrument of accession and of the date on which this Convention comes into force and of any information received by him in accordance with the provisions of article 5 and of every notification

received by him in accordance with the provisions of articles 7 or 8.

3. DRAFT CONVENTION ON FREEDOM OF INFORMATION

The States Parties to this Convention,
Considering that the free interchange of information and opinions, both in the national and in the international sphere, is a fundamental human right and essential in the cause of peace and for the achievement of political, social and economic progress, and

Desiring to co-operate fully with one another to promote the peace and welfare of mankind by this means,
Have accepted the following provisions:

Article 1

Subject to the provisions of articles 2, 4, 5 and 6 of this Convention:

(a) Each Contracting State shall secure to all its own nationals and to the nationals of every other Contracting State lawfully within its territory freedom to impart and receive information and opinions, orally, by written or printed matter, in the form of art, or by legally operated visual or auditory devices without governmental interference;

(b) No Contracting State shall regulate or control the use or availability of any of the means of communication referred to in the preceding paragraph in any manner discriminating against any of its own nationals or of the nationals of any other Contracting State on political or personal grounds or on the basis of race, sex, language or religion;

(c) Each Contracting State shall secure to all its own nationals and to the nationals of every other Contracting State freedom to transmit and listen to information and opinions within its territories and across its frontiers by any legally operated means without governmental interference;

(d) Each Contracting State shall permit the nationals of other Contracting States as much freedom to seek information as it grants to its own nationals;

(e) The Contracting States shall encourage and facilitate the interchange between their territories of those of their nationals engaged in the gathering of information and opinions for dissemination to the public and shall deal expeditiously with applications by such persons to enter their territories.

Article 2

1. The freedoms referred to in paragraphs (a), (c) and (d) of article 1 carry with them duties and responsibilities and may therefore be subject to necessary penalties, liabilities and restrictions clearly defined by law, but only with regard to:

(a) Matters which must remain secret in the interest of national safety;

(b) Expressions which incite persons to alter by violence the system of government or which promote disorder;

(c) Expressions which incite persons to commit criminal acts;

(d) Expressions which are obscene or which are dangerous for youth and expressed in publications intended for them;

(e) Expressions which are injurious to the fair conduct of legal proceedings;

(f) Expressions which infringe literary or artistic rights;

(g) Expressions about other persons, natural or legal, which defame their reputations or are otherwise injurious to them without benefiting the public;

(h) Legal obligations resulting from professional, contractual or other legal relationships including disclosure of information received in confidence in a professional or official capacity;

(i) The prevention of fraud;

(j) The systematic diffusion of deliberately false or distorted reports which undermine friendly relations between peoples or States.

2. A Contracting State may establish on reasonable terms a right of reply or a similar corrective remedy.

Article 3

Each Contracting State shall encourage the establishment and functioning within its territory of one or more non-official organizations of persons employed in the dissemination of information to the public, in order to promote the observance by such persons of high standards of professional conduct, and in particular:

(a) To report facts without prejudice and in their proper context and to make comments without malicious intent;

(b) To facilitate the solution of the economic, social and humanitarian problems of the world as a whole and the free interchange of information bearing on such problems;

(c) To help promote respect for human rights and fundamental freedoms without discrimination;

(d) To help maintain international peace and security;

(e) To counteract the persistent spreading of false or distorted reports which promote hatred or prejudice against States, persons or groups of different race, language, religion or philosophical conviction

Article 4

Nothing in the present Convention shall affect the right of any Contracting State to take measures which it deems necessary in order:

(a) To bring its balance of payments into equilibrium;

(b) To develop its national news enterprises until such time as such news enterprises are fully developed;

(c) To prevent agreements in restraint of the free flow of information or the cartelization in regard to information,

provided that such measures may not be used as a means of preventing the entry of nationals of other Contracting States who are engaged in the gathering of information and opinions for dissemination to the public.

Article 5

Nothing in the present Convention shall prevent a Contracting State from reserving under its legislation to its own nationals the right to edit newspapers or news periodicals produced within its territory.

Article 6

Nothing in the present Convention shall limit the discretion of any Contracting State to refuse entry into its territory to any particular person or to restrict the period of his residence therein.

Article 7

As between the Contracting States which become Parties to any general agreement on human rights sponsored by the United Nations and containing provisions relating to freedom of information, the present Convention shall

be superseded by such agreement to the extent that the two instruments are inconsistent.

Article 8

In time of war or other public emergency, a Contracting State may take measures derogating from its obligations under the present Convention to the extent strictly limited by the exigencies of the situation.

Any Contracting State availing itself of this right of derogation shall promptly inform the Secretary-General of the United Nations of the measures which it has thus adopted and of the reasons therefor. It shall also inform him as and when the measures cease to operate.

Article 9

Any dispute between any two or more Contracting States concerning the interpretation or application of the present Convention which is not settled by negotiations shall be referred to the International Court of Justice for decision, unless the Contracting States agree to another mode of settlement.

Article 10

1. The present Convention shall be open for accession to every State invited to the United Nations Conference on Freedom of Information held at Geneva in March and April 1948, and to every other State which the General Assembly of the United Nations shall, by resolution, declare to be eligible.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 11

When any two of the States mentioned in article 10 have deposited their instruments of accession, the present Convention shall come into force between them on the thirtieth day after the date of the deposit of the second instrument of accession. It shall come into force for each State which accedes after that date on the thirtieth day after the deposit of its instrument of accession.

Article 12

Any Contracting State may denounce the present Convention by notification of denunciation to the Secretary-General of the United Nations. Denunciation shall take effect six months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

Article 13

1. A State Party to the present Convention may, at the time of its accession thereto or at any time thereafter, by notification addressed to the Secretary-General of the United Nations, declare that the present Convention shall extend to any of the territories for the international relations of which it is responsible, and the Convention shall extend to the territories named in the notification as from the thirtieth day after the date of receipt by the Secretary-General of the United Nations of the notification. The respective Contracting States undertake to seek immediately the consent of the Governments of such territories to the application of the present Convention to such territories, and to accede forthwith on behalf of and in respect of each such territory, if and when its consent has been obtained.

2. A State which has made a declaration under paragraph 1 above extending the present Convention may, with the consent of the Government concerned, at any time thereafter, by notification to the Secretary-General

of the United Nations, declare that the Convention shall cease to extend to any territory named in the notification, and the Convention shall then cease to extend to such territory six months after the date of receipt by the Secretary-General of the United Nations of the notification.

Article 14

The Secretary-General of the United Nations shall notify each of the States referred to in article 10 of the date of the deposit of every instrument of accession and of the date on which this Convention comes into force and of any information received by him in accordance with the provisions of article 11 and of every notification received by him in accordance with the provisions of articles 12 or 13.

3. Genocide

In its resolution 96(I)⁸⁸ of December 11, 1946, in which it affirmed that genocide was a crime under international law, the General Assembly requested the Economic and Social Council to undertake the necessary studies with a view to drawing up a draft convention on the crime of genocide to be submitted to the Assembly's next regular session.

Accordingly the Council at its fourth session instructed (resolution 47(IV)) the Secretary-General:

"(a) To undertake, with the assistance of experts in the field of international and criminal law, the necessary studies with a view to drawing up a draft convention in accordance with the resolution of the General Assembly; and

"(b) After consultation with the General Assembly Committee on the Development and Codification of International Law and, if feasible, the Commission on Human Rights and, after reference to all Member Governments for comments, to submit to the next session of the Economic and Social Council a draft convention on the crime of genocide."⁸⁹

a. DRAFT CONVENTION PREPARED BY THE SECRETARIAT

After consultation with three experts, the Secretary-General prepared a draft convention and study (E/447) consisting of a preamble and 24 articles. Annexed to it were provisions for establishing a Permanent International Criminal Court for the Punishment of Acts of Genocide, if it should be decided to establish such a special court. In the case of certain articles, alternative drafts were proposed. An attempt was made to embrace all the points likely to be adopted, it being left to the organs of the United Nations to eliminate those points they wished, the intention being not to recommend one political solution rather than another but to offer a basis for full discussion.

The articles of the draft convention dealt with

the following matters: definitions of protected groups and of acts qualified as genocide; punishable offences; punishment of a particular offence; persons liable; command of the law and superior orders; provisions concerning genocide in municipal criminal law; universal enforcement of municipal criminal law; extradition; trial of genocide by an international court; international court competent to try genocide; disbanding of groups or organizations having participated in genocide; action by the United Nations to prevent or to stop genocide; reparations to victims of genocide; settlement of disputes on interpretation or application of the convention; language and date of the convention; what states may become parties to the convention and ways to become party to it; reservations; coming into force; duration, abrogation and revision of the convention; notifications by the Secretary-General; deposit of the original of the convention and transmission of copies to governments; and registration of the convention.

The draft convention and study drawn up by the Secretary-General was submitted to the Assembly Committee on the Progressive Development of International Law and its Codification on June 13, 1947. As it had not the comments of Member Governments on the draft convention, the Chairman stated in his letter of June 17 that the Committee felt unable at that time to express any opinion on the matter. On July 7 the Secretary-General transmitted the draft and study to Member Governments.

The question was discussed by the Council at its 86th plenary meeting on July 23, 1947, and at the 15th meeting of the Social Committee of the Council on August 2. Two divergent views were apparent in the Council's discussions of the matter: (a) that more time was needed to enable governments to comment on the report of the Secretary-General; and (b) that the Council should call a special session to meet just before, or at the beginning of, the forthcoming session of the General Assembly, and that the governments should be requested to submit their comments by September 1. The first view was expressed by the representatives of New Zealand and the United States, while the second view was held by the representatives of Norway, Chile and Venezuela. The Indian representative supported the second view, but also felt that full weight must be given to the views of governments.

Two resolutions were proposed in the Council's

⁸⁸See *Yearbook of the United Nations*, 1946-47, pp. 253-56.

⁸⁹*Ibid.*, pp. 531-32.

Social Committee. The first, by Norway (E/AC.7/22), proposed that a special session of the Council should be called immediately after the opening of the second session of the General Assembly to consider and submit to the Assembly a draft convention on genocide. A committee should be appointed by the Council to study the draft convention presented by the Secretariat and comments made by Members and by the Commission on Human Rights and report to the special session. The Council, according to the Norwegian proposal, would call on Members to submit their comments not later than September 1, 1947.

The second resolution, submitted by the United States (E/AC.7/23) provided for the submission to the General Assembly of the draft convention prepared by the Secretariat with any comments received in time from Member Governments.

Certain representatives expressed the view that September 1 was too soon for governments to submit their comments.

The Cuban representative felt that the Council should comment on the Secretary-General's report and therefore proposed that it should draft a resolution explaining the reasons why a draft convention could not be submitted to the Assembly. The Canadian representative suggested that the Council's resolution should state that it would follow any further instructions from the Assembly. The Norwegian representative withdrew his proposal for a special session of the Council in favor of the Cuban proposal, but proposed that the Council should appoint a committee to receive comments from governments and submit a draft convention to the Council's sixth session. The New Zealand representative thought that the resolution should include some mention of the urgency of the problem.

The Social Committee rejected the second Norwegian proposal by 7 votes to 5, with 5 abstentions, and adopted by 16 votes, with 2 abstentions, a resolution which was approved by the Council without objection at its 107th meeting on August 6. By the terms of this resolution (77(V)) the Council noted that the draft convention had not been considered by the Committee on the Development and Codification of International Law and the Commission on Human Rights and that comments of Member Governments had not been received in time for consideration by the Council; called on Member Governments to submit their comments as soon as possible and instructed the Secretary-General to collate these comments; and stated that the Council

poses to proceed as rapidly as possible with the consideration of the question subject to any further instructions of the General Assembly; and

"Requests the Secretary-General, in the meanwhile, to transmit to the General Assembly the draft convention on the crime of genocide prepared by the Secretariat in accordance with paragraph (a) of the Council resolution of 28 March 1947, together with any comments from Member Governments received in time for transmittal to the General Assembly."

The General Assembly at its second session on November 21, 1947, adopted resolution 180(II)⁹⁰ in which it reaffirmed the resolution on genocide which it had adopted at its first session. It requested the Economic and Social Council to continue the work it had begun concerning the suppression of the crime of genocide and to proceed with the completion of a convention. It informed the Council that it need not await the receipt of observations from all Members before commencing its work.

The Council therefore discussed the question at its sixth session, at its 139th, 140th and 160th plenary meetings on February 12 and 13 and March 3, and at the 37th meeting of its Social Committee on February 21.

Various members of the Council stressed the importance of having the draft convention prepared by legal experts, and regretted that comments on the Secretariat draft had been received from only a few Member Governments. The French and Canadian representatives thought that the Council should take the necessary political decisions, e.g., on what groups should be protected, whether all or only certain forms of genocide should be considered and what agency was to punish it. The Polish and Canadian representatives emphasized the importance of a generally accepted convention. The United Kingdom representative doubted the value of the proposed convention, which, he thought, would be difficult to draft, would lend itself to diverse interpretations and would run the risk of not being ratified by all governments.

The Council and its Social Committee discussed at some length what body should be entrusted with the drafting of the convention. Venezuela proposed (E/663) that the Council establish a sub-commission to draft the convention, after consultation with the Commission on Human Rights, and taking into consideration the Secretariat draft convention, comments of Members on this draft and other drafts submitted by Members. The Secretary-General should be requested to assist the sub-commission. The United States proposed (E/662 and Add.1) that the Secretariat should be asked to prepare a new draft convention in the

⁹⁰Decides to inform the General Assembly that it pro-

⁹⁰See *General Assembly*, pp. 219-20.

light of the comments received from Member Governments and should have the collaboration of an *ad hoc* committee consisting of four members of the Council—France, Venezuela, Denmark and the United States—which had made substantive comments; Members which had not already done so were to be urged to submit their comments at the earliest possible date. The United Kingdom proposed an amendment (E/AC.7/65) to the Venezuelan proposal to consider the desirability of referring genocide in the strict sense to the International Law Commission and other aspects of genocide to the Sub-Commission on the Prevention and Protection of Minorities. In view of the lack of support for the proposal, the United Kingdom representative stated that he would not press it. The U.S.S.R. representative proposed verbally that the Secretariat draft convention should be referred to the Commission on Human Rights for report at the Council's next session. This was rejected in the Social Committee by 10 votes to 2, with 5 abstentions. The Committee, by 13 votes to 0, with 4 abstentions, adopted the Venezuelan proposal incorporating amendments suggested by various delegations, but rejected by 9 votes to 5, with 3 abstentions, a United States amendment to have the Secretary-General prepare a second draft of the convention. The Council at its 160th plenary meeting on March 3 on the Committee's recommendation adopted by 17 votes to 0, with 1 abstention, resolution 117(VI) as follows:

"The Economic and Social Council,

"Taking cognizance of General Assembly resolution 180(II) of 23 November 1947,

"Requests the Members of the United Nations which have not yet done so to transmit at the earliest possible date their comments on the draft Convention prepared by the Secretary-General (document E/477);

"Establishes an ad hoc Committee composed of the following members of the Economic and Social Council: China, France, Lebanon, Poland, the United States of America, the Union of Soviet Socialist Republics and Venezuela;

"Instructs the Committee:

"(a) To meet at the Headquarters of the United Nations, in order to prepare the draft Convention on the crime of genocide in accordance with the above-mentioned resolution of the General Assembly, and to submit this draft Convention, together with the recommendation of the Commission on Human Rights thereon to the next session of the Economic and Social Council; and,

"(b) To take into consideration in the preparation of the draft Convention, the draft Convention prepared by the Secretary General, the comments of the Member Governments on this draft Convention, and other drafts on the matter submitted by any Member Government;

"Requests the Secretary-General to take appropriate

measures to enable the Committee to carry out effectively the tasks entrusted to it."

b. DRAFT CONVENTION PREPARED BY THE ad hoc COMMITTEE

The *ad hoc* Committee on Genocide met at Lake Success from April 5 to May 10, 1948, and prepared a draft Convention on the Prevention and Punishment of the Crime of Genocide (E/794) which it submitted to the seventh session of the Council.

The draft Convention consisted of a preamble and 19 articles.

The preamble to the draft Convention emphasized that genocide is a crime against mankind and that its prevention and punishment require international co-operation.

Article 1 of the draft Convention stated that genocide is a crime under international law whether committed in time of war or of peace. Articles 2 and 3 defined this crime, first as regards physical genocide and then as regards cultural genocide. Physical genocide was defined as deliberate acts committed with the intent of destroying a national, racial, religious or political group by killing its members, impairing their physical integrity, inflicting on them conditions aimed at causing their deaths or imposing measures intended to prevent births within the group. Cultural genocide the draft Convention defined as any deliberate act committed with the intention of destroying the language, religion or culture of a national, racial or religious group, such as, for example, prohibiting the use of the group's language or its schools or places of worship.

In addition to genocide, conspiracy, incitement and attempts to commit genocide would also be punishable under the Convention as well as complicity in any of these acts. Any persons who commit these crimes would be punished whether they are heads of states, public officials or private individuals. They were to be tried by the courts of the countries where the crime is committed or by a competent international tribunal. Parties to the Convention would undertake to pass the necessary laws to give effect to its provisions and to grant extradition in cases of genocide. They were to be able to call on the appropriate body of the United Nations to take action for the prevention and suppression of genocide or bring to its attention any case of violation of the Convention.

Other clauses of the draft Convention related to the submission of disputes concerning the Convention to the International Court of Justice, the states

eligible to become parties to the Convention, and its coming into force, duration and revision.

At its third session, the Commission on Human Rights was not able to consider thoroughly the draft Convention prepared by the *ad hoc* Committee and was therefore not in a position to make any observations concerning its substance. It expressed the opinion that the draft Convention represented an appropriate basis for urgent consideration and decisive action by the Council and the General Assembly (E/800).

The Commission on Narcotic Drugs, at its third session, recommended that the Council ensure that the use of narcotics as an instrument to commit genocide should be covered by the proposed Convention on the Prevention and Punishment of Genocide (E/799).

Because of the pressure of business at its seventh session, the Council decided at its 202nd plenary meeting on August 17, 1948, that the report of the *ad hoc* Committee on Genocide, which had been referred to the Human Rights Committee of the Council, should be recalled to the plenary session, that in plenary there would be an opportunity for each delegation to make one general statement of position, without other debate or decisions other than a decision to transmit the documents to the General Assembly together with the statements of position.

Statements were made at the 218th and 219th plenary meetings on August 26. Most of the members of the Council spoke in favor of the transmission of the draft Convention prepared by the *ad hoc* Committee to the General Assembly, and of action being taken upon it in 1948. Various members, while recognizing that there were differences of opinion on certain questions, thought that the Convention should contain the greatest possible proportion of generally accepted principles, since it would then be more likely to be ratified by a large number of governments. Opinions differed on the following matters: provisions constituting measures of incitement to commit genocide as a crime; measures relating to "cultural" genocide; measures for the specific protection of political groups as such, in addition to racial, national and religious groups; and the reference to the establishment of an international jurisdiction.

The Polish and U.S.S.R. representatives supported inclusion of provisions regarding incitement to genocide, and thought it important to add a provision to make punishable propaganda aimed at instigating racial, national or religious hatred; that preparatory acts leading toward genocide, such, for example, as study and research, should be pun-

ishable; and that parties to the Convention should pledge themselves to disband organizations which aimed at instigating racial, national or religious hatred. The United States representative was against the inclusion in the Convention of incitement to commit genocide, as he held this difficult of definition.

The Byelorussian representative thought that special attention should be paid to the prevention of genocide on cultural grounds. The Venezuelan, Polish and Brazilian representatives were in favor of including provisions concerning "cultural" genocide, but thought that it should be more carefully defined; the Polish representative stating that it should be viewed as a preliminary to physical genocide, and the Brazilian representative expressing concern lest imprecise wording should lead to the creation of minorities. The Canadian, French, United States and United Kingdom representatives opposed the inclusion in the Convention of provisions relating to "cultural" genocide, holding that this crime was not on a par with physical genocide and should be dealt with separately, and that too wide a definition of genocide would render the Convention meaningless.

The Venezuelan, Polish, Brazilian and U.S.S.R. representatives opposed the inclusion in the Convention of provisions designed to protect political groups, on the grounds that these did not lend themselves to precise definition and that such provisions might provide a pretext for interference with national measures for internal law and order. The French and United States representatives, on the other hand, attached importance to the inclusion of a provision for protecting political groups.

The Venezuelan representative, supported by the Peruvian representative, was against the establishment of the proposed international tribunal, which he thought might give rise to disputes and differences, necessitate international police action and entail practical difficulties. The U.S.S.R. representative, supported by the Byelorussian representative, opposed the creation of such a court on the ground that it would violate national sovereignty. The Polish representative was against the acceptance in principle of setting up such a tribunal without specifying its juridical competence. As it would involve compulsory jurisdiction, it might result in the violation of national sovereignty and would need substantial means of enforcement. He thought that the Security Council should be the competent organ of the United Nations entitled to deal with the prevention and suppression of genocide and with violations of the Convention. The New Zealand, Brazilian, French and United States repre-

representatives supported the approval in principle of an international tribunal and thought that the question required further study.

The Chinese, Polish and U.S.S.R. representatives stressed the importance of including a specific undertaking to enact national law in conformity with the Convention. The New Zealand representative thought that in some instances an extension of the existing practice as to extradition would assist in the punishment of offenders. The Chinese representative called attention to the importance of narcotic drugs as an instrument of genocide.

The Polish and U.S.S.R. representatives also urged that additions should be made to the draft Convention and its Preamble so as to include a declaration on the connection between Fascist ideological theories and the crime of genocide, and to the effect that the command of a superior authority should be no defence to a charge of genocide.

Reference was made in the debate to the comments which had been received from the World Federation of Trade Unions (E/C.2/104) and the World Federation of United Nations Associations (E/C.2/105). It was pointed out that these documents were available to the General Assembly.

The Council decided (resolution 153(VII)) to transmit to the General Assembly the draft Convention on the Prevention and Punishment of the Crime of Genocide submitted in the report of the *ad hoc* Committee (E/794) together with the remainder of this report and the records of the proceedings of the Council at its seventh session on this subject.

4. Status of Women

a. QUESTIONS CONSIDERED AT THE FIFTH SESSION OF THE COUNCIL—COMMUNICATIONS

The Commission on the Status of Women in the report of its first session (E/281/Rev.1) recommended to the Economic and Social Council the following procedure for handling communications on the status of women:

"(a) That the Secretary-General be requested to compile a confidential list of communications received concerning the Status of Women, before each session of the Commission.

"(b) That this confidential list, also specifying the contents of the communications, and giving the names of any organization sending such communications, be forwarded to the members of the Commission at least fourteen days before the opening of each session.

"(c) That the members of the Commission at their request, have the right to consult the originals of these communications.

"(d) That the Secretary-General be requested to inform the writers of all such communications that these will be brought to the attention of the Commission on the Status of Women."

The Economic and Social Council considered this question at its fifth session in conjunction with the recommendations of the Commission on Human Rights for dealing with communications concerning human rights.⁹¹

The recommendations of the Commission on Human Rights were taken as the basis of the Council's consideration of the question in its Social Committee, and a drafting committee adapted the resolution referring to communications on human rights to apply to communications concerning the status of women.

This resolution (76(V)) was adopted by the Council at its 106th plenary meeting on August 5 by 13 votes to 2, with 3 abstentions.

The operative part of the resolution is identical with that concerning communications on human rights, except that under paragraph (c) the words "the principles relating to the promotion of women's rights in political, economic, civil, social and educational fields" take the place of "the principles involved in the promotion of universal respect for and observance of human rights" and in paragraphs (d) and (e) "communications concerning the status of women" are substituted for "communications concerning human rights".

b. SECOND SESSION OF THE COMMISSION

At its second session held at Lake Success from January 5 to 19, 1948, the Commission on the Status of Women considered, *inter alia*, women's political rights, women's economic rights and women's educational opportunities.

It passed recommendations to the Economic and Social Council on the following subjects

- (a) Abolition of political inequality;
- (b) Participation of women in the national and international activities of governments;
- (c) Discrimination against women resulting from conflicts between national laws relating to nationality, domicile, marriage and divorce;
- (d) Educational opportunities for women;
- (e) Employment and remuneration;
- (f) Property rights of married women and their rights to act as guardians;
- (g) Influencing public opinion.

The Commission reviewed the draft International Declaration of Human Rights as requested by the Economic and Social Council in resolution 48 (IV) and suggested that two articles of the Declaration should be amended to read as follows:

⁹¹See pp. 578-79.

"Article 1

"All people are born free and equal in dignity and rights. They are endowed by nature with reason and conscience and should act towards one another in the spirit of brotherhood."

"Article 13

"Men and women shall have equal rights to contract or dissolve marriage in accordance with the law."

The Commission also suggested changes in certain questions of the questionnaire formulated by the Trusteeship Council (E/615).⁹²

6. CONSIDERATION OF THE REPORT OF THE SECOND SESSION OF THE COMMISSION AT THE COUNCIL'S SIXTH SESSION

The second session of the Commission did not end in time for its report (E/615) to be put on the agenda of the sixth session of the Council six weeks in advance,⁹³ and the Commission therefore requested in a letter from its Rapporteur to the President of the Council (E/615/Add.1) that certain parts of its report requiring urgent action should be considered at that session. These matters were: report on political rights of women, to be submitted to the third regular session of the General Assembly; the question of equal pay for equal work for men and women; amendments to the draft International Declaration on Human Rights; place of meeting of the third session of the Commission; co-operation with ILO; and the problem of obtaining replies to Part I (Public Law) of the Questionnaire on the Legal Status and Treatment of Women.

The Council considered these questions at its 129th and 160th meetings on February 5 and March 3 and at the 38th and 39th meetings of its Social Committee on February 26 and 27. Certain representatives, including those of the U.S.S.R., the Byelorussian S.S.R. and Poland, considered that the Council should deal with the larger substantive recommendations contained in the report, and that there was no recorded decision on the part of the Commission as to what parts were urgent and consequently should be submitted for early consideration. The Rapporteur explained that the decision to submit these urgent items only had been taken by the Commission itself at a private meeting. The majority of the Council representatives, while stating their agreement with the substance of the Commission's recommendations, thought that only the seven procedural items formally placed on the agenda should be dealt with by the Council at the sixth session, leaving the remainder of the report to be dealt with at the seventh session.

(1) Urgent Questions Dealt With by the Council at Its Sixth Session

The Council decided against passing a special resolution providing for representation of the Commission on the Status of Women at ILO meetings dealing with subjects concerning the status of women and consultation concerning such questions, on the grounds that such consultation was already provided for in the Agreement with ILO. It unanimously decided to transmit to the Commission on Human Rights and its Drafting Committee the suggestions of the Commission on the Status of Women for amendments to the draft Declaration on Human Rights (resolution 120(VI)C). As regards the invitation from the Lebanese Government to hold the Commission's third session in Lebanon, the Council at its 160th plenary meeting on March 3 unanimously adopted resolution 120-(VI)D, requesting the Secretary-General to arrange for the session to be held in Lebanon, to last not more than three weeks, and to consult the Council at its seventh session if the arrangements would involve substantial extra costs to the United Nations over those of a meeting at headquarters. The Council took note

"with satisfaction of the suggestion of the Commission that official agencies, non-governmental organizations and others in the region develop a conference on the status of women to be held at the same time, the promotion, direction and expense of which will be the responsibility of the local agencies and not of the United Nations, and in which conference individual members of delegations to the Commission can participate."

Recognizing the need for additional factual data, the Council unanimously adopted at its 160th plenary meeting on March 3 resolution 120 (VI)E, requesting the Secretary-General to invite Member Governments which had not already done so to reply to Part I of the Questionnaire on the Legal Status and Treatment of Women before the following dates:

Sections A and B, Political Rights	June 1, 1948
Section D, Education Opportunities	June 1, 1948
Section C, Nationality	July 1, 1948
Remaining sections	Dec. 1, 1948

Other decisions taken by the Council at its sixth session are given below under the appropriate headings.

(2) Political Rights

The Commission on the Status of Women adopted a resolution on the political rights of women, which referred to the need under the principles of the Charter for abolishing the political inequality of women still prevailing in many coun-

⁹²See pp. 660, 662.

⁹³In accordance with the Council's resolution 55(IV), see *Yearbook of the United Nations*, 1946-47, p. 472.

tries and to the General Assembly's resolution 56(1) of December 11, 1946, concerning the political rights of women⁹⁴ and noted that there were still some limitations on women as to the use of the franchise and eligibility for public office. It recommended that the Council instruct the Secretary-General to inquire from governments which had not yet replied to the Questionnaire on the Legal Status and Treatment of Women and which do not grant women full political rights, what their plans were to give effect to the Charter provisions for equal rights for men and women, and to urge them to take action; and to request Members which had not already done so to grant women the same political rights as men. In this connection the Commission drew attention to the advantages of the exercise of these opportunities. The Commission also recommended that the Secretary-General's report relating to the franchise rights of women and their eligibility for public office should be brought up to date and presented to the third session of the General Assembly and to succeeding Assembly sessions until women throughout the world had the same political rights as men.

At its sixth session the Council discussed the question at the 38th and 39th meetings of the Social Committee on February 26 and 27, 1948, on the basis of a draft resolution prepared by the Secretariat (E/AC.7/W.19) to give effect to the Commission's recommendation that the Secretary-General be requested to bring up to date his memorandum on the political rights of women. Some members felt, however, that the whole of the Commission's resolution should be dealt with, and not merely the one aspect that had been picked out for urgent treatment. Others held that only the question dealt with in the draft resolution prepared by the Secretariat was on the Council's agenda. A Byelorussian amendment almost identical in text with the resolution of the Commission on the Status of Women was approved by the Social Committee by 4 votes to 3, with 9 abstentions, but at the 160th plenary meeting, on the motion of the United Kingdom representative, the Council decided by varying roll call votes to delete the additional paragraphs and adopted by 15 votes, with 3 abstentions, the resolution prepared by the Secretariat with an amendment, proposed by the United States, to circulate similar material annually to Member Governments rather than bring it annually before the General Assembly. The resolution adopted by the Council (120(VI)A) requested the Secretary-General:

"(i) To bring up to date, including reference to action taken by Governments since the signing of the Charter,

the memorandum supplementing his preliminary report on the political rights of women and their eligibility for public office, and present it to the third regular session of the General Assembly, in line with the resolution submitted by Denmark to the first regular session of the General Assembly on the political rights of women; and

"(ii) To circulate similar material annually to Members of the United Nations until all women throughout the world have the same political rights as men."

(3) Educational Opportunities for Women

The Commission suggested that equal educational rights might be guaranteed to women irrespective of nationality or race by such means as: (1) general compulsory education; (2) free elementary education; (3) a system of State bursaries for outstanding children in higher schools; (4) school instruction in the indigenous language of the country; and (5) the organization in enterprises and rural areas of free industrial technical and agricultural instruction for women. The Commission felt that it did not have sufficient factual data on hand to provide a basis for detailed recommendations on this subject, and it therefore recommended that the Council take the necessary steps to make such data available.

The Council at its 160th plenary meeting on March 3 unanimously adopted resolution 120(VI)B requesting the Secretary-General:

"(i) To invite Governments that have not already done so to reply to Part I, section D (Educational opportunities) of the Questionnaire on the Legal Status and Treatment of Women by 1 June 1948;

"(ii) To prepare, on the basis of these replies, supplemented where necessary by other available material, and for circulation not later than six weeks before the third session of the Commission, a detailed comparative report, arranged by subjects, showing the existing disabilities of women in the field covered by the said section of the Questionnaire; and

"(iii) To make these replies available to UNESCO, with the consent of the Governments concerned, in order to facilitate its work in areas where women and girls suffer disabilities in the field of education."

d. CONSIDERATION OF THE REPORT OF THE SECOND SESSION OF THE COMMISSION AT THE COUNCIL'S SEVENTH SESSION

At its seventh session the Council considered the report at the first to twelfth meetings of its *ad hoc* Committee on Human Rights from July 22 to August 6 and at its 207th and 210th plenary meetings on August 20 and 23. The Committee on Human Rights, taking as the basis of its discussions a series of resolutions based on the remainder of the report and proposed by the United States

⁹⁴See *Yearbook of the United Nations*, 1946-47, p. 179.

(E/AC.7/W.25), engaged in a detailed paragraph by paragraph discussion, during which it considered proposals and amendments from Canada (E/AC.27/W.5), Chile (E/AC.27/W.12 and Corr.1 and E/AC.27/W.16), France (E/AC.27/W.8), Lebanon (E/AC.27/W.14 and Corr.1), Netherlands (E/AC.27/W.15), New Zealand (E/AC.27/W.13), Poland (E/AC.27/W.6), U.S.S.R. and Byelorussian S.S.R. (E/AC.27/W.9 and W.11), U.S.S.R. (E/AC.27/W.18), United Kingdom (E/AC.27/W.4 and W.17) and Venezuela (E/AC.27/W.23), as well as various verbal amendments.

The main point of difference in the discussions was that some representatives felt that the Council should draw attention to the existing discrimination against women in political, economic and educational fields, while others thought that the Council should confine itself to passing effective resolutions, leaving pronouncements on the situation until further replies had been received to the questionnaire sent out by the Secretary-General. The various decisions taken by the Council at its seventh session are given below.

(1) Political Rights

The question of political rights was discussed again at the Council's seventh session, when fuller consideration was given to the report of the Commission. A detailed discussion took place in the Council's *ad hoc* Committee on Human Rights, during which representatives of the U.S.S.R., Poland, Byelorussia and France stressed the importance of including a preamble and of basing both it and the operative paragraphs of the resolution on the recommendations of the Commission. The French, U.S.S.R. and Byelorussian representatives submitted similar amendments to this effect (E/AC.27/W.8 and W.9). The Committee on Human Rights adopted the French amendments by varying votes. At its 207th plenary meeting the Council adopted by 16 votes to 0, with 2 abstentions, the resolution which had been recommended by the Committee on Human Rights (154(VII)-A), which reads as follows:

"The Economic and Social Council,

"Recognizing that the dignity and worth of the human person, the equal rights of men and women, and of nations large and small, which are referred to in the Charter of the United Nations, insistently call for the abolition of the political inequality of women which still prevails in many countries,

"Considering that the equal participation of women in national, economic, cultural, social and political life is impossible unless women are granted equal rights with men,

"Having regard to General Assembly resolution 56-

(I) of 11 December 1946 concerning the political rights of women and the replies received from some of the Member Governments,

"Notes that, although the vast number of these make no distinction between men and women as to the use of the franchise and eligibility for public office, some report limitations on women in this regard;

"Requests the States Members of the United Nations, whose women have not yet been given the same political rights as men, to grant them such rights in all spheres of economic, national, cultural, social and political life;

"Requests the Secretary-General to address a communication to all Governments which have not replied to the communication sent by him pursuant to General Assembly resolution 56 (I) (b) of 11 December 1946 and, in so far as they do not now grant full political rights to women, to inquire as to their plans to give effect to the Charter affirmation of 'equal rights for men and women' in regard to the franchise and eligibility to public office, and to urge them to take appropriate and immediate action,

"Draws attention to the fact that opportunities for the exercise of these rights and a greater measure of activity by women voters in making use of their right to take part in elections, as well as the introduction of a more general system of electing women to key posts in national, public, municipal and other institutions, will serve as an effective method of stimulating the interest of women voters, will increase their interest in social and political work, and will ensure a fuller use by women voters of their right to take part in elections; and

"Further requests the Secretary-General to continue the collection of information, for the benefit of women who have recently acquired the vote, about effective programmes of political education, and to give favourable consideration to measures for technical advice to such countries; and to prepare for general use a popular pamphlet showing the extent to which women have been accorded equal political rights."

(2) Access to Public Administration Posts

The Commission on the Status of Women had adopted a resolution (E/615, p. 7) taking note that in certain countries women were not given an equal opportunity with men for positions in the civil service and that there was also discrimination as to professional opportunities and access to diplomatic, consular and judiciary posts and recommending that the Council instruct the Secretary-General to call to Members' attention the pledges undertaken when signing the Charter, with a view to granting women equal opportunities in these fields.

The question was considered by the Committee on Human Rights on the basis of a United States draft resolution (E/AC.7/W.25), which drew the attention of Members to the advantage of increased participation of women in political life, recommending that consideration should be given to appointing qualified women as representatives to international bodies and conferences and recommending that Members grant women equal opportunities with men at all levels of government activity. Amendments to the United States draft

were submitted by Canada (E/AC.27/W.5), United Kingdom (E/AC.27/W.7), France (E/AC.27/W.8), Byelorussian S.S.R. and U.S.S.R. (E/AC.27/W.9), Chile (E/AC.27/W.12), Lebanon (E/AC.27/W.14 and Corr. 1) and Netherlands (E/AC.27/W.15). A drafting committee, consisting of the representatives of United States, Canada, United Kingdom, France, Byelorussia, Lebanon and Netherlands, was set up by the Committee to study the draft resolution proposed by the United States and the amendments submitted. The drafting committee submitted two alternative versions of the preamble (E/AC.27/2). The first, which had been proposed by Chile, referred to the provisions of Article 8 of the Charter and stated that this principle was applicable to Members as regards their international representation and was also applicable to all public activities and the exercise of the professions; the second, proposed by the U.S.S.R. and based on the Commission's recommendation, referred to the existing discrimination against women. The two paragraphs of the U.S.S.R. draft were rejected by the Committee by 7 votes to 4, with 5 abstentions, and 7 votes to 4, with 4 abstentions. The Committee adopted by 14 votes to 0, with 2 abstentions, the first paragraph of the draft proposed by Chile, but substituted for the second paragraph a text submitted by Venezuela stating that in certain countries women were not on an equal footing with men as regards access to public office and to the professions. The Committee by 12 votes to 1, with 4 abstentions, rejected a Netherlands amendment to delete the words "whether married or unmarried" from the first paragraph of the resolution. The Netherlands representative in support of the amendment stated that in his Government's view the first duty of married women was to their families and that, as a rule, they should be debarred from public service. The amended draft resolution with a drafting change proposed by the Chairman was adopted by the Committee by 13 votes to 0, with 4 abstentions, and by the Council at its 207th meeting on August 20 by 14 votes to 0, with 4 abstentions. The resolution (154(VII)B) reads as follows:

"The Economic and Social Council,

"Considering that, in certain countries, women do not have the same possibilities as men of access to public administration posts and to the exercise of all the professions, and

"Considering that Article 8 of the Charter of the United Nations lays down that 'the United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs',

"Resolves to recommend that Members:

"(a) Grant women, whether married or unmarried, access on equal terms with men to posts in the public service at all levels, including diplomatic, consular, legal and judicial office, and to all liberal and other professions; and

"(b) Consider women equally with men when appointing their delegations to organs and agencies of the United Nations and to international bodies and conferences."

(3) Nationality, Domicile, Marriage and Divorce

Noting the Commission's resolution on nationality, and its view that many discriminations result from conflicts between national laws relating to nationality, domicile, marriage and divorce, the Council in part C of resolution 154 (VII), adopted by 14 votes to 3, with 1 abstention, at the Council's 207th plenary meeting on August 20, requested the Secretary-General to prepare (1) a report on this subject based on replies to Part I, Section G, of the Questionnaire on the Legal Status and Treatment of Women; (2) a report on existing treaties and conventions in the field of nationality; and (3) a list of questions designed to elicit any further information which, after examination of the replies of governments, he might consider to be required by the terms of the resolution on nationality. The U.S.S.R. representative objected to this resolution on the ground that the subject with which it dealt fell within the domestic jurisdiction of states.

The Commission forwarded to the Council two observations relating to marriage, one emphasizing its belief in the principle of monogamy and urging the United Nations to work for the acceptance of this principle, the second noting with satisfaction an article on the freedom of choice of a spouse contained in the draft International Declaration of Human Rights and suggesting that this right cannot be fully guaranteed unless it is recognized that individuals have the right to leave their country after marrying and to reside with the other partner in any country from which they cannot lawfully be excluded.

The Council discussed the question at the seventh to ninth meetings of the Human Rights Committee on August 2 and 4 and the 210th plenary meeting on August 23. Various representatives emphasized the importance of freedom of movement and Chile submitted a proposal (E/AC.27/W.16) calling attention to the purposes of the United Nations for achieving international co-operation by promoting and encouraging respect for human rights, stating that it was incumbent on signatories of the Charter to eliminate from their legal and social institutions anything conflicting with these principles. The proposal went on to state:

"3. Monogamy and equality of rights between men and women in the case of dissolution of marriage should be considered as covered by the United Nations declaration of faith; and,

"4. The same considerations should apply as regards freedom to choose a spouse, it being noted that full enjoyment of this right requires that the contracting parties shall have the right to leave their country of origin and reside with their spouses in any other,"

and recommending that Members endeavor as soon as possible to bring their legislation into line with these principles.

The U.S.S.R. representative maintained that freedom of movement for the nationals of any state was a question within the domestic jurisdiction of that state, and emphasized that discrimination existed within certain countries. He submitted an amendment (E/AC.27/W.18) which would have the Council condemn "the racist practice of forbidding mixed marriages between persons having the same citizenship, but differing as to color, race, nationality or religion".

The Committee on Human Rights by 10 votes to 2, with 6 abstentions, adopted a draft resolution deploring "all legislative measures which forbid mixed marriages between persons differing as to colour, race, nationality and religion," and referring to the Commission on Human Rights the observations of the Commission on the Status of Women and the Chilean and U.S.S.R. proposals.

The Chilean representative opposed the reference to the Commission on Human Rights on the grounds that the Commission on the Status of Women had asked the Council for an opinion on the question and that the matter would be delayed. He presented to the 210th plenary meeting of the Council a proposal (E/981 and Corr.1) to add to the matters deplored by the Council legislative and administrative provisions restricting the freedom to choose a spouse and those denying contracting parties the right to leave their country of origin and reside with their spouse in any other country. The U.S.S.R. presented amendments (E/1003) to the Chilean amendment which would have the Council recognize that a state refusing visas to its citizens might have sufficient grounds connected with the maintenance of public order and state security, recognize that such a matter was within the domestic competence of every state and condemn racial practices obtaining in certain states of prohibiting mixed marriages between citizens of the same state but differing as to color, race, nationality or religion. After the first paragraph of the Soviet proposal had been defeated and the third amended, the Soviet representative withdrew his proposal, and the

Council adopted in a revised form the Chilean amendment.

The final resolution (154(VII)D), which was adopted by the Council at its 210th meeting on August 23 by 14 votes to 3, with 1 abstention, reads as follows:

"The Economic and Social Council

"Deplores all legislative measures which forbid mixed marriages between persons differing as to colour, race, nationality, citizenship or religion, and in general such other legislative or administrative provisions as restrict the freedom to choose a spouse (with the exception of restrictions based on family relationships, age, the nature of the functions being exercised, or other similar reasons) as well as those legislative or administrative provisions which deny to a woman the right to leave her country of origin and reside with her husband in any other, and

"Resolves to transmit the observations of the Commission on the Status of Women contained in paragraph 29 of the report, and also the Chilean proposal contained in document E/AC.27/W.16 and the U.S.S.R. proposal contained in document E/AC.27/W.18, to the Commission on Human Rights."

(4) Economic Rights and Related Matters

The Commission on the Status of Women considered the economic rights of women and heard a statement by a representative of the International Labour Organisation. It affirmed its support of the principle of equal pay for men and women for equal work, and recommended that the Council call upon Member Governments to encourage the establishment of this principle through all possible means, especially in their own publicly supported and civil services.⁹⁵

At its seventh session, the Council deferred further consideration of the agenda item on the principle of equal pay for equal work by men and women proposed by the World Federation of Trade Unions. On the basis of the recommendations of the Commission on the Status of Women, however, the Council at its 210th meeting on August 23 by 16 votes to 0, with 3 abstentions, adopted resolution 154(VII)G, which reads as follows:

"The Economic and Social Council,

"Recognizing that restrictions with regard to the equality of rights of men and women constitute an infringement of the fundamental rights of the human person and are incompatible with the obligations assumed by the States Members of the United Nations under the terms of the United Nations Charter,

"Noting that there exist, in a certain number of countries, discriminatory practices with regard to the economic and social condition of women, which are not compatible with the dignity of woman and which make it more difficult for her to participate in the economic life of such countries,

"Invites the States Members of the United Nations to adopt the necessary measures so that:

"(a) Whatever their nationality, their race, their lan-

⁹⁵See below, *Equal Pay for Equal Work*.

guage or their religion, women shall benefit by the same rights as men in regard to employment and remuneration therefor, as provided for in Council resolution 121 (VI), leisure, social insurance and professional trainings; and

"(b) In each country there should be legal safeguards for the rights of mothers and children;

"Draws attention to divergencies in various local systems in this field, some of them restricting the right of married women to act as guardians, to control property and earnings and to undertake independent business ventures, and to engage in various other activities."

(5) Educational Opportunities for Women

At its seventh session (210th plenary meeting on August 23) the Council by 17 votes to 0, with 1 abstention, adopted resolution 154(VII)F, as follows:

"The Economic and Social Council,

"Considering that the principle of the equality of rights of men and women enunciated in the preamble of the United Nations Charter should also be applied in the educational field and all its branches,

"Having noted that this principle is not satisfactorily applied in certain countries, especially where the technical and professional education of women is concerned, due either to the lack of legislation guaranteeing the right of women to education or to the failure to apply such legislation,

"Requests the States Members of the United Nations to grant women equal educational rights with men and to ensure that they are afforded genuine educational opportunities, irrespective of nationality, race or religion; and

"Further suggests that the United Nations Educational, Scientific and Cultural Organization include in its annual reports information on its progress and plans for improving educational opportunities for women; and that the United Nations Educational, Scientific and Cultural Organization, upon request, be ready to make suggestions for programmes for the education of adults in the various countries where such programmes would help to solve the problem of illiteracy, and for other educational programmes, having in mind, when elaborating every educational programme, that the widest publicity of the political, social and civic rights of women and of the historical evolution and practical results of these matters is a question of vital importance, in order to teach the principle of equality of the sexes."

(6) Public Opinion

In resolution 154(VII)E, adopted unanimously at the 210th plenary meeting on August 23, the Council, in accordance with suggestions of the Commission on the Status of Women regarding the need to influence public opinion in favor of equality between men and women, recommended that the Secretary-General (a) call upon the world press, radio, film and other information agencies to help in removing such prejudices as have been proved to exist in this respect, (b) assist all such information agencies in these efforts to the fullest possible extent and prepare suitable information material of all kinds for this purpose.

5. Principle of Equal Pay for Equal Work

At the sixth session of the Council, the World Federation of Trade Unions proposed for the agenda the item "Question of the Principle of Equal Pay for Equal Work for Men and Women Workers" (E/627). In considering this item, the Council had before it a memorandum submitted by the World Federation of Trade Unions on "Declaration of Principles on the Earnings of Female Labour" (E/627/Add.1).

The WFTU memorandum outlined certain principles, such as occupational selection and guidance, apprenticeship and occupational training, rational assessment of the value of work, maternity insurance, reduction of domestic tasks, inspection and the importance of trade union organization, and gave a historical survey and assessment of the question of the payment of women workers. Statements prepared by the International Co-operative Women's Guild and the Women's International Democratic Federation (E/627/Add.2) and by the Liaison Committee of Women's International Organizations and the Women's International League for Peace and Freedom (E/627/Add.4), supporting the demand of equal pay for equal work, were also submitted by the World Federation of Trade Unions.

The Council also had before it a resolution pertaining to the question of equal pay contained in the report of the second session of the Commission on the Status of Women (E/615, p. 12).

The question was considered by the Council at its 138th, 139th and 172nd plenary meetings on February 12 and March 17 and at the 39th, 41st and 42nd meetings of its Social Committee on February 27 and March 4 and 5. At the 39th meeting of the Social Committee on February 27 it was agreed to consider the above resolution together with the above-mentioned agenda item.

The World Federation of Trade Unions and the American Federation of Labor presented their views on the subject to the Council in oral statements.

In the discussion all members were agreed on the principle of equal pay for equal work, but some representatives, including those of New Zealand, the Netherlands, the United Kingdom and Denmark, stressed the technical difficulties of putting this principle into effect. Some members were of the opinion that the Council should invite the International Labour Organisation to study the question and to report to the Council thereon. A proposal to this effect was submitted by the Nether-

lands representative (E/650). Other members thought that the Organisation should also be requested to report to the Council on the measures contemplated for the effective solution of the problem of securing equality of pay and a recommendation made to States Members of the United Nations to collaborate in applying that principle. The representative of France submitted a draft resolution to this effect (E/659 and Revs.1 and 2). Other members thought that the Council should itself call upon Member Governments to encourage the establishment of the principle of equal pay through all possible means, especially in their own civil services. The representative of the U.S.S.R. submitted a draft resolution to this effect (E/657). The Council also considered proposals to refer the memorandum submitted by the World Federation of Trade Unions to the Trusteeship Council and to the Commission on the Status of Women (E/657 and also E/AC.7/67, a compromise resolution submitted by Denmark, combining the French and Soviet resolutions). This resolution would have the Council call on Member Governments to apply the principle of equal pay for equal work and invite the International Labour Organisation and the non-governmental organizations in Category A to compile memoranda, stating what action they had taken in the matter, for the Council to consider at its next session.

After the various proposals had been considered by a drafting sub-committee, the Social Committee at its 42nd meeting by 13 votes, with 3 abstentions, recommended to the Council a draft resolution which was adopted at the 172nd plenary meeting on March 10, by 14 votes to 0, with 3 abstentions.

In this resolution (121(VI)) the Council reaffirmed the principle of equal rights of men and women laid down in the Preamble of the United Nations Charter; approved the principle of equal remuneration for work of equal value for men and women workers; and called upon the States Members of the United Nations to implement the latter principle in every way, irrespective of nationality, race, language and religion. The resolution also transmitted the memorandum of the World Federation of Trade Unions to the International Labour Organisation, inviting the latter to proceed as rapidly as possible with the further consideration of this subject and to report to the Council on the action taken. The Council further resolved to transmit the memorandum of the World Federation of Trade Unions to the Commission on the Status of Women for its consideration and for any suggestions it might wish to make to the Council, and invited non-governmental organizations in Cate-

gory A concerned to present their views on the subject to the International Labour Organisation and to the Council.

The resolution of the Economic and Social Council was accordingly brought to the attention of the International Labour Conference at its 31st session (at San Francisco, June-July 1948) in connection with the question of wages, which was already on its agenda.

The International Labour Conference adopted a resolution (E/881) in which it drew the attention of the Members of ILO to the statement on the principle of equal remuneration for work of equal value contained in its Constitution, in the Minimum Wage-fixing Machinery Recommendation, 1928, and in resolutions adopted at several conferences and regional conferences, and also to the importance of taking appropriate measures to secure the effective application of this principle in the case of men and women workers, including in particular measures to extend the opportunities for employment available to women workers, and the provision of adequate facilities for vocational and technical training of women. The Conference also provided for the continuance and extension of studies on the question.

At its seventh session, the Council had on its agenda the question of the principle of equal pay for equal work for men and women workers. In view of the pressure of business and the date at which documents had been presented, the Council decided at its 178th plenary meeting on July 20 to defer consideration of this item. On the basis of the recommendation of the Commission on the Status of Women, the Council at its 210th plenary meeting on August 23 adopted resolution 154(VII)G, which invites Members to adopt measures to ensure that women shall benefit by the same rights as men in regard to employment and remuneration therefor, leisure, social insurance and professional training.⁹⁶

6. Social Activities

The Social Commission held its second and third sessions from August 28 to September 13, 1947, and from April 5 to 23, 1948. The report of the second session (E/578) was considered during the sixth session of the Council, at the 125th to 127th, 156th, 157th, 171st and 172nd plenary meetings on February 3 and 4 and March 1 and 10, and at the 23rd to 30th and the 40th and 42nd meetings of

⁹⁶See *Status of Women*, pp. 604-5.

the Council's Social Committee from February 10 to 18 and on March 5.

The report of the third session (E/779 and Add.1) was considered during the seventh session of the Council at the 180th and 198th plenary meetings on July 21 and August 13, and at the 47th to 54th meetings of the Council's Social Committee from July 27 to 30 and on August 2 and 4. The various decisions taken by the Council are given below.

a. CO-ORDINATION AND WORK PROGRAM

The Social Commission at its second session approved certain principles and procedures for co-ordination between the programs of the specialized agencies and the Social Commission and decided to set up an Advisory Committee on Planning and Co-ordination to consult with the Secretary-General and the representatives of the specialized agencies, and to prepare recommendations on "practical ways and means of achieving in the general field of social policy, co-ordination of activities of the Secretariat and of the specialized agencies", in accordance with the principles it had approved and on "urgent activities in the social welfare field, particularly as regards family and child welfare", not falling within the competence of any existing specialized agency (E/578).

The Council, at its 125th to 127th plenary meetings on February 3 and 4, its 171st plenary meeting on March 10 and the 23rd and 42nd meetings of its Social Committee on February 10 and March 5, debated the advisability of setting up such a committee. Some representatives held that questions of co-ordination were the concern of the Council itself, that the tendency to create additional organs should be discouraged and that the proposed Advisory Committee, being composed of only seven members of the Social Commission, was not representative. Others maintained that the Social Commission had acted quite properly in deciding to set up the Advisory Committee, particularly in view of the Commission's large field of activity, and emphasized that co-ordination at all levels was important. The Council at its 71st plenary meeting on March 10 adopted, by 12 votes to 2, with 2 abstentions, a resolution (122(VI)E) noting the action of the Social Commission in setting up the Advisory Committee and drawing the Commission's attention to the action with respect to co-ordination taken by the Council at its sixth session.⁹⁷ The resolution requested the Commission to submit to the Council at its seventh session:

- "(a) The proposed work programme of the Commission, arranged in an order of priority;
- "(b) A statement of those gaps and overlaps with respect to the proposed work programme of the Commission and of other bodies to which the Council should give attention;
- "(c) Such recommendations as the Commission deems appropriate with respect to solutions concerning specific gaps and overlaps;
- "(d) An evaluation of the contribution to its work made by the above-mentioned Committee and the need for re-establishing it in the future."

The Social Commission, at its third session in March 1948 considered the report (E/CN.5/46) prepared by its Advisory Committee on Planning and Co-ordination, and concluded that a study of the proposed work programs of the Commission and of other bodies operating in the social field indicated little if any overlapping (E/779).

In respect of gaps, the Commission concluded that there were no specialized agencies which had been specifically entrusted with activities in the fields of social welfare services, including family and child welfare and prevention of crime and the treatment of offenders. It concluded that the Secretariat of the United Nations must assume primary responsibility for promoting effective interim undertakings in these fields.

The Commission therefore recommended the following order of priorities for its work program (E/779):

- (1) Social welfare services, including family, youth and child welfare.
- (2) Prevention of crime and treatment of offenders.
- (3) Prostitution and traffic in women and children and in obscene publications.
- (4) Migration.⁹⁸
- (5) Housing and town and country planning.⁹⁹
- (6) Standards of living.

The Council at its seventh session (50th and 51st meetings of the Social Committee on July 29 and 30) discussed the Social Commission's recommendations for its work program for 1948-49, and in its resolution 155(VII)B, adopted at its 198th plenary meeting, by 15 votes to 0, with 3 abstentions, approved the Commission's recommendations. It suggested, however, that the order of priorities be altered so far as required by the Council's resolution 155(VII)E of August 13, 1948 (see below), relating to the draft Convention of 1937 for Suppressing the Exploitation of the Prostitution of Others. Action taken under these headings in the period under review (July 1, 1947, to September 21, 1948) is summarized below.

⁹⁷See pp. 676-78.

⁹⁸See pp. 641-44.

⁹⁹See pp. 654-56.

b. ADVISORY SOCIAL WELFARE FUNCTIONS

The General Assembly on December 14, 1946, adopted a resolution (58(I))¹⁰⁰ authorizing the Secretary-General, in consultation with the Economic and Social Council, to make provision, with the co-operation of the specialized agencies where appropriate, for continuing the advisory social welfare functions of UNRRA. In particular, it authorized him to make provisions for: expert assistance to governments on welfare services; fellowships for training officials in social welfare; advice, demonstration and instruction in connection with the manufacture of prosthetic appliances and the vocational training of physically handicapped persons, and the furnishing of demonstration equipment; and the provision of technical publications.

(1) *Criteria for Receiving Requests for Services*

The Temporary Social Welfare Committee, established by the Social Commission at its first session,¹⁰¹ as requested by the Social Commission, recommended (E/CN.5/25) certain criteria as the basis for receiving requests for services from governments:

"1. The basic consideration should be the established need of the applicant country for the services in question.

"2. Great weight should be given, in assessing the need of the applicant country, to the value of continuity in the welfare services performed by UNRRA during the last quarter of the calendar year 1946.

"3. The bulk of the monies available should be used for States which received assistance from UNRRA.

"4. Some of the monies available should also be used for those United Nations Member States which received no assistance from UNRRA, but which, being less developed areas, need social welfare services.

"5. Tentative allocation of the monies available should be made by the Secretariat to each of the foregoing groups of countries, but keeping in reserve during the first few months an amount of \$100,000 (out of the total amount of \$670,000) for subsequent allocations to either or both groups mentioned in paragraphs 3 and 4."

(2) *Progress Report Submitted to the Council's Fifth Session*

The Secretary-General submitted a progress report (E/458) to the fifth session of the Economic and Social Council on the implementation of the General Assembly's resolution. The report reviewed the measures taken by the Secretary-General by which eleven countries were being provided with social welfare experts, twelve with fellowships, nine with assistance in physical rehabilitation programs and six with technical publications useful in training social welfare workers. Two seminars for social welfare officials of Latin American countries were being conducted, and films for the training of social welfare workers in India were being produced.

(3) *Consideration at the Council's Fifth Session of the Advisory Social Welfare Program*

The report was considered by the Council at its 95th and 107th plenary meetings on July 25 and August 6, and by its Social Committee at its fifteenth and seventeenth meetings on July 30 and August 4, 1947.

In the discussions of the question in the Council and Social Committee, various representatives, including those of China, the United States, France, India and the Netherlands, felt that the social welfare program should be continued. The representative of Norway expressed the view that the program should be widened to benefit all Members of the United Nations and not merely those which had been receiving assistance from UNRRA. The representatives of the U.S.S.R. and the Byelorussian S.S.R., while recognizing that, if needed, such advisory social welfare services should be continued during 1948, nevertheless thought that the expenses of such services should be covered by the countries to which the services were extended. The representatives of the United Kingdom, the U.S.S.R. and New Zealand considered that the report should be studied by the Social Commission before any definite action was taken on it.

Proposals were submitted by China (E/AC.7/W.16), Norway (E/AC.7/28) and verbally by India and the United Kingdom. A drafting committee of the Social Committee composed of representatives of these States, and of the U.S.S.R. and the United States, evolved a joint resolution (E/AC.7/34), which with minor textual changes was approved by 13 votes to 1, with 1 abstention, by the Social Committee of the Council (E/520). The Council, however, decided by 8 votes to 7, with 3 abstentions, to delete the second paragraph of this draft resolution, which read:

"Recognizes that the Member nations of the United Nations should, if interested, share the benefits of Advisory Social Welfare Services."

By varying votes the Council adopted the remaining paragraphs of the resolution.

The resolution as a whole (78(V)) was adopted by 16 votes to 1, with 1 abstention, at the 107th plenary meeting on August 6. It took note of the Secretary-General's report; requested the Social Commission at its next session to review the report and to make further recommendations concerning

¹⁰⁰See *Yearbook of the United Nations*, 1946-47, pp. 161-62.

¹⁰¹See *ibid.*, p. 515.

it and concerning future programs and the best methods of financing them; and requested the Secretary-General to consult with the Social Commission and, in the light of its recommendations, to review the budgetary provision which he had made for these services in 1948.

(4) *Recommendations of the Commission at Its Second Session*

The Social Commission at its second session recommended (E/578) that the program provided by resolution 58(I) of the General Assembly be continued during 1948, and that, as far as the future programs were concerned, the following considerations be kept in mind: (a) the type of service to be rendered should be decided in consultation and agreement with the government concerned; (b) there should be close co-operation with the specialized agencies (including the United Nations International Children's Emergency Fund); (c) continued service to individual countries, and the character of the program as a whole, should be based upon reports to the United Nations by the recipient countries and upon joint appraisal by the United Nations and the recipient countries of the value of the services rendered; and (d) the possibility of financial participation by recipient countries should be constantly explored.

(5) *Consideration by the Council at Its Sixth Session*

The question was discussed at the 25th meeting of the Council's Social Committee on February 11, 1948. Representatives felt that it was necessary to plan for a long-term program of advisory social welfare services. The Australian and French representatives stressed that the exchange of fellowships should be as broadly international as possible, and the French and the U.S.S.R. representatives thought that the technical consultants should be more carefully selected. The U.S.S.R. representative proposed that the Secretary-General, in rendering advisory services, should be guided by the principle that expenditure on advisory social welfare services should be refunded by the governments of countries asking for such assistance. The Council at its 157th plenary meeting on March 3, by 13 votes, with 1 abstention, adopted a resolution which had been proposed by the United States (122(VI)B), requesting

"the Social Commission to submit to the Council at its seventh session a recommendation as to whether the advisory social welfare services should be continued in 1949; and, if continuation is recommended, to submit further recommendations regarding the extent, administration and methods of financing of these services, together with supporting facts."

(6) *Report on Services Rendered during 1947 and Requested for 1948*

The Social Commission at its third session reviewed the measures taken by the Secretary-General to implement resolution 58(I)—i.e., the requests for services which had been received for 1948; and the appraisals of services rendered which had been submitted by recipient governments (E/CN.5/48).

During 1947, services were furnished as follows:

Services	Number of Countries
Consultants	9 ¹⁰⁰
Fellowships	12
Prosthetics	8
Literature	6
Films	10
Seminars	20 ¹⁰⁰

The details of the services were as follows (E/779):

(a) *Provision of Experts to Governments.*—Ten governments requested the services of experts to furnish advisory services in such fields of social welfare as:

- General welfare administration;
- Training in social welfare;
- Public assistance;
- Community organization;
- Social rehabilitation of physically handicapped persons;
- Administration of institutions;
- Mass feeding;
- Social service to invalids and convalescents.

The United Nations was able to furnish 24 social welfare consultants to meet such requests. These consultants were secured from seven different countries. They served varying periods of time, depending upon the wishes of the Government requesting the services and the nature of the assignment.

(b) *Fellowships.*—In the 1947 program, 124 Fellowships were awarded to twelve countries, and the Fellows observed in ten different countries. The fields of observation were as follows:

- Child welfare, including maternal and child care, child guidance;
- Juvenile delinquency;
- Other aspects of social welfare with children;
- Community organization;
- Employment service;
- General welfare, including welfare administration;
- Psychiatric social work;
- Public assistance;
- Social aspects of health;
- Social aspects of housing;
- Social insurance;

¹⁰⁰Ten countries requested consultants, but one request was received late, after all available funds had been allocated.

¹⁰¹Twenty Latin American countries participated in two seminars.

Social research;
 Social welfare training;
 Vocational guidance;
 Vocational rehabilitation, including physical rehabilitation, vocational training, manufacture of prosthetics;
 Welfare programs in industry;
 Welfare legislation.

(c) *Demonstration Equipment and Supplies for Training Purposes*.—Demonstration supplies for the social rehabilitation of physically disabled persons were provided to eight countries in 1947.

A film, *First Steps*, for use in training social welfare workers in the social rehabilitation of physically disabled children, was produced by the United Nations in the following languages. Chinese, English, French, Greek, Polish, Serbo-Croatian, Spanish, Czech.

Two films for training child welfare workers were produced in India for use in that country.

Six governments of Member States, in the group of war-devastated countries, requested technical literature in various aspects of social welfare.

Two seminars on social welfare were organized and conducted in Latin America. On the invitation of the Governments of Colombia and Uruguay, the seminars were held in Medellín and in Montevideo, with all twenty Latin American countries participating. An international staff directed study groups in which welfare problems of common interest to the Latin American countries were discussed.

(d) *Services Requested during 1948*.—As of April 1, 1948, services had been requested as follows:

Services	Number of Countries
Consultants	13 ¹⁰⁴
Fellowships	18 ¹⁰⁵
Prosthetics	4
Literature	7
Films and/or Kf film catalogs	3
Seminars	27 ¹⁰⁶

(7) *Consideration by the Social Commission at Its Third Session*

The Commission, having noted the substantial increase in requests for services, not only from governments which had previously received such services, but also from other governments in need of such services, and the increased financial participation on the part of receiving governments, recommended to the Council a resolution (E/779) requesting the General Assembly to approve continuance of the Advisory Social Welfare Services during 1949, and to stipulate that the funds provided for the services in 1949 should be at least equal to those appropriated for 1948.

The Commission also recommended that the following considerations should be kept in mind in carrying out the advisory social welfare services:

"(a) The type of service to be rendered under Resolution 58(1) of the General Assembly shall be decided in consultation and in agreement with the Government concerned;

"(b) There shall be close co-operation with the specialized agencies¹⁰⁷ in order to avoid overlapping in services rendered and to ensure that all related activities are mutually benefited,

"(c) Continued service to individual countries and the character of the programme as a whole should be based upon reports to the United Nations by the recipient countries and upon joint appraisal by the United Nations and the recipient countries of the value of the services rendered;

"(d) The possibility of financial participation by recipient countries shall be constantly explored."

(8) *Discussion at the Council's Sixth Session*

The recommendations were considered at the 47th meeting of the Social Committee on July 27 and the 198th plenary meeting of the Council on August 13, 1948.

While the view was generally expressed that the advisory social welfare services of the United Nations were important and also that it was desirable to increase the contributions from recipient countries, opinion was divided as to the scale on which the program should be continued during 1949, and how far participating countries could contribute to it. The Chinese, Brazilian, Lebanese, Venezuelan, Australian and New Zealand representatives, while agreeing that recipient countries should pay as much as possible, emphasized the importance of continued United Nations assistance in this program, which they thought should be continued on at least the same scale as the 1948 program. The representatives of the Netherlands, Denmark, the United States, France and Venezuela drew attention to the different financial situations of various countries and thought that their capacity to pay should be taken into account. The representatives of Canada and the United Kingdom stressed the importance of putting the program on a self-supporting basis and were in favor of a token reduction in the estimates for it. The representative of Poland thought that the program should be continued in 1949, but reserved his position concerning its con-

¹⁰⁴Possible requests for consultants from two additional countries.

¹⁰⁵Possible requests for fellowships from one additional country.

¹⁰⁷Latin American countries were to participate in two seminars, and seven Arab League countries were to participate in one seminar.

¹⁰⁸It was specified that for the purposes of this resolution the term "specialized agencies" was to include the United Nations International Children's Emergency Fund:

tinuance in 1950. The representatives of the U.S.S.R. and the Byelorussian S.S.R. stressed the need for economy, and considered that the program had been extended beyond its original framework of supplying aid to devastated and under-developed countries and that, if the program was continued during 1949, recipient governments should bear the cost. A U.S.S.R. proposal to this effect was defeated in the Social Committee by 13 votes to 2, with 2 abstentions. A Canadian proposal to delete the paragraph referring to the financial provision *for the services, on the ground that this question should be left for consideration by the General Assembly*, was defeated in the Social Committee by 9 votes to 7, with 1 abstention. A United States proposal to delete the words "at least" from the clause providing that the funds should be at least equal to those appropriated for 1948, was rejected in the Social Committee by 8 votes to 6, with 3 abstentions.

The U.S.S.R. representative doubted the wisdom of continuing the consultant services, since these functions were of a temporary character, and proposed that the Secretary-General should be asked to furnish Members with a report on the work of the consultants from 1946 to date, so that the Social Commission might study the report and the comments on it from Member Governments. This proposal was accepted in the Social Committee by 8 votes to 4, with 5 abstentions.

The Danish representative suggested that it should not be left to individual countries to choose the country of destination for their nationals holding United Nations Fellowships, but that the Secretariat, or a special committee, should make a study to determine which countries were most suitable and establish a priority among them. The French representative supported this suggestion and thought that there should be an equitable sharing of the services from the point of view of the nationality of the consultants sent and the nationality of the Fellows nominated and of the recipient countries.

The Council at its 198th plenary meeting on August 15, on the recommendation of the Social Committee, adopted by 11 votes to 0, with 7 abstentions, resolution 155(VII)A. In this resolution the Council:

"*Recommends to the General Assembly:*

"(a) That the advisory social welfare services be continued during 1949;

"(b) That the programme should include the same basic services as were carried on in 1948;

"(c) That, in the administration of the programme, the policies and procedures carried on in 1948 be con-

tinued, as adapted in accordance with recommendations made by the Social Commission at its third session;

"(d) That the services provided in 1949 should be approximately within the same scope as those provided in 1948.

"*Requests the Secretary-General:*

"(a) To submit to all Member countries a complete report on the work of consultants in the various countries from 1946 until the present time, in order that the Social Commission at its fourth session may be able to study such a report and any comments thereon which may be made by Member countries of the United Nations;

"(b) To continue and intensify his efforts to bring about increased financial participation on the part of recipient Governments, and to report from time to time to the Council on the success of his efforts."

c. FAMILY, CHILD AND YOUTH WELFARE

(1) Child Welfare Program

The Social Commission at its second session adopted a resolution (E/578) on a child welfare program, recommending that the Secretary-General, in undertaking the functions formerly exercised by the League of Nations in the field of child welfare, continue the regular publication of the legislative series on child welfare and of the summary of the annual reports submitted by governments, and that the Secretariat in carrying out the studies necessary for the implementation of the program should give priority to the following subjects:

(1) The organization and administration of child and youth welfare services;

(2) Preparation of documentation on the Declaration of Geneva, referring in particular to any change or additions which it might be considered necessary to make with a view to its acceptance as the United Nations Charter of the Rights of the Child;

(3) The principles underlying the treatment of family and child problems; the desirability of international conventions on certain aspects of these subjects; and the status and protection of destitute and stateless children.

At its sixth session the Council, after a discussion largely concerned with the question of refugee children (see below), at its 156th plenary meeting on March 1, 1948, adopted resolution 122(VI)A approving the Social Commission's resolution on a child welfare program and requesting it to give priority to questions of child welfare. The Council requested the Secretary-General:

"to study the desirability of combining the *Legislative and Administrative Series* on Child Welfare published by the League of Nations with the summary of the annual reports submitted to Governments, in a single comprehensive annual report on legislative, administrative and other developments in child welfare within Member countries, and to report thereon to the Social Commission at its third session."

At its third session (E/779, p. 28) the Social Commission adopted the family, child and youth

welfare work program set out by its Advisory Committee on Planning and Co-ordination (E/CN.5/46). This program provided for:

"(1) Publication of an annual report on child and youth welfare, based on information received from Governments: publication of a social welfare legislative series;

"(2) Note on the Declaration of the Rights of the Child (Declaration of Geneva);

"(3) Development of Information and Technical Reference Centre in continuation of the League of Nations Child's Welfare Information Centre;

"(4) Report on youth guidance and questionnaire to be sent to youth organizations;

"(5) Study on the welfare of child war-victims, including re-education of children physically, mentally or morally handicapped;

"(6) Study of preventive and rehabilitative family social services; special social services for children and for handicapped groups;

"(7) Study of programmes of family assistance (other than family allowances proper) such as financial assistance and other economic measures for improving the conditions of families, e.g. adjustment of taxation, housing facilities and priorities, reduced rents, reduced clothing costs, community feeding places, food stamp systems."

To this program the Commission added two projects, calling for the study of: (a) needs of homeless children in their native country, and (b) methods of administering assistance and social services for needy families.

It recommended that the Secretary-General pursue the study of the proposed Charter of the Rights of the Child "in consultation with Governments and interested organizations, in such a way that, whilst giving great weight to the principles of the Geneva Declaration, he should consider such additional significant principles as would transform the document into a United Nations Charter of the Rights of the Child, embodying the main features of the newer conception of child welfare, and report thereon to the fourth session of the Social Commission". The Commission also adopted the proposal to combine in a single publication the summary of the legislative series on child welfare and the summary of annual reports submitted by governments.

At its seventh session, the Council, in resolution 155(VII)B, adopted by 15 votes to 0 at the 198th plenary meeting on August 13, 1948, concurred in the recommendation of the Social Commission concerning the responsibility of the Social Commission and the United Nations Secretariat in the field of family, youth and child welfare.

(2) *Question of Refugee Children*

At its sixth session the Council's discussions on the report of the second session of the Social Commission (at the 126th and 156th plenary meetings

on February 4 and March 1, and the 23rd, 24th and 29th meetings of the Social Committee on February 10 and 17, 1948) were largely concerned with the question of refugee children.

The U.S.S.R. representative stressed the importance of the repatriation of homeless orphans who, as a result of enemy occupation of their countries found themselves in Germany and Western Europe. He proposed (E/AC.7/44) that the Council should recommend that urgent measures be taken to return such children to their homeland and requested the Secretary-General to report to the Council's seventh session on the fulfilment of such measures. This proposal was supported by the Polish and Byelorussian representatives.

The Lebanese representative proposed (E/AC.7/45) that the Secretary-General should be asked to report on the situation of such children to the seventh session of the Council, so that the Council could decide on the possibility, advisability or necessity for their urgent repatriation. The United Kingdom representative thought that any resolution on the question should refer to the General Assembly resolution 136(II)²⁰⁸ dealing with the question of refugees and submitted an amendment to the Lebanese proposal (E/AC.7/50) to the effect that, in order that this resolution might be implemented, the Secretary-General should ask the International Refugee Organization to supply a report for submission to the Council's seventh session giving the steps taken or contemplated for dealing with the problem and recommendations on what should be done to hasten a final solution. The United States representative thought that a study such as that proposed by the Lebanese representative should be undertaken in collaboration with IRO. He proposed a draft resolution (E/AC.7/51) to the effect that the Secretary-General should include in his report, under the General Assembly's resolution 136(II) of November 17 on the progress of repatriation and resettlement of refugees, a specific account of the situation of children and the measures taken or contemplated on their behalf. After a sub-committee had failed to reconcile the various points of view (E/AC.7/55), the Social Committee and the Council at its 156th plenary meeting adopted by 15 votes, with 3 abstentions, a joint United Kingdom-United States draft resolution (E/AC.7/57) with certain amendments.

The U.S.S.R., Byelorussian and Polish representatives opposed the resolution on the ground that a further study of the question was unnecessary and would further delay the repatriation of the children, and that the question should be dealt with

²⁰⁸See *General Assembly*, pp. 128-29.

independently of the general problem of refugees. The first part of the resolution (122(VI)A) referred to the child welfare program proposed by the Social Commission (see above). The second part of the Council's resolution reads as follows:

"The Economic and Social Council, furthermore, recognizing the urgent need for a speedy solution of the problem of children left in foreign countries as a result of the war, and

"Taking note of the request of the General Assembly at its second session by resolution 136(II) of 17 November 1947 that 'the Secretary-General submit, in collaboration with the Director-General of the International Refugee Organization, or the Executive Secretary of its Preparatory Commission, a report on the progress and prospect of repatriation, resettlement and immigration of the refugees and displaced persons, for consideration by the Economic and Social Council at its seventh session',

"Requests that there be included in this report a specific account of the situation of children removed from their country of origin during the course of the war, and on measures taken or contemplated on their behalf as provided by Annex I, Part I, paragraph 4 of the General Assembly resolution 62(1),¹⁰⁹ and recommendations on what can be done to accelerate a final solution."¹¹⁰

d. PREVENTION OF CRIME AND TREATMENT OF OFFENDERS

(1) Topics Suitable for International Inquiry

The Economic and Social Council, at its fourth session (resolution 43(IV)), requested the Secretary-General to submit, at a future session of the Social Commission, a report on the prevention of crime and treatment of offenders indicating proposals suitable for international action and how they could effectively be carried out. A questionnaire on the state of crime and the treatment of offenders during the last ten years was drawn up and distributed to all Member States in May 1947, and a preliminary report, prepared on the basis of the replies received, was approved in principle by the Social Commission at its second session (E/578).

The Social Commission also asked the Secretary-General, in making a study for a plan of action, to give priority to the development of a plan for the collection, analysis and distribution of information already available in Member nations regarding crime causation, prevention of crime and treatment of offenders, and urged him to call upon experts to assist the Secretariat on an *ad hoc* basis on specific aspects of the problem which could not be referred to any existing specialized agency.

The Economic and Social Council at its sixth session decided that no action was required from it on this resolution of the Social Commission, but engaged in a discussion on the question of co-operation between the Social Commission and the

International Penal and Penitentiary Commission (see below).

The plan outlined by the Secretariat was subsequently submitted for comment to the leading organizations working in this field. Collaboration was established with the interested specialized agencies. The World Health Organization appointed an expert to prepare a report on the medical and psychiatric aspects of crime and the treatment of offenders.

On the basis of the material collected, the Secretariat drew up a list of topics which it suggested as suitable for international inquiry. The revised plan of study was reviewed and adopted with certain modifications by the Social Commission during its third session. The list of topics enumerated in the resolution approved by the third session of the Social Commission is as follows (E/779):

- (a) The problem of juvenile delinquency in all its phases, including the study of advanced legislation on the subject;
- (b) Medical, psychiatric and social examination of adult offenders before sentence is passed;
- (c) Probation;
- (d) Fines, also in connection with short-term imprisonment;
- (e) Open penitentiary institutions;
- (f) Habitual offenders;
- (g) A general inquiry into the functions of the medical, psychological and social sciences in dealing with the problems of delinquency and crime;
- (h) The training of staff for penal institutions;
- (i) Criminal statistics, with a view to a report on the state of crime.

Preliminary reports were undertaken on item (c) and on item (i), based on replies from governments. A preliminary study was also undertaken relating to item (a).

At the seventh session of the Council the U.S.S.R. representative, supported by the Byelorussian representative, criticized the items proposed for study as being domestic rather than international questions. He proposed an amendment in the Social Committee and in the Council (E/AC.7/W.33) to limit the range of study to (1) questions on which relevant decisions by international organizations already existed, such as "measures to be taken against propaganda and the inciters of a new war" and genocide (which had been dealt with in General Assembly resolutions), and (2) questions on which relevant international conventions existed, such as slavery, narcotic drugs and the suppression of the traffic in women and chil-

¹⁰⁹See *Yearbook of the United Nations*, 1946-47, p. 816.

¹¹⁰For consideration of the question of refugees at the Council's seventh session, see pp. 643-46.

dren and of obscene publications. The United Kingdom and French representatives felt that these matters were already being dealt with and that an international exchange of views on the prevention of crime and the treatment of offenders would be valuable. The U.S.S.R. proposal, after being rejected in separate paragraph by paragraph votes in the Social Committee, was rejected by the Council at its 198th plenary meeting on August 13 by 14 votes to 3, with 1 abstention.

(2) *Question of the Creation of a Committee of Experts*

The Council in its resolution 122 (VI) F, adopted at its sixth session (172nd plenary meeting on March 10, 1948), requested the Social Commission to report to the Council's seventh session on how international activities in the field of prevention of crime and the treatment of offenders could best be carried out.

The Commission recommended to the Council that in order to carry out the suggested program and having regard to international and national organizations with interests and competence in this field, a group of experts should be convened not more than once a year to advise the Secretary-General and the Social Commission in formulating policies and a program.

The recommendations of the Social Commission were considered at the seventh session, at the 47th, 48th and 50th meetings of the Social Committee on July 27 and 29 and at the 198th plenary meeting on August 13, 1948.

The creation of a committee of experts was supported by the United Kingdom, United States, Venezuelan and Lebanese representatives. The U.S.S.R., Polish and Byelorussian representatives thought that it was not necessary to set up a special advisory group, since the Secretariat could, if necessary, consult experts. The Australian representative thought that a yearly meeting might be too ambitious. He also thought that it was difficult to create the committee until the organizations concerned had been consulted concerning the work they were doing and whether the necessary experts could in fact be assembled, a view shared by the French representative.

The Canadian and Danish representatives suggested that the Committee should be convened in 1949, after which it could be decided if it should be maintained. A Danish amendment to this effect was approved by the Social Committee at its 48th meeting by 9 votes to 3, with 5 abstentions.

The Social Committee rejected by 12 votes to 4, with 1 abstention, a U.S.S.R. proposal to delete the operative part of the resolution.

At its 198th plenary meeting on August 13 the Council, by 15 votes to 3, adopted resolution 155 (VII) C, as follows:

"The Economic and Social Council

"Endorses the opinion of the Social Commission that, in view of the importance of the study, on an international basis, of the problem of the prevention of crime and treatment of offenders, the United Nations should assume leadership in promoting this activity, having regard to international and national organizations which have interests and competence in this field, and making the fullest use of their knowledge and experience;

"Requests the Secretary-General, subject to budgetary limitations, to convene in 1949 a group of internationally recognized experts not to exceed seven in number and selected by him in such a way that the constitution of the group maintains an international character, to act in an honorary capacity as an advisory body and to advise the Secretary-General and the Social Commission in devising and formulating policies and programmes appropriate to:

"(a) The study on an international basis of the problem of prevention of crime and the treatment of offenders, and

"(b) International action in this field"

(3) *Question of the International Penal and Penitentiary Commission (IPPC)*

At its sixth session, at the 30th and 40th meetings of its Social Committee on February 18 and March 3, and at its 172nd plenary meeting on March 10, 1948, the Council discussed the question of co-operation between the Social Commission and the International Penal and Penitentiary Commission.

The Commission had decided at its first session that it could not give effect to the Council's request that it consult with the International Penal and Penitentiary Commission (IPPC) so long as that Commission had not severed its relations with the Franco Government and this action had been approved by the Economic and Social Council at its fourth session in March 1947 (resolution 43 (IV)).¹¹¹

The Commission had subsequently been informed that Spain had withdrawn from the IPPC in order that the IPPC might collaborate with the United Nations. The Polish, U.S.S.R., Byelorussian, French and Venezuelan representatives expressed the view that Spain was still a member of the IPPC, since its withdrawal was conditional on the IPPC entering into an agreement with the United Nations. It was pointed out that unless it amended its constitution the IPPC had no power to expel Spain. A Polish proposal that the question should be referred back to the Social Commission for consideration at its third session was rejected.

Various representatives, including those of New

¹¹¹See *Yearbook of the United Nations, 1946-47*, p. 521.

Zealand, the United States and the United Kingdom, felt that it was clear that Spain was no longer a member of the IPPC. It was decided on the motion of the Australian representative to ask the Secretariat for a legal opinion on the question.

After taking into account the legal opinion of the Secretariat that Spain was not now a member of the IPPC (E/AC.7/66), the Council at its sixth session at the 172nd plenary meeting on March 10, 1948, adopted by 11 votes to 5, with 1 abstention, an amended form of a resolution which had been proposed by New Zealand (E/AC.7/70). In its resolution (122(VI)F) the Council:

"Requests the Social Commission to undertake consultations with the IPPC provided and so long as the Franco Government is not readmitted to membership of the Commission;

"Draws the attention of the Social Commission to the Secretary-General's recommendation that to acquire effective control of admissions and of the right to expel members the IPPC should give consideration to the question of revising its constitutional regulations, and that the above-mentioned consultations should include consideration of such revision;

"Requests the Social Commission to report to the Council at its seventh session on the result of these consultations. . . ."

At its third session the Social Commission noted that the question of amending the constitutional rules of the International Penal and Penitentiary Commission to control the admission and expulsion of members had been placed on the agenda of its next meeting. Subsequently, the Director of the Division of Social Affairs of the Secretariat informed the Council's Social Committee that the Secretary-General of the IPPC had circularized its members concerning the proposed modifications of its constitution, informing them that if a majority signified their assent, the amendments would come into force; 23 out of 26 members had signified their assent.

In the Council's discussions at the seventh session a Danish proposal, supported by the Canadian and Venezuelan representatives, that discussion of the question of the formation of a Committee of Experts should be adjourned until after the forthcoming meeting of the IPPC was rejected by the Social Committee by 10 votes to 3. The United Kingdom representative proposed an amendment to mention the IPPC specifically in the Council's resolution in view of the IPPC's work for the rehabilitation of prisoners. The French representative, supported by other representatives, thought that this organization should not be singled out for special mention, since there were other important inter-governmental organizations which studied these questions and in view of the IPPC's

questionable policy with regard to Franco Spain. The United Kingdom amendment was rejected by 9 votes to 3, with 5 abstentions, in the Council's Social Committee and the Council at its 198th plenary meeting adopted resolution 155(VII)C (see text of resolution above).

e. PREVENTION OF PROSTITUTION AND THE SUPPRESSION OF TRAFFIC IN WOMEN AND CHILDREN

(1) International Conventions on Traffic in Women and Children and on Obscene Publications

(a) TRANSFER OF LEAGUE OF NATIONS FUNCTIONS

The Economic and Social Council, in its resolution 2/10 of June 21, 1946, directed the Social Commission to "consider the best way of carrying on the functions undertaken by the League with reference to traffic in women and children and all measures designed to prevent such traffic". Acting upon the Social Commission's report of February 11, 1947, the Council requested the Secretary-General, on March 29, 1947 (resolution 43(IV)), to take the necessary steps to transfer to the United Nations the functions formerly exercised by the League of Nations under the Conventions of September 30, 1921, and October 11, 1933, relating to the suppression of the traffic in women and children, and the Convention of September 12, 1923, relating to the suppression of the circulation of and traffic in obscene publications. The Council recommended that the Secretary-General adopt the procedure followed in regard to a similar transfer of functions under the conventions on narcotic drugs.¹²²

The Secretary-General submitted to the fifth session of the Council a memorandum (E/444) to which were appended two draft resolutions and two draft protocols intended to implement the transfer. The document had been communicated by the Secretary-General to the members of the Social Commission on June 16, 1947, with the request that they comment on it, and a number of replies were before the Council at its fifth session.

The Secretary-General's report was discussed by the Council at its 99th and 117th plenary meetings on July 29 and August 14 and by the Council's Social Committee at its 19th and 22nd meetings on August 6 and 12, 1947. A drafting committee of the Social Committee considered in detail the Secretary-General's proposal and comments on these proposals made by the United Kingdom (E/509) and the United States (E/482), and submitted a draft protocol and resolution (E/540), which was

¹²²See *Yearbook of the United Nations*, 1946-47, p. 521.

approved by the Council's Social Committee at its 22nd meeting on August 12 and by the Council at its 117th plenary meeting on August 14. The French representative stated that his delegation approved the draft protocol subject to the same conditions as the Convention of 1933. The Byelorussian and the U.S.S.R. representatives abstained from voting since their Governments were not parties to the Conventions, but reserved the right to submit amendments at later stages, since not all governments had communicated their observations.

In its resolution (81(V)) the Council recommended that the General Assembly approve the assumption by the United Nations of the functions and powers previously exercised by the League of Nations under the Convention of September 30, 1921, for the Suppression of the Traffic in Women and Children, the Convention of October 11, 1933, for the Suppression of the Traffic in Women of Full Age and the Convention of September 12, 1923, for the Suppression of the Circulation of and Traffic in Obscene Publications.

The transfer to the United Nations of the functions exercised by the League of Nations under the Conventions of 1921 and 1933 relating to the Suppression of the Traffic in Women and Children, and the Convention of 1923 concerning the Suppression of the Circulation of and Traffic in Obscene Publications, was completed by the General Assembly in resolution 126(II),¹¹³ adopted on October 20, 1947.

(b) TRANSFER OF FUNCTIONS FORMERLY EXERCISED BY THE FRENCH GOVERNMENT

At the Council's fifth session the French representative proposed that transfer to the United Nations should be made of the functions conferred on the Government of the French Republic under the International Agreement of May 18, 1904, for the Suppression of the White Slave Traffic, the International Convention of May 4, 1910, for the Suppression of the White Slave Traffic and the International Agreement of May 4, 1910, for the Suppression of Obscene Publications. A draft resolution to give effect to this proposal (E/AC.7/36) was considered by the drafting committee of the Council's Social Committee.

A resolution proposed by the drafting committee (E/540) was approved by the Council's Social Committee at its 22nd meeting on August 12 and by the Council at its 117th plenary meeting on August 14, 1947.

In its resolution (82(V)), the Council requested the Secretary-General to present to the Social Commission at its first session in 1948 a re-

port on the questions concerning the transfer to the United Nations of the functions formerly exercised by the French Government under the relevant international agreements and conventions. It requested the Social Commission to make recommendations to the Economic and Social Council at a subsequent session as to whether such transfer was desirable and, if so, on the steps necessary to implement it.

At its seventh session, the Council discussed, at the 49th meeting of its Social Committee on July 28 and its 198th plenary meeting on August 13, 1948, the best method of effecting the transfer of the functions formerly exercised by the French Government. After considering the relative merits of effecting the transfer by protocol or by the "Hague method" and after rejecting by 13 votes to 2, with 2 abstentions, a U.S.S.R. proposal that the transfer should be effected in accordance with the procedure provided for by General Assembly resolution 126(II), which had provided for the transfer of League of Nations functions in this field, the Council by 15 votes to 2, with 1 abstention, adopted resolution 155(VII)D, in which it

"Directs the Secretary-General, in consultation with the French Government, to prepare a protocol for the purpose of effecting the transfer of the said functions to the United Nations and with the agreement of the French Government, to submit the protocol to the General Assembly for its approval at its next regular session;

"Recommends that, at its next regular session, the General Assembly approve the assumption by the United Nations of the functions exercised by the French Government under the aforesaid instruments, and recommends that, at its next regular session, the General Assembly consider the protocol drawn up by the Secretary-General for this purpose."

(c) UNIFICATION OF INTERNATIONAL AGREEMENTS AND CONVENTIONS AND STUDY OF THE 1937 DRAFT CONVENTION

A Norwegian draft resolution (E/AC.7/37) concerning the unification of the international agreements and conventions for the suppression of traffic in women and children was considered by the Council at its fifth session.

A resolution submitted by the drafting committee of the Council's Social Committee was approved by the Social Committee at its 22nd meeting on August 12, and by the Council at its 117th plenary meeting on August 14.

The resolution adopted by the Council (83(V)) requested the Secretary-General to present to the Social Commission at an early session a report concerning the unification of the following international agreements and conventions:

¹¹³See *General Assembly*, pp. 121-23.

1. International Agreement of May 18, 1904, for the Suppression of the White Slave Traffic;
2. International Convention of May 4, 1910, for the Suppression of the White Slave Traffic;
3. International Convention of September 30, 1921, for the Suppression of the Traffic in Women and Children; and
4. International Convention of October 11, 1933, for the Suppression of the Traffic in Women of Full Age.

Resolution 43(IV), adopted by the Council at its fourth session,¹¹⁴ had instructed the Secretary-General to resume the study of the 1937 draft Convention regarding the Exploitation of the Prostitution of Others, to make any necessary amendments in order to bring it up to date and to take account of changes in the general situation. The modifications proposed by the Secretariat were communicated to Member States and to a number of international organizations for their observations.

The Council considered the question at the 48th and 49th meetings of its Social Committee on July 27 and 28, 1948. Two views were expressed—first, that it was desirable to remodel the Convention and unify it with other international instruments dealing with the suppression of the white slave traffic and of obscene publications; second, that this might cause undue delay, that the matter was urgent, and that it would be better to restrict changes to the necessary adaptation of the Convention to make it refer to the United Nations and continue efforts to introduce desirable improvements. Those supporting the view that the Convention should be remodelled felt that Members would be discouraged from signing the Convention as it stood if they knew that amendments to it were under consideration.

The Social Committee by 12 votes, with 4 abstentions, adopted a Canadian compromise amendment (E/AC.7/W.34), a French amendment (E/AC.7/W.31), designed to minimize the delay, having been withdrawn in its favor. The Committee by 16 votes to 0, with 2 abstentions, also adopted a United States verbal amendment to provide for consultation with non-governmental organizations. The revised draft resolution (155(VII)EL) was unanimously approved by the Council at its 198th meeting on August 13, and reads as follows:

"The Economic and Social Council,

"Considering that in resolution 43(IV) of 29 March 1947 the Council instructed the Secretary-General, inter alia, to resume the study of the 1937 draft Convention regarding the exploitation of the prostitution of others, to make any necessary amendments in order to bring it up to date and to introduce any desirable improvement in view of the changes in the general situation since 1937,

"Considering that in resolution 83(V) of 14 August 1947 the Council requested the Social Commission to

consider the possibility of the unification of the 1937 draft Convention and the existing instruments for the suppression of the traffic in women and children, namely:

- "1. International Agreement of 18 May 1904 for the Suppression of the White Slave Traffic;*
- "2. International Convention of 4 May 1910 for the Suppression of the White Slave Traffic;*
- "3. International Convention of 30 September 1921 for the Suppression of the Traffic in Women and Children; and*
- "4. International Convention of 11 October 1933 for the Suppression of the Traffic in Women of Full Age;*

"Considering that developments in general conditions since 1937 make feasible the immediate formulation and conclusion of a new and comprehensive convention for the suppression of the traffic in women and children and the prevention of prostitution, and that such a convention should unify the above-mentioned instruments and also embody the substance of the 1937 draft Convention as well as any desirable improvement therein,

"Requests the Secretary-General to prepare a draft of such a convention, to ascertain the views of Governments and international organizations specialized in this field regarding this draft, and to submit the draft Convention and any views expressed to the Social Commission at its fourth session;

"Requests the Social Commission to give first priority to the examination of such a draft Convention and to submit its views thereon to the Council not later than the ninth session of the Council;

"Suggests to the Social Commission that, in the event of its finding that it cannot complete its task in the time at its disposal, it should submit for the consideration of the Council at its ninth session a revision of the text of the draft Convention of 1937, including therein any necessary formal amendments and any additional amendments which the Commission may see fit to suggest, but excluding amendments with regard to which there is not, in the opinion of the Commission, likely to be a general measure of agreement."

(2) Annual Reports from Governments on Traffic in Women and Children and on Obscene Publications

On the basis of replies received from governments to a questionnaire circulated by the Secretariat, the first summaries of annual reports to be issued by the United Nations on traffic in women and children¹¹⁵ and on obscene publications¹¹⁶ were published. These reports refer to the year 1946/47; subsequent reports were also being prepared covering the period 1947/48.

(3) Other Measures

The following preliminary steps were taken to give effect to some of the recommendations concerning the suppression of traffic in women and children contained in resolution 43(IV), adopted by the Economic and Social Council at its fourth session:

¹¹⁴See Yearbook of the United Nations, 1946-47, p. 521.

¹¹⁵Doc. E/TWC.1946-1947/Summary.

¹¹⁶Doc. E/TOP.1946-1947/Summary.

(i) A report was prepared by the Secretariat concerning the establishment of a bureau in the Far East, and steps were taken to seek the views of the interested governments and organizations in order that a plan might be outlined for consideration by the Social Commission at its fourth session.

(ii) A revision of the League of Nations questionnaire on traffic in women and children, which forms the basis of the annual reports from governments on the traffic, was undertaken in the light of postwar developments.

(iii) The principal recommendations embodied in a comprehensive study undertaken by the League of Nations on the prevention of prostitution, completed in 1939, relating to the more direct measure of prevention of prostitution, were summarized and will be submitted to Member States for their comments with a view to utilization in the preparation of the comprehensive draft convention provided for by the Council in its resolution 155(VII)E.I. (see above) and of the revised text of the questionnaire.

The Social Commission at its third session, on the proposal of the South African representative, had adopted a recommendation to governments to include in their public and voluntary social welfare services provisions for combatting prostitution, both from the angle of prevention and rehabilitation, and for taking other approved measures (E/779). In this connection the Council at its seventh session, at the 48th meeting of the Social Committee on July 27, heard a representative of WHO state what that Organization was doing on this matter. At its 198th plenary meeting the Council unanimously adopted resolution 115(VII)E.II, as follows:

"The Economic and Social Council

"Recommends that, in anticipation of, and as a preparation for the conclusion of such convention as that referred to under I above," Member Governments be asked, where they have not already done so, to include or to encourage the inclusion in their public and voluntary social welfare services of provisions for combating the evil of prostitution both from the angle of prevention and rehabilitation, including free and confidential treatment for venereal disease in so far as medical care is not provided for otherwise; and, in so far as children and young persons are concerned, to consider the introduction of legislation, where such legislation does not already exist, which will empower the State to take re-educative and rehabilitative measures in regard to children and young persons who are in need of care and who threaten to become, or have already become, prostitutes."

f. STANDARDS OF LIVING

The Social Commission at its second session took cognizance of the preliminary note of the

Secretary-General (E/CN.5/32) on the study of standards of living particularly in under-developed countries and areas, noted that a statement on certain aspects of the question would be submitted to its third session and stressed the importance of speeding up the preparation of this material. The Commission also suggested that the Secretariat pay special attention to studies carried out by the method of field survey, and particularly to material dealing with standards of living of the family unit compared with the standards of living of single persons (E/578, p. 25).

The question was discussed at the sixth session of the Economic and Social Council (126th and 127th plenary meetings on February 4, and 26th and 29th meetings of the Social Committee on February 11 and 17). In both the Commission's and the Council's discussions of the question, the U.S.S.R. representative suggested that a special study should be made of standards in colonies and dependent territories. Other representatives stated that Non-Self-Governing Territories, if they were under-developed, would be covered in any case and no special mention of them was called for. After some discussion the Council decided by 11 votes to 3, with 4 abstentions, that it was not necessary for the Council to adopt a special resolution on the subject.

The Social Commission at its third session considered the report of its Advisory Committee on Planning and Co-ordination. This report (E/CN.5/46) emphasized the indivisibility of the social and economic aspects of the problem of standards of living and found that, in view of the responsibilities of various United Nations bodies such as the Social, Economic and Employment, Population and Statistical Commissions and the Trusteeship Council in interdependent aspects of this problem, co-ordination in this respect appeared to be a matter for the Economic and Social Council.

The Commission recognized the close connection between a social policy aiming at the promotion of improved standards of living and economic planning for increased production. It requested the Secretary-General to report to the next session of the Social Commission regarding a comprehensive program of work in respect of equitable standards of living, both generally and with respect to under-developed areas and territories. It also pointed out the interests of specialized agencies and other United Nations organs in this field, and requested the Secretary-General to prepare a re-

¹¹⁷See resolution 155(VII)E.I., p. 617.

port on establishment of methods of co-ordination in respect of work upon standards of living, directed as much as possible to practical considerations upon which Member Governments may profitably institute action (E/779). The question of standards of living was included in the work program of the Social Commission, as presented to the seventh session of the Council and approved in resolution 155 (VII)B (see above).

g. SOCIAL PROBLEMS IN UNDER-DEVELOPED AREAS

The Social Commission at its second session discussed the special needs of under-developed areas in the field of social welfare. It recommended (E/578, p. 20) that the Economic and Social Council request the Secretariat in conjunction with the specialized agencies, and, where Trust Territories were concerned, with the concurrence of the Trusteeship Council, to initiate studies and reports on social and related problems in under-developed and economically under-privileged areas with a view to enabling both Councils to make recommendations on the question.

The Economic and Social Council discussed the question at its sixth session, in the general debate on the Social Commission's report at the 126th and 157th plenary meetings on February 6 and March 1, and at the 26th and 27th meetings of the Social Committee on February 11 and 16.

The U.S.S.R. representative had proposed in the Commission and again in the Council that a special study should be made of the conditions in colonies and Trust Territories. He submitted a draft resolution to that effect (E/AC.7/53). Other representatives, including those of the United Kingdom, France, the Netherlands and the United States, stated that Non-Self-Governing Territories, if under-developed, would automatically be included, and should not be singled out for special mention. A resolution was submitted by New Zealand (E/AC.7/52) to refer the matter back to the Social Commission requesting it to list the particular studies it wished to initiate. In order to avoid postponement of action on the question, a joint resolution was submitted by Chile, Lebanon and Venezuela (E/AC.7/59) requesting the Secretary-General to collect and disseminate information on social activities in connection with four questions which it stated were subjects of urgent priority. These were: social welfare administration, social services in relation to rural welfare, training of social welfare personnel, and child welfare including

the prevention and treatment of juvenile delinquency.

The joint draft resolution would also request the Secretary-General to ask Member Governments to advise him of any other social problems warranting special study. A redraft of the joint proposal (E/AC.7/SR.27), proposed by the United States to reconcile the text with the Commission's recommendations, was accepted by the movers of the joint resolution. It was approved by the Committee by 15 votes to 0, with 2 abstentions, with drafting amendments introduced by France and Denmark and a Polish amendment (adopted by 6 votes to 2, with 7 abstentions) to replace the words "to initiate studies and reports" by the phrase "in order to initiate action to promote social amelioration to initiate immediate studies and to collect and disseminate information and reports". The Committee rejected the U.S.S.R. amendment (E/AC.7/53) by 14 votes to 2, with 1 abstention, and by the same vote rejected a Polish amendment to specify "Non-Self-Governing Territories" as well as Trust Territories.

At its 157th plenary meeting, the Council decided to delete a reference to "economically under-privileged areas" as being ambiguous, but rejected by 8 votes to 4, with 5 abstentions, a Chinese amendment to delete the reference to the prevention and treatment of juvenile delinquency, submitted on the ground that not all under-developed areas had the same problems. A U.S.S.R. amendment to refer to Non-Self-Governing Territories was rejected by 13 votes to 3, with 2 abstentions.

The resolution (122(VI)C) adopted by the Council by 16 votes to 0, with 2 abstentions, reads as follows:

"The Economic and Social Council

"Approving of the resolution on social problems in under-developed areas, contained in the report of the second session of the Social Commission,

"Requests the Secretary-General, in conjunction with the specialized agencies within their competence, and where Trust Territories are concerned, after consultation with and with the concurrence of the Trusteeship Council, in order to initiate action for the promotion of social amelioration, to initiate immediate studies and to collect and disseminate information and reports with respect to social welfare administration, social services in relation to rural welfare, training of social welfare personnel, child welfare including prevention and treatment of juvenile delinquency in under-developed areas and territories, with a view to enabling both Councils to make such recommendations as may be within their respective jurisdictions to the General Assembly, to the Members of the United Nations and to the specialized agencies concerned, and

"Requests the Social Commission to advise the Secretary-General as to any other social problems which warrant special study and attention."

7. United Nations International Children's Emergency Fund

The General Assembly by resolution 57(1), adopted on December 11, 1946, established the United Nations International Children's Emergency Fund for the benefit of children and adolescents of countries which were the victims of aggression or had been receiving help from UNRRA and for child health purposes generally.¹¹⁸

At its fourth session in March 1947, the Economic and Social Council decided that reports submitted by the United Nations International Children's Emergency Fund should include an annual report and interim reports to each session of the Council in 1947 and 1948 (resolution 44(IV)).¹¹⁹

Accordingly, the Executive Board of the Fund submitted an interim report (E/459 and Add.1 and Corr.1) to the fifth session of the Council. The report reviewed the needs of children as reported from first-hand observations by the European Mission of the Children's Fund and by the senior consultant on nutrition of the European Regional Office of UNRRA in a statement on supplementary child-feeding programs. The report dealt with the question of contributions from governments, from UNRRA and from private sources. Contributions had been made by the United States, France, Canada and Australia, and statements on the amount of contributions were expected shortly from New Zealand and Norway. The initial plans of operation of the Fund were reported, indicating eligibility for assistance and the priorities to meet the most urgent needs, as well as allocations for the first six-months period of operation of the Fund. The proposed initial distribution of the Fund was calculated to provide approximately 200 calories per day to 3,250,000 children in eleven countries: Austria, Albania, Czechoslovakia, Finland, Hungary, China, France, Greece, Italy, Poland and Yugoslavia.¹²⁰ Formal agreements were to be made with countries receiving assistance from the Fund. A basic form of agreement (E/459, Annex IV) was submitted by the Executive Board to give effect to the principles for the operation of the Fund, adopted by the Economic and Social Council at its fourth session.

The basic form of agreement therefore contained provisions to ensure that all aid contributed by the Fund would be with the consent of and through the national government concerned. The government, or those voluntary agencies within the country mutually agreed upon between the Fund and the government, would act as trustees of supplies of the Fund, but title to these supplies would remain

with UNICEF until their ultimate consumption. It also contained certain major policy provisions to govern distribution operations: "aid will be rendered without discrimination because of race, creed, nationality status, or political belief; International Children's Emergency Fund representatives will freely observe the distribution and use of the supplies of the Fund; supplies will bear the distinctive marking 'U.N. Children's Fund'; and complete and accurate records and accounts of supplies of the Fund and of child-aid activities in each country will be maintained" (E/459, p. 15).

The interim report also contained a provisional table of allocations approved by the Fund's Executive Board on June 19 (E/459, p. 13).¹²¹

The Economic and Social Council discussed the Fund's report at its 88th plenary meeting on July 22, 1947. The Council adopted without vote resolution 79(V), recording its appreciation of the work done by the Fund, and expressing the hope that governments and voluntary agencies would be able to contribute to the Fund as much as possible. It also drew the attention of the Fund to the views expressed by members of the Council.

Among the views expressed were the following. The French and Czechoslovak representatives expressed the hope that the work of revising the allocations would be undertaken shortly. The Byelorussian representative thought that the relations between governments and the Fund's Executive Board, in the draft agreement, should be carefully studied; the functions of missions sent by the Fund into different countries seemed too wide and encroached on the powers of governmental authorities; and installation of Fund offices would cause excessive expenditure on personnel. The Norwegian and Indian representatives emphasized the necessity of reducing administrative expenditures to a minimum.

At its sixth session, the Council had before it two reports of the Executive Board of the Fund covering the period from the end of the fifth ses-

¹¹⁸See *Yearbook of the United Nations, 1946-47*, pp. 163-64.

¹¹⁹*Ibid.*, pp. 519-20.

¹²⁰Later, at a meeting of the Fund's Programme Committee, from August 18 to 23, 1947, the French representative stated that his Government had offered a reduction in the help offered to France, in the light of the tragic circumstances affecting children in certain other countries. He asked permission to re-submit the plan for France later (E/ICEF/23). France was included later in the plan of operations.

At the same meeting, the Committee recommended allotments for Bulgaria and Roumania (E/ICEF/23), which were approved, with an increased allocation for Roumania, by the Executive Board at its tenth to fifteenth meetings, held from October 2-7, 1947 (E/390).

¹²¹See *Yearbook of the United Nations, 1946-47*, p. 521.

sion of the Council to December 2, 1947 (E/590 and Corr.1 and Add.1), and the progress report by the Executive Director of the Fund covering the period from December 2, 1947, to February 12, 1948 (E/658). These reports showed that on December 2, 1947, the resources of the Fund, together with contributions or pledges from eight governments, amounted to \$38,892,000, and on February 12, 1948, to \$40,000,000, including \$25,500,000 contributed or pledged by seventeen governments. They included accounts of the needs of the Fund, the ways in which its resources were being employed, the plans of operation submitted by various countries aiming at the provision of supplementary feeding for expectant and nursing mothers and undernourished children, the carrying out of a program of allocations for food and for medical aid to China and countries of the Far East, and measures of collaboration with other organs of the United Nations. The policy of the Fund was characterized as to "utilize and strengthen the permanent child health and child welfare programs of the countries receiving assistance".

The Council, in the light of these reports, at its 152nd plenary meeting on February 25, 1948, unanimously adopted resolution 126(VI) noting that a program of providing supplementary meals to about 3,715,000 children and expectant and nursing mothers was now in effective operations in twelve European countries, and that programs for China and other countries in the Far East were being developed; commending the United Nations International Children's Emergency Fund for its concrete accomplishments on behalf of children; and drawing the attention of governments to the following facts:

1. That, with its present resources, the Fund was not able to satisfy more than a small portion of the urgent needs which it was created to meet;

2. That the Fund did not have sufficient resources to maintain its present limited program for a full twelve-months period;

3. That seventeen governments had pledged contributions; that the maintenance or enlargement of the activities of the Fund would depend upon further contributions and an extension of the number of contributing governments.

The resolution then renewed the invitation to all governments to examine the possibility of contributing to the Fund's resources in the near future.

The Executive Board of the Fund held one session in March 1948 (E/ICEF/56), and another in April 1948 (E/ICEF/59). The report of the first of these sessions was submitted to the third session of the Social Commission (April 3-23, 1948),

which, in its report to the Council (E/779 and Add.1), commented on those parts of the Executive Board's report dealing with the programs of the Fund in the medical field and with co-operation between the Fund and the World Health Organization.

After a third session, held at Geneva in July, the Executive Board of the Fund submitted a comprehensive report to the seventh session of the Council (E/901).

The Council considered the report at its 207th plenary meeting on August 20, 1948, and heard a statement by the Chairman of the Executive Board of the Fund. Total contributions received or anticipated as of July 30, 1948, amounted to \$85,200,000, of which \$63,000,000 had come from 21 governments, \$18,000,000 from the United Nations Relief and Rehabilitation Administration, and \$4,000,000 from the United Nations Appeal for Children and other private donations. Of this, \$64,200,000 had been allocated for expenditure in 1948, and in the anticipation of further contributions, \$32,000,000 has been allocated for 1949 programs. In the expectation of further contributions, the Board established in the report a target rate of expenditure for 1949 based on a budget of \$78,000,000. This was calculated to include \$42,000,000 for programs in Europe, \$12,000,000 for China, \$4,100,000 for South Asia, and \$1,100,000 for programs in India, Pakistan and Ceylon. This estimate included assistance for Germany to the amount of \$1,000,000 for a four-months cod-liver oil and clothing program. For the anti-tuberculosis campaign in Europe, North Africa and the Far East, and for training programs, a total expenditure of \$5,000,000 was envisaged. The remaining \$13,800,000 was calculated to include \$8,500,000 for shipping costs and administration, leaving an unallocated reserve of \$5,300,000.

The Board pointed out that in making its allocations it had considered detailed information on children's needs in each of the UNICEF receiving countries as well as over-all data relating to population, birth rates, infant mortality rates, fats and oil production and on livestock, estimated caloric intake, supplies of major foodstuffs per person, and postwar imports, relief assistance and loans and credits of various European countries. The Board has also had reports from two survey missions sent out to the Far East (other than China) and to Germany.

The Board stated that it assumed it to be well known that the relief needs of children were still large, and far beyond the resources of the Fund. The report stated that increased resources could be

used to meet immediate needs, not only quickly but also without waste and in a practical and effective way, and that the Board would be anxious to extend during 1949 the programs on which the \$78,000,000 budget of operations was based, and that most of these programs had been reduced in order to be attainable within resources of \$78,000,000.

The report also stated that a further matching contribution of \$25,000,000 from the United States had been authorized but not appropriated. If it became available, and other governments contributed the necessary \$9,000,000 to enable it to be drawn, the resulting \$34,000,000 contributions would raise the Fund's total 1949 resources to \$112,000,000.

The report surveyed the UNICEF program by the following geographical areas. Europe; China; South-East Asia, India, Pakistan and Ceylon; Asia and the Far East (other than China), Latin America; North Africa.

In the section on Europe, the report stated that there appeared to be sufficient powdered milk to assure continuation of the UNICEF milk supply program at current levels through June 1949, at which time supplies should be available, but that the current milk shortage did not permit plans to increase the number of children receiving dried milk through the first half of 1949. Following a recommendation from the Conference on Increasing Indigenous Milk Supplies for the Benefit of Children held in Paris from May 31 to June 2, 1948 (E/ICEF/66), which was attended by technical experts from twelve countries and representatives of FAO, the Board had allocated \$2,000,000 for the purchase of machinery for the production of powdered milk and of dairy plant equipment as a means of increasing the safe supply of milk. On the basis of the report of the survey team, a plan of operations was being worked out for Germany. The Board had also allocated \$2,000,000 for summer camps or measures to provide special help to the most seriously undernourished children. In the section on South East Asia, the report stated that on the recommendation of the Survey Team to the Far East (E/ICEF/72), \$300,000 had been allocated for regional malaria control demonstrations in Asia and the Far East other than China.

On the initiative of the American International Institute for the Protection of Childhood, arrangements had been made for three Uruguayan specialists to study anti-tuberculosis vaccination in Denmark. On the initiative of the Montevideo Institute it had been arranged that Dr. Passmore, a nutritionist from Edinburgh University, would

spend some months in Latin America studying and giving advice on nutritional problems in that region.

The report contained a special section on medical projects. The Anti-Tuberculosis Program carried on as a Joint Enterprise with the Danish Red Cross and its Scandinavian Associates was, with the inclusion of China, Algeria, Morocco and Tunisia, to be carried on in fifteen countries. It had also been decided to assist countries which had programs for combatting syphilis in children, adolescents and expectant mothers. The French and Swiss Governments had organized special training courses for senior pediatricians, social workers and nurses.

Following a recommendation from the World Health Organization a joint UNICEF/WHO Committee on Health Policy had been created, composed of four representatives for each organization. This Committee was charged with regulating all health programs of the Fund.

The Chairman of the Executive Board pointed out in his statement to the Council that the Fund had reached only six per cent of the eligible children in Europe and an infinitely smaller proportion in China.

He reported to the Council that an urgent request had been received from the United Nations Mediator in Palestine for assistance to refugees from the combat areas on both sides. The Executive Board had met immediately, and had decided to allocate a sum not exceeding \$411,000 over a period of two months.

At the Council's 207th plenary meeting, satisfaction with the work of the Fund was expressed by the representatives of Australia, the United States, New Zealand, Lebanon, Poland and France. Representatives also stressed the magnitude of the work to be done, and welcomed the arrangements for collaboration made by the Fund with the World Health Organization. The Lebanese representative expressed the hope that it would be possible in time for the Fund to extend its activities to a large number of under-developed countries. The Polish representative stressed the continuing difficulties of milk supplies in devastated countries.

The Council, by 14 votes to 0, with 3 abstentions, adopted resolution 161 (VII), which had been proposed by Australia and amended by New Zealand. The resolution reads as follows:

"The Economic and Social Council,

"Having in mind that the report of the Executive Board of the International Children's Emergency Fund shows that there exist practical and effective means of bringing relief to the continuing needs of children, if additional contributions are received, and that even these resources would meet the needs of only a small fraction of those eligible for assistance from the Fund,

"Expresses its satisfaction that twenty-one States thus far have contributed to the Fund, some of them having already made second contributions;

"Approves the report of the Executive Board and transmits it to the General Assembly, drawing particular attention to the Board's request concerning the urgent necessity for contributions from Governments of twenty million dollars for the work of the Fund in 1949;

"Notes with approval the arrangements for co-operation which have been achieved between the World Health Organization and the International Children's Emergency Fund."

8. United Nations Appeal for Children

The Economic and Social Council at its fourth session, on March 29, 1947, adopted resolution 45(IV), which, *inter alia*, approved in principle the proposal for

"a special world-wide appeal for non governmental voluntary contributions to meet emergency relief needs of children, adolescents, expectant and nursing mothers, without discrimination because of race, creed, nationality status, or political belief, by way of a 'One Day's Pay' collection or some alternative form of collection better adapted to each particular country."¹²³

The Council requested the Secretary-General to continue his exploration of the most suitable procedures for developing the plan and also to make the necessary arrangements. It authorized him to fix a date for the appeal and requested him to report to the next session of the Council.

Accordingly, the Secretary-General submitted a report to the fifth session of the Council (E/464) on the progress made in the organization of the appeal and the program laid down. The report showed that consultations with international non-governmental bodies, with representatives of Members and with voluntary agencies were continued and an organizational pattern for the world-wide appeal was developed. The projected pattern included an international voluntary committee, with "representatives from a broad group of international non-governmental organizations, important religious groups, and a number of eminent individuals to serve as members", and national voluntary committees in each participating country. The rudiments of a headquarters organization had been brought into being. Consultations had been held with all the non-governmental organizations in category A and a number of other international non-governmental organizations had been kept informed of progress. A number of resolutions had been passed by international congresses of such organizations endorsing the objectives of the appeal. These included the World Federation of Trade Unions, the International Co-operative Alliance,

the International Organization of Journalists and the World Organization of the Teaching Profession. In addition, the Secretary-General reported that there was growing evidence of interest and support among the general public. The Secretary-General also submitted to the fifth session of the Council a special memorandum (E/464/Add.1) on the division of work between the Appeal and the United Nations International Children's Emergency Fund.

The Secretary-General proposed that in view of the months of preparation required, the collection should take place in 1948 rather than in 1947.

a. PRINCIPLES ADOPTED AT THE FIFTH SESSION

The Council discussed the question at its 89th, 106th, 109th and 117th plenary meetings on July 22 and August 5, 8 and 14. The matter was also discussed by a drafting committee of the Council composed of representatives of Canada, Chile, China, Czechoslovakia and New Zealand. Representatives of France, India and the United States attended certain of the drafting committee's meetings, and its meeting on August 1 was also attended by the Acting Chairman of UNICEF and representatives of the following category A organizations: American Federation of Labor, International Co-operative Alliance, International Federation of Christian Trade Unions and World Federation of Trade Unions.

Various representatives, including those of the United Kingdom, United States, Canada, and India, expressed concern lest the international committee should prove too expensive and unwieldy, and the question was discussed at some length by the drafting committee, to which it was referred by the Council. The original report of the drafting committee (E/516) for an international advisory committee of eleven members appointed by the Secretary-General was revised to take account of a United States proposal (E/519) for a committee composed of representatives of National Committees and the non-governmental organizations in category A, with an independent chairman appointed by the Secretary-General. The revised report of the drafting committee (E/516/Rev.1), which, with the exception of the provisions concerning the international committee, gave general approval to the program contained in the Secretary-General's report (E/464), was approved (resolution 80(V)) unanimously by the Council at its 109th meeting on August 8. The U.S.S.R. and

¹²³See *Yearbook of the United Nations, 1946-47*, p. 491.

Indian representatives abstained from voting because they felt that in view of the needs of their own children they would be unable to participate in the Appeal.

The resolution adopted by the Council (80(V)) took note of the Secretary-General's report, approved the program for the prosecution of the Appeal, as amended, and decided to set up a special committee of seven of its members to assist the Secretary-General between sessions of the Council in the practical application of the policies relating to the Appeal set forth in the Council's resolutions. It welcomed the support of the Appeal already pledged by important non-governmental organizations and urged the fullest participation by all peoples in this world-wide effort.

The program approved by the Council included the following points:

The Appeal should be a special world-wide campaign for non-governmental voluntary contributions, and was an appeal to all sections of the population and not to wage-earners only. It was to be called "United Nations Appeal for Children". This term was to cover the whole enterprise, and wherever the Appeal was linked with appeals for other purposes, the Secretary-General was to take steps to ensure that its international character was given due prominence. World-wide participation in the Appeal was agreed to be of the utmost importance. Countries which considered that their own needs were too great to enable them to contribute to others, should be encouraged to participate, and could respond by raising funds which would in fact, to the extent agreed with the Secretary-General, be used for their own children.

The actual fund-raising was to be undertaken through National Committees. The United Nations Appeal for Children would not lay down rules as to the composition of these Committees or the manner in which their members were to be selected. However, since it was an appeal for non-governmental contributions, the National Committees should be composed of volunteers. It was assumed that they would include representatives of all the leading organizations in the country which could be helpful in prosecuting the Appeal. The appointment of individuals associated with government was not, however, precluded, and it was, in fact, recognized that governments would have an important part to play in facilitating the implementation of the Appeal in each country. The functions of the National Committees were to be:

"(i) To decide the method and machinery for the Appeal in their countries, within the limits of the com-

mon basic principles established by the international committee.

"(ii) To adapt the 'One Day's Pay' principle to conditions in their countries.

"(iii) To enter into agreement with the Secretary-General, particularly as regards the disposal of the funds collected by the committee.

"(iv) To put the Appeal into effect according to the agreements with the Secretary-General."

As regards the timing of the Appeal it was agreed that a fairly broad period might be set, within which each country could select the most suitable time for its campaign, but that the Secretary-General should consider selecting a central date in the early part of 1948 to symbolize the world-wide nature of the Appeal.

The Secretary-General would consult with each government on the question of whether the agreement referred to in the Council's resolution 45-IV) of March 29 should be concluded with that government or with the National Committee in the country or with both jointly. The agreements were to cover the purchase of supplies within the country for use elsewhere and the disposal of the proceeds of the Appeal. On the latter point, it was emphasized that care should be taken to ensure that any appeals with which the United Nations Appeal for Children might be linked in any country should be consistent with the general purposes and objectives of the Appeal and that in principle the major part, at any rate, of the amounts raised by the National Committees should go to the United Nations International Children's Emergency Fund or be distributed in agreement with the Fund.

As regards the question of an international committee, it was felt that the objectives of publicity and prestige could be met "if the Secretary-General were to invite distinguished individuals representing various racial, religious, cultural and geographical groups to give inspiration and support to the Appeal". For more direct participation in the work of the Appeal and to advise the Secretary-General, the Council decided to establish two committees. The first, an International Advisory Committee, was to consist of the Chairman, or one other member, of each of the non-governmental organizations in category A willing to take an active part in the campaign. The Secretary-General was to appoint an independent chairman and might appoint up to three additional members so as to ensure its representative character. The expenses of those members of the Committee appointed by National Committees and non-governmental organizations were not to be borne by the United Nations. The functions of the International Advisory Committee was to help in the co-ordination of the world-wide

campaign and to advise the Secretary-General on matters falling within his responsibility.

The second body was to be a committee set up by the Council composed of seven of its members, to assist the Secretary-General between sessions of the Council in the practical application of the policies laid down in the Council's resolution. At its 117th meeting on August 14 the Council elected as members of this committee Canada, Chile, China, Czechoslovakia, France, New Zealand and the United States.

While the United Nations Appeal for Children was considered mainly as an appeal for private contributions in aid of the United Nations International Children's Emergency Fund, it was to be conceived also as United Nations sponsorship of contributions in fav of all effective non-governmental efforts on behalf of child relief. If there were to be beneficiaries other than UNICEF, the agreements entered into by the Secretary-General with each country concerning the disposal of national collections should deal with the proportion of the proceeds of the collection going to the Fund. Fund-raising activities and the publicity for this purpose would be the responsibility of the Appeal, and the Fund would complement this by continuing to produce information and reports of work in the field.

Under the Director of the United Nations Appeal for Children, the paid staff would be part of the office of the Secretary-General. It would be kept as small as possible and maximum use would be made of other departments of the United Nations. A few highly qualified regional specialists would be appointed to assist National Committees and maintain liaison with them, and certain special representatives would be appointed to maintain liaison with various specialized groups and organizations. The help of individual specialists from outside the United Nations would be called on as required to deal with particular problems.

b. CONSIDERATION AT THE SIXTH SESSION

At its sixth session the Economic and Social Council had before it reports from the Special Committee of the Council on UNAC (E/629 and Corr.1) and from the Secretary-General (E/643). The Special Committee had held four meetings, on December 17 and 22, 1947, and on January 14 and 23, 1948. In its report the Committee emphasized two questions with which it had dealt. The first was how far UNAC was justified in emphasizing that it was for the benefit of all underprivileged children as against meeting the emer-

gency relief needs of children. The Committee agreed that the efforts of UNAC should be concentrated as far as possible towards assisting UNICEF in amassing the greatest resources possible and that the emergency character of the Appeal should be stressed. The second question was how far the Secretary-General should permit appeals "under the aegis and title of the United Nations" in which none or only a token share of the proceeds would go to UNICEF and if such appeals were permitted, what conditions and safeguards should be required. The Committee established the following principles as a guide to the Secretary-General:

"1. The collection in the name of the UNAC should be made only in agreement between the Secretary-General and the government or the national committee or both.

"2. The Secretary-General should attempt to ensure that in principle a major part of the amounts raised by the national committees which use the United Nations title should go to the ICEF or be distributed in agreement with the Fund.

"3. To the extent that this is impossible, and taking into consideration the useful effect of such a drive or such a campaign on the promotion of the welfare of children, the Secretary-General should be satisfied that funds will be distributed without discrimination in accordance with the purposes and objectives of the UNAC as stated in the various United Nations documents with particular emphasis on those stated in the General Assembly Resolution 57 I (1), a, b, and c."¹²³

A resolution had been passed at the UNESCO General Conference at Mexico City in 1947, which requested members to avoid duplication between UNAC and the UNESCO appeal for reconstruction needs and recommended that wherever possible there should be joint national appeals, the proceeds of which would be divided proportionately between UNICEF and UNESCO. The Committee, while recognizing that duplication should be avoided, also felt that any action should be avoided which might divert resources from the purpose of meeting the critical food and health situation of millions of children.

In his progress report the Secretary-General stated that he had received communications officially announcing the formation of National Committees from fifteen countries as follows:

"(1) . . . Belgium, Bolivia, Canada, Cuba, Czechoslovakia, Dominican Republic, Finland, Greece, Honduras, Iceland, New Zealand, Norway, the Philippines, San Marino and the United States. Only three such communications had been received up to the end of December 1947.

"(2) The Secretary-General has been advised by the United Nations regional representatives that national

¹²³See *Yearbook of the United Nations*, 1946-47, p. 163; see also *United Nations International Children's Emergency Fund*, pp. 620-23.

committees have been formally constituted in six additional countries, namely: Chile, Hungary, Italy, Liechtenstein, Turkey and the United Kingdom.

"(3) Practical steps have been taken, and progress is being made, toward the formation of national committees in twenty-three other countries, as follows: Afghanistan, Australia, Austria, China, Costa Rica, Denmark, Ecuador, El Salvador, France, Guatemala, India, Luxembourg, Mexico, the Netherlands, Nicaragua, Pakistan, Panama, Paraguay, Peru, Sweden, Switzerland, Uruguay and Venezuela."

Five agreements had been negotiated or were in the final stage of negotiation with the United Kingdom, the Philippines, the United States, Finland and Switzerland. The campaigns would be launched from February to June 1948 and the Secretary-General had selected February 29, 1948, to be United Nations Appeal for Children Day throughout the world. A regional meeting was being held in Geneva on February 17 and 18 under the auspices of the International Advisory Committee attended by representatives of National Committees and observers from governments of European countries, representatives of category A organizations and observers from a large number of other non-governmental organizations supporting the Appeal.

The matter was discussed by the Council at its 152nd and 153rd plenary meetings on February 25 and 26. Supplementing the Secretary-General's report, the Director of the Central Office of UNAC announced that 32 National Committees had been formed and that the regional conference at Geneva had adopted resolutions pledging full co-operation with the Appeal.

The Council at its 153rd plenary meeting adopted by 16 votes, with 2 abstentions, resolution (127(VI)), in which it noted the encouraging response already given to the United Nations Appeal for Children, urged that governments which had not already done so should make arrangements for participating in the Appeal and for observing February 29, 1948, as UNAC Day and requested the Secretary-General to continue to furnish assistance in the prosecution of the Appeal, bearing in mind the necessity of reducing the headquarters staff by progressive steps.

The Secretary-General's report (E/861) to the seventh session of the Council noted national campaigns in 52 countries, as well as a large number of Non-Self-Governing Territories, and indicated that additional countries were contemplating campaigns. The Appeal, it was observed, had had the strong support of non-governmental organizations and the enthusiastic co-operation of individual men and women throughout the world. The role of gov-

ernments had, in the main, been confined to paving the way for voluntary efforts and to the granting of facilities to the National Committees. The voluntary nature of the Appeal had thus been ensured.

The desirability of concentrating the Appeal within as short a period as possible had constantly been borne in mind, but practical considerations had made it necessary to extend the campaign period. In eight countries campaigns were launched between February 1, 1948, and UNAC Day, February 29, 1948. In 26 other countries, campaigns had been launched between March 1, 1948, and July 21, 1948. In eighteen others, campaigns were being started in the near future. It was expected that all campaigns would be terminated by the end of November 1948.

In conformity with the directions of the Council, it had constantly been urged that the major part of the proceeds should be allocated to, or distributed in agreement with, the United Nations International Children's Emergency Fund. All agreements concluded by the Secretary-General with National Committees included a clause pledging distribution of proceeds without discrimination as to "race, creed, nationality status, or political belief".

A final summary of the financial results of the Appeal was not yet possible at the time of the seventh session of the Council, since a majority of campaigns were still under way and some had not yet been begun. But final results were available for seven countries and preliminary returns for seventeen others. Three indicated a collection in various national currencies amounting to the equivalent of 16.5 million U.S. dollars at the official rate of exchange. Considerably more than half of this amount was being directly allocated to UNICEF for foreign relief, to UNICEF for domestic relief, or to national agencies for foreign relief in agreement with UNICEF. Twenty-eight countries, including some of the largest, had still to report.

The headquarters and regional staffs were being reduced to half-a-dozen officers and a few clerical staff members by the end of August.

The Special Committee of the Council on UNAC submitted a report to the seventh session of the Council (E/825), summarizing the action taken with regard to the practical application of the Council's policy. This summary was amplified by a statement by the Chairman of the Committee. Between the sixth and seventh sessions, the Committee held three meetings. Among the matters on which it had advised the Secretary-General were the following: that collections in the name of UNAC should be made only in agreement with the

Secretary-General and/or the government and National Committee concerned; that the Secretary-General should attempt to ensure in principle that the major parts of the amounts raised should go to UNICEF and that, where this was impossible, the Secretary-General should be satisfied that funds would be distributed without discrimination.

The Committee, furthermore, at the request of the Secretary-General, indicated a certain number of criteria to which such private agencies as expend proceeds of national campaigns not under any agreement with UNICEF should conform. It advised the Secretary-General to arrange for obtaining from the National Committees detailed information on these agencies.

The Council discussed the two reports at its 189th and 197th plenary meetings on August 3 and 12, with particular reference to the advisability of continuing the Appeal during 1949. Two resolutions, both of which bore on this subject, were proposed: the first, submitted by New Zealand (E/904), envisaged the winding up of the existing Appeal organization at the end of 1948, while leaving open the question of any future United Nations action until a full report on the results of the existing Appeal were available; the second, submitted by Australia (E/953), envisaged an immediate decision by the Council that the Appeal should be repeated during 1949 and requested the Secretary-General to provide the necessary facilities. A New Zealand revised resolution (E/904/Rev.1 and Corr.1), designed to meet as far as possible the Australian point of view, by providing that National Committees in agreement with the Secretary-General could conduct fund-raising campaigns on behalf of children under the name of "United Nations Appeal for Children", providing for the continuation of the Advisory Committee and requesting the Secretary-General to maintain facilities after 1948 for maintaining liaison and negotiating agreements with National Committees and reporting on the results of national campaigns, was withdrawn in view of the lack of support for it.

In the course of the discussion general appreciation was expressed of the work which had been accomplished and of the importance of the Appeal in the general framework of the United Nations' activities and as a contribution to world solidarity. It was also generally recognized that the needs of the children were still great. Several representatives indicated that renewed campaigns were contemplated in their respective countries. The desirability of linking UNAC more closely to UNICEF was also stressed by several representatives.

The representatives of Australia, Netherlands,

Peru and Poland thought that the central role played by the United Nations in organizing the worldwide Appeal should be continued. In this connection reference was made to resolutions of ILO and WHO and also of non-governmental organizations that UNAC should be continued (E/862/Rev.1).

The representative of Chile thought that a common formula could be found to preserve the Appeal's international significance, keep in sight the world as a whole and keep administrative expenses as low as possible bearing in mind the need for implementing the plan. The representative of Poland thought it would be sufficient to give two directives to the Secretariat, one stressing the need for economy and the other the need for administrative simplicity. On the other hand, the representatives of New Zealand, Canada, the United Kingdom and the United States expressed the view that while it would still be necessary to raise funds, the groundwork having been laid, the responsibility for organizing national campaigns should be left to the individual countries.

The representatives of Denmark and France stressed the need for considering the problem as a whole in the light of all the necessary information before deciding whether the Appeal should be terminated or continued. The Danish representative stressed the importance of the needs of the children, and the French representative stated that the results of the campaign should be compared with those of similar campaigns so that full consideration could be given to the question of present costs.

The New Zealand draft resolution was adopted by the Council at its 197th plenary meeting by 8 votes to 7, with 3 abstentions. The Australian representative protested that no part of his draft resolution had been voted on and requested that since certain representatives had not interpreted the New Zealand resolution as excluding the continuation of the Appeal during 1949, he should be allowed to move as a separate resolution the relevant paragraphs of his resolution. The Chairman, however, stated that he interpreted the adoption of the New Zealand resolution as excluding the principle of continuing the United Nations Appeal for Children, and ruled that the procedure suggested was out of order.

The resolution adopted by the Council (162-(VII)) reads as follows:

"The Economic and Social Council,

"Having considered the report of its Special Committee on the United Nations Appeal for Children and the Secretary-General's report on the closing stages of the Appeal,

"Noting with gratification the widespread nature of

the response to the Appeal, the large number of countries which have co-operated in the establishment of national committees for this purpose and the close co-operation and support for the Appeal by non governmental organizations in every country,

"*Noting* further that, in a number of countries, the national committees and the Governments concerned are continuing the Appeal,

"*Invites* the co-operation of Governments in giving every possible encouragement and assistance to national committees which are continuing to engage in activities concerning the Appeal;

"*Draws the attention* of Governments and national committees to the desirability of continuing the policy contained in General Assembly and Council decisions of recognizing the United Nations International Children's Emergency Fund as the main recipient of the proceeds of national appeals;

"*Requests* the Secretary-General

"1. To provide for a continuation of present administrative arrangements for a further period not to extend beyond 31 December 1948, for the purpose of completing and finally reporting on the results of the Appeal,

"2. To consult with the Special Committee of the Council on policy aspects concerning the completion of the Appeal;

"3. To report to the eighth session of the Council on the financial results of the Appeal, the distribution of the proceeds by the various recipient agencies (inter-governmental and private), the distribution within the recipient countries, the groups receiving assistance and the type and amount of assistance received"

In a letter dated August 20, 1948 (E/AC.22/2), the Chairman of the Special Committee reported that the Committee had held two meetings on August 17 and 18, in which it had considered the resolution (162(VII)) adopted by the Economic and Social Council on August 12, a report (E/AC.22/1) from the Secretariat on unfinished business and a note (E/904/Rev.1/Add.1) from the Secretariat on Financial Implications of Council Action with respect to UNAC. He stated that the Committee, among other things, had expressed concern that agreements still had to be signed with at least 27 existing National Committees and with a number of National Committees which might be formed. It had noted some campaigns had been completed without agreements having been signed with the Secretary-General concerning the disposal of the proceeds and thought that such agreements should be concluded as soon as possible. The Committee had agreed that there should be no further promotional work concerning the Appeal, that the latest date for the completion of the campaign should be November 30, 1948, and that for the recognition of National Committees, September 15. Agreements with countries which had not yet formed National Committees should be signed as far as practicable by October 15, 1948. The Committee reaffirmed the policy laid down by the

Council that the major part of the proceeds of the campaigns should be allotted to UNICEF or distributed in conjunction with UNICEF. It was also agreed that those committees which were still proceeding with or had not yet begun their campaigns should receive UNAC publicity material and that all other publicity should be rapidly tapered off.

9. Narcotic Drugs

The second session of the Commission on Narcotic Drugs was held from July 24 to August 8, 1947. An urgent recommendation of the Commission concerning the drafting of a new international instrument for the control of synthetic drugs (E/529/Add.1) was considered by the Council at its fifth session, at its 115th plenary meeting on August 25 (see below). The report of the session as a whole (E/575) was considered by the Council at its sixth session, at its 130th, 131st and 159th plenary meetings on February 6 and March 2 and at the 35th and 36th meetings of its Social Committee on February 20 and 21.

The third session of the Commission was held from May 3 to 22, 1948, and its report (E/799 and Add. 1 and 2, and Corr. 1) was considered by the Council at its 189th and 193rd plenary meetings on August 3 and 10, 1948, and by its Social Committee at its 43rd to 46th, 50th, 54th and 55th meetings on July 22 to 24, 26, 29 and August 4 and 5, 1948.

The questions dealt with by the Commission and the Council are reviewed below.

a. APPLICATION OF INTERNATIONAL AGREEMENTS AND CONVENTIONS

(1) *Re-establishment and Improvement of the International Control of Narcotic Drugs*

At its second session the Commission examined the annual reports received from governments, not only for 1946, but for earlier years, including 1942 to 1945. The Commission noted that a number of governments, some of which were no doubt still suffering from wartime difficulties, had not submitted their annual reports in accordance with their obligations under the Conventions; for example, for the calendar year 1945 only 28 reports had been received from countries and 38 territories, slightly more than one third of the possible total of 180. The Commission decided to ask the Council to remind of their treaty obligations those governments which had not submitted reports.

At its 159th plenary meeting on March 2 the Council, by 14 votes to 0, adopted resolution

123(VI)A, in which it reiterated its appeal to governments to submit their annual reports regularly in accordance with the form drawn up and adopted by the Commission on Narcotic Drugs. Although this appeal, which was communicated to governments on March 27, 1948, had not had time to bear fruit, the Commission on Narcotic Drugs, in the report of its third session (E/799) noted that although the situation was not yet completely satisfactory there had been some improvement in the number of annual reports rendered. By that time, a total of 72 reports for 1945 and 94 reports for 1946 had been received.

At its second session, the Commission on Narcotic Drugs reconsidered the question of the control of narcotic drugs in Japan and Germany. As a result of an approach made by the Secretary-General in pursuance of the Commission's recommendations, annual reports for 1945 and 1946 were submitted by the Occupying Authorities in respect of Japan. As regards Germany, the Secretary-General received reports on the position in the British Zone in the years 1945 and 1946 and on the position in the four zones in respect of the latter year. These reports were studied by the Commission.

(2) *Illicit Traffic*

The Commission also carefully examined the summaries of seizure reports received from various governments and decided on a simplified procedure for the circulation of these reports. While studying the trends of the illicit traffic, the Commission heard a number of statements on the situation in various countries. It was noted in particular that in some areas narcotic drugs, forming part of surplus army stores, had escaped into the illicit traffic. In this connection, the Commission recalled that, in 1939, drugs which could be traced back to army stocks left over from the First World War were still being found in the illicit traffic. This had led to a serious increase in drug addiction between the two world wars, and the Commission was therefore anxious to avoid a repetition of this situation by ensuring the earliest possible resumption of an effective national and international control of narcotic drugs, especially in countries affected by the last war.

It pointed out that the provisions on import certificates and export authorizations, as contained in the 1925 Convention, had not been respected in certain transfers from one country to another of narcotic drugs originating from surplus military stores.

At its 159th plenary meeting on March 2, 1948, the Council by 16 votes to 0 adopted a resolution

(123(VI)B) requesting the Secretary-General to invite governments to draw the attention of the competent authorities

"to the importance of observing the provisions of the Geneva Convention of 1925 in regard to the issuance of import and export certificates to cover narcotic drugs contained in surplus military stores which are transferred from one country to another,"

and approving the Commission's recommendation that narcotic drugs not covered by import and export certificates which come to light from such sources should be treated as seizures of illicit traffic.

The Commission at its third session noted with concern that, of 94 countries which had acknowledged in their annual reports under the 1931 Convention, the existence of illicit traffic only seventeen had submitted special reports during 1946 and 1947 on the illicit traffic. It reported to the seventh session of the Council that the illicit traffic in narcotics appeared to be developing on the dangerous lines of the prewar years and recommended that the Council adopt a resolution to strengthen the system of reports on the illicit traffic. The Council unanimously adopted at its 189th plenary meeting on August 3, 1948, resolution 159(VII)IIA recommending "to all states parties to the 1931 Convention to pay particular attention to all the provisions of article 23 of the Convention and to the relevant recommendations of the Commission on Narcotic Drugs in submitting the reports on the illicit traffic . . ." and requesting the Secretary-General to bring to the attention of all parties to the international conventions on narcotics the chapter of the Commission's report dealing with the illicit traffic.

In the course of its study of the illicit traffic at its second session, the Commission's attention was drawn to the clandestine production of opium in Mexico and its smuggling abroad. The Commission recommended the Council to study suitable means which might be taken to remedy the situation. At its sixth session the Council heard the representative of Mexico, who had been invited to participate in its deliberations on that matter in conformity with Article 69 of the Charter; he explained the measures taken in Mexico with respect to the illicit cultivation of the raw materials for, and the traffic in, narcotic drugs. After taking note of the statement made by the Mexican representative, who undertook to send a full account of such measures as part of the annual report communicated under the provisions of the 1931 Convention, the Council requested the Commission on Narcotic Drugs to study the Mexican report in the light of the discussions in the Council. As the Government of

Mexico submitted its annual report in respect of 1946 (E/NR.1947/1) before the third session of the Commission, the Commission was able at that session to study the problem fully. The Chairman of the Commission, in summing up the discussion, gave expression to the Commission's general satisfaction with the measures taken by the Government of Mexico and to the hope that in 1949 successful results of the measures adopted would become apparent. That statement was inserted in the Commission's report on its third session (E/799), which was noted by the Council.

(3) *Methods of Determining the Origin of Opium Seizures*

The Commission examined at its third session a report submitted by the representative of the United States on methods of determining the origin of opium by chemical and physical means (E/CN.7/117). Since these methods would be of assistance in establishing the sources of illicit traffic, the Council, on the Commission's recommendation at its 189th plenary meeting on August 3, 1948, unanimously adopted resolution 159(VII) IIC in which it decided:

"1. To instruct the Secretary-General to transmit to Governments all available documentation on this matter,

"2. To invite Governments to send to the Secretary-General all pertinent information in their possession and, in particular, those Governments which have the necessary experts and laboratory facilities, to inform the Secretary-General whether they are willing to participate in a joint programme of research and to submit proposals concerning the methods of co-operation which they may recommend;

"3. To invite the Governments of the producing countries to furnish, subject to the provisions of chapter V of the Geneva Convention of 1925, samples of the opium produced in their countries, on the request of the Governments which are participating in the joint research programme".

At the same meeting the Council unanimously decided (resolution 159(VII) III) to refer to the Commission on Narcotic Drugs a communication from the World Health Organization (E/799/Add.1) in which it expressed its wish to be associated with research work on methods of determining the origin of opium.

(4) *Digest of Laws and Regulations*

At its fourth session the Economic and Social Council in resolution 49(IV) approved the decision of the Commission on Narcotic Drugs at its first session to initiate the preparation of a digest of laws giving an analytical survey of national legislation in countries parties to the Conventions with a view to ascertaining if the legislation on narcotic drugs was in accordance with the Conventions.¹⁴

The Commission at its second session approved a plan of study (E/399) to be undertaken by the Secretariat in pursuance of this resolution. One of the first steps would be to request governments to forward information concerning laws and regulations in force with a view to completing the material at the disposal of the Secretariat. The Commission thought it would be useful to be able to determine whether and how far international treaties on narcotics were self-executory or needed implementing legislation according to the provisions of the national constitutions.

At its third session the Commission considered the Summary of Laws and Regulations prepared by the Secretariat (E/CN.7/118), which was based on information communicated to the Secretary-General between June 30, 1946, and March 15, 1948, and referred to 121 laws and regulations enacted in 49 states and territories. The Summary was approved by the Commission. It was thought that it would be useful if certain basic information could be included, without which much of the significance of the particular laws and regulations was lost, and it was suggested that the gist of the laws and regulations to which reference was made should be given.

b. TRANSFER OF THE FUNCTIONS OF THE LEAGUE OF NATIONS

Protocol of December 11, 1946

All the amendments made to international agreements, conventions and protocols on narcotic drugs by the Protocol of December 11, 1946 came into force during the concluding months of 1947 and the early months of 1948. As of August 15, 1948, the following 42 countries were parties to the Protocol: Afghanistan, Albania, Argentina, Australia, Belgium, Bolivia, Byelorussian S.S.R., Canada, Chile, China, Colombia, Czechoslovakia, Dominican Republic, Finland, France, Honduras, India, Iran, Ireland, Italy, Lebanon, Liechtenstein, Mexico, Monaco, Netherlands, New Zealand, Norway, Pakistan, Panama, Poland, Saudi Arabia, Siam, Sweden, Switzerland, Syria, Turkey, Ukrainian S.S.R., Union of South Africa, U.S.S.R., United Kingdom, United States and Yugoslavia.

c. NEW INTERNATIONAL DRAFT CONVENTIONS

Draft Protocol to Bring under Control Drugs outside the Scope of the 1931 Convention

At its second session the Commission considered the development of new synthetic drugs of a habit-

¹⁴See *Yearbook of the United Nations*, 1946-47, pp. 533-34.

forming character which were within the scope of the existing conventions. Considering this to be a matter of urgency, the Commission put forward a recommendation to the Council at its fifth session, which was being held concurrently, that a new international instrument should be drafted and circulated to governments as soon as possible for their early observations. The proposed instrument would apply to these new drugs the full international control of the 1931 Convention. The Commission concluded that unless effective measures on those lines were taken as rapidly as possible, the satisfactory results so far attained in the campaign against drug addiction might be seriously jeopardized.

The Council at its fifth session, at its 115th plenary meeting on August 25, studied the Commission's recommendation for a new international instrument for the control of these drugs. It adopted without objection a resolution submitted by the Secretary-General to give effect to the Commission's recommendations (E/529/Add.1) with amendments suggested by the United Kingdom representative. In this resolution (86(V)) the Council instructed the Secretary-General to draft a protocol and to circulate it to all governments concerned and to the Interim Commission of the World Health Organization for their observations. The Commission on Narcotic Drugs was to consider these observations at its third session and submit them to the Council at the latter's seventh session with a view to the protocol's being brought into force at the earliest possible moment.

A draft Protocol was accordingly prepared by the Secretariat and was considered together with the various observations of governments by the Commission on Narcotic Drugs at its third session. The Commission submitted a revised text (E/798) to the Council at its seventh session.

The Commission's report and the draft Protocol (E/798 and E/799) were considered by the Council's Social Committee at its 43rd to 45th meetings on July 22 to 24 and by the Council at its 189th plenary meeting on August 3, 1948. Amendments to various articles were adopted by the Committee. The main point of difference in the Social Committee concerned the draft of Article 8, which would have permitted a state to declare at the time of signature or acceptance that the Protocol would not apply to a dependent territory. The U.S.S.R. representative, supported by the Polish representative, thought that the article should be omitted since its inclusion would create conditions allowing the uncontrolled use of narcotics, particularly in those countries where their unlawful use was most widespread. He proposed the deletion of the article.

The United Kingdom, French and Netherlands representatives, on the other hand, felt that the inclusion of the draft article would hasten the entry into force of the Protocol since administering countries could accept it without waiting for the consent of dependent territories, in cases where such consent was constitutionally necessary. The Chinese and United States representatives thought that the inclusion of the article should not be considered as a precedent, and that it should be placed on record that there was a moral obligation on all countries to sign the Protocol as soon as possible.

A redraft of Article 8 (E/AC.7/W.26) was submitted by the representatives of China, France, the Netherlands, the United Kingdom and the United States, which would enable a state with colonial possessions to declare, at the time of signature or acceptance or later, that the Protocol shall be extended to any particular territory for the foreign relations of which it is responsible. This was accepted (with an amendment introduced by China to provide that the declaration refer to *all* or *any* territory) by the Social Committee by a vote of 9 to 3, with 5 abstentions, after the Committee by the same vote had rejected a U.S.S.R. proposal to delete the draft article.

An amended version of Article 9 providing that a state may denounce the Protocol on behalf of a dependent territory and an amended version of Article 10 under which the notification of acceptance on behalf of dependent territories must be sent to all parties to the Protocol, submitted at the same time by these five representatives (E/AC.7/W.26), were also adopted.

On the proposal of the Lebanese representative, who had withdrawn an amendment for the inclusion of similar words in Article 8, an additional clause was added to the Preamble (by 13 votes to 0, with 4 abstentions) stating that the Council realized the importance of the universal application of the agreement and its earliest possible entry into force.

The Committee also adopted with some changes an amendment presented by the representative of China to the draft resolution of the Commission on Narcotic Drugs (E/798) to emphasize the urgency of immediate action in applying the Protocol universally.

The Council at its 189th plenary meeting, after rejecting by 11 votes to 3, with 4 abstentions, a U.S.S.R. proposal to delete Article 8, approved by 15 votes to 2, with 1 abstention, the resolution and draft Protocol proposed by its Social Committee. The resolution (159(VII)I) recommended to the General Assembly that it approve the draft Proto-

col, taking into account any further observations which might be received from governments, and urged all states to adhere to the Protocol as soon as possible and to take the necessary steps with a view to extending its application to territories for whose foreign relations they are responsible.

The Protocol will come into force 30 days after 25 states become parties to it, provided that such states shall include five of the following: China, Czechoslovakia, France, Netherlands, Poland, Switzerland, Turkey, U.S.S.R., United Kingdom, United States and Yugoslavia. It will enlarge the field of operations of international control of narcotic drugs. Whereas the Conventions of 1912 and 1925 defined drugs coming within their jurisdiction according to their chemical formulae, and the 1931 Convention, while adopting the same system, additionally brought under control drugs derived from certain raw materials, the new draft Protocol will cover all drugs capable of producing addiction.

d. AMENDMENTS TO THE PRESENT SYSTEM OF INTERNATIONAL CONTROL OF NARCOTIC DRUGS

(1) *Drafting of a Single Convention to Replace the International Instruments relating to the Control of Narcotic Drugs*

The question of the limitation of the production of raw materials used in the manufacture of narcotic drugs was discussed at the third session of the Commission on Narcotic Drugs. It appeared that an international convention to limit the production of raw materials, whatever its immediate value, would have the effect of adding one more element to the present complicated mechanism of international control of narcotic drugs. The Commission examined the draft resolution submitted by the United States representative, requesting the Secretariat to proceed with the drafting of a single convention to include the provisions of the existing instruments and to simplify the organization of international control. The convention would also include provisions for the limitation of the production of raw materials. The Commission recommended the resolution to the Council, which at its 189th plenary meeting on August 3, 1948, unanimously adopted it. The resolution (159(VII)IID) reads as follows:

"The Economic and Social Council,

"Being advised by the Commission on Narcotic Drugs that the international instruments relating to the control of narcotic drugs are:

"The International Opium Convention signed at The Hague on 23 January 1912 and Protocols of Closure signed at The Hague on 23 January 1912, 9 July 1913 and 25 June 1914, respectively, as amended by the Protocol of 11 December 1946;

"The Opium Agreement, Protocol and Final Act signed at Geneva on 11 February 1925, as amended by the Protocol of 11 December 1946,

"The Convention, Protocol and Final Act signed at Geneva on 19 February 1925, as amended by the Protocol of 11 December 1946;

"The Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, Protocol of Signature and Final Act signed at Geneva on 13 July 1931, as amended by the Protocol of 11 December 1946;

"The Opium Agreement and Final Act signed at Bangkok on 27 November 1931, as amended by the Protocol of 11 December 1946;

"The Convention for the Suppression of the Illicit Traffic in Dangerous Drugs, Protocol of Signature and Final Act, signed at Geneva on 26 June 1936, as amended by the Protocol of 11 December 1946,

"The Protocol to bring under international control drugs outside the scope of the 1931 Convention;

"Taking note of the complexity of these instruments and the desirability of simplifying the organization of international co-operation for controlling the traffic in narcotic drugs,

"Requests the Secretary-General to begin work on the drafting of a new single convention in which provision shall be made for a single body to perform all control functions, excepting those which are now or may hereafter be entrusted to the Commission on Narcotic Drugs. This single convention shall replace the above mentioned instruments relating to narcotic drugs and also include provisions for the limitation of the production of narcotic raw materials."

At the same meeting the Council unanimously decided (resolution 159(VII)III) to transmit to the Commission on Narcotic Drugs the resolution of the World Health Assembly (E/799/Add.1) calling to the Council's attention the interest of WHO in appointing a technical member or members to any narcotics-control body which might be set up under the proposed new single convention to replace the Supervisory Body and the Permanent Central Opium Board.

(2) *Interim Commodity Agreement on Raw Opium*

Since the drafting and the putting into force of a single general convention comprising a special chapter on the limitation of the production of raw materials was bound to occupy a considerable time, the view was expressed at the third session of the Commission on Narcotic Drugs that important immediate results might be obtained with raw opium by the convening of a conference of opium-producing countries and of countries using opium in the manufacture of drugs for medical or scientific needs. The purpose of this conference would be to reach an interim commodity agreement on raw opium, limiting the production and exports of raw opium to the satisfaction of these medical or scientific needs. In its report on its third session (E/799), the Commission recommended the Coun-

cil to request the Secretary-General to initiate studies and inquiries on the desirability of convening such a conference.

The Council discussed the question at the 45th meeting of its Social Committee on July 24 and its 189th plenary meeting on August 3.

The Polish representative considered that a conference on the subject was premature as in the present circumstances it was impossible to assemble sufficient data to decide whether or not it was desirable. The Canadian representative wished to press forward with a general convention. Other representatives expressed support for the Commission's recommendation for studies on the desirability of calling a conference. A Polish amendment to remit the resolution back to the Commission was rejected in the Social Committee by 11 votes to 6. The Social Committee by 11 votes to 4, with 2 abstentions, and the Council by 13 votes to 1, with 4 abstentions, adopted the resolution proposed by the Commission. In this resolution (159(VII)IE) the Council requested the Secretary-General:

"1. To initiate studies and enquiries on the desirability of convening a conference of the opium-producing countries and of countries using opium in the manufacture of drugs for medical and scientific needs, for the purpose of reaching an interim commodity agreement limiting the production and export of opium to these needs, pending the adoption of an international convention on the limitation of raw materials used in the manufacture of narcotic drugs;

"2. To submit the results of these studies and enquiries to the next session of the Commission on Narcotic Drugs."

e. OTHER SUBJECTS

(1) *Commission of Inquiry into the Effects of Chewing the Coca Leaf*

The request of the Peruvian Government for an inquiry into the effects of the chewing of the coca leaf on the population of certain regions in South America was considered by the Commission on Narcotic Drugs at its second session. The Commission recommended (E/575) that a commission of inquiry should be sent to Peru and such others of the countries concerned as might give their approval, and expressed the opinion that the scope of the inquiry might be broadened so as to cover the limitation of the production and the control of distribution of the coca leaf. In the discussion of the matter at the Council's sixth session (130th and 131st plenary meetings on February 6, 35th meeting of the Social Committee on February 20 and 159th plenary meeting on March 2) the representatives of Argentina, Brazil, Chile, Colombia, Ecuador, France, New Zealand, United Kingdom, United States and Venezuela were in favor of the

proposal. Certain of the representatives outlined the steps taken by their Governments to deal with the problem, and emphasized the international character of such an inquiry. The U.S.S.R. representative, while considering that it was the duty of the United Nations to assist any country which needed expert advice to better its social conditions, thought that any expenses involved should be borne by the country requiring the assistance. A U.S.S.R. proposal to this effect was rejected in the Social Committee by 12 votes to 2, with 2 abstentions. The Social Committee by 14 votes to 2, with 2 abstentions, and the Council by 15 votes, with 1 abstention, adopted a resolution (123(VI)C) approving in principle the dispatch of a commission of inquiry to Peru, and requesting the Secretary-General to submit to its next session a detailed plan for it, taking into account any request which might be received from other countries concerned.

The Commission at its third session heard a statement from the Peruvian representative saying that his Government continued to look upon the problem as one needing an urgent solution. He pointed out that the controversial nature of the question as to whether the habit of the chewing of the coca leaf is harmful or not was illustrated by the conflicting views of the Government of Bolivia, which held that it was not, and of the Government of Colombia, which held that it was. He referred to the steps already taken by the Peruvian Government in setting up laboratories and by scientific institutions such as the University of San Marcos of Lima in sponsoring and financing studies on the spot, and stressed the international character of the problem (E/799).

At its seventh session the Economic and Social Council considered a detailed plan submitted by the Secretary-General (E/860) for the commission of inquiry. The plan followed recommendations on the subject made by the Commission on Narcotic Drugs at its second session (E/575, pp. 16-19). The Commission had expressed the opinion that it would be advisable to combine the inquiry into the effects of the chewing of the coca leaf with an inquiry on the spot "into the possibilities of limiting the production and regulating the distribution of coca leaves with a view to furthering the preparation of an international conference on the limitation of raw materials", and, in particular, the effects of the limitation of the production on industry, agriculture and labor. It was of the opinion that the commission should be composed of four members, comprising two teams: a team of two medical experts and a team of two experts on international administration, with a possible fifth member as a

chairman. It would require a secretariat of four or five members, according to whether a chairman was or was not appointed. It was thought that the inquiry in Peru would take not less than two months, and the estimated cost was \$35,000. The Secretary-General reported that so far no other requests had been received from any government and suggested that if the Council decided to recommend to the General Assembly the dispatch of the commission to Peru he might be authorized to transmit to the Assembly any request which might be received from any country concerned and revise the financial estimate in the light of any such request.

The Council considered the plan at the 54th and 55th meetings of its Social Committee on August 4 and 5. Members expressed general support for and agreed on the importance of the proposed inquiry. The Danish representative suggested that if similar requests were received in the future it might be possible to achieve the same results at less cost by the loan of one or two experts. The United States representative supported the inquiry into both the effects of chewing the coca leaf and the question of the possible limitation of production, he thought that in the case of future similar inquiries it might not be necessary to send scientific teams but that it might be necessary to send teams to consider the question of limitation of production, since administrative and industrial considerations differed from country to country. The French representative thought that the task of the commission should be strictly defined. He felt that the problem was a scientific one concerning the effects of chewing the coca leaf and that the study of the limitation of production and of regulations for the distribution of coca leaves in Peru was purely a national problem. It would be impossible for the commission to study in the short space of time at its disposal the international repercussions of the restriction of the cultivation of coca leaves, and this study might be undertaken by the Commission on Narcotic Drugs. The U.S.S.R. and Byelorussian representatives thought that the expense of the inquiry should be borne by the Peruvian Government. They considered that the problem was a purely local one. Other representatives felt that the proposed study was one of international significance.

The representative of Peru proposed a draft resolution (E/AC.7/W.38) to approve the plan submitted by the Secretary-General and also the dispatch of a commission of inquiry to investigate the effects of chewing the coca leaf to Peru "and any other country which may request it", to authorize the Secretary-General to transmit to the General

Assembly any request received from any country concerned and revise the financial estimate submitted in the light of any such request and to recommend that the General Assembly appropriate the necessary funds.

Certain verbal amendments to the Peruvian draft resolution were proposed in the Social Committee by the New Zealand, United States and Venezuelan representatives and were accepted by the Peruvian representative and endorsed by various other members of the Council. They provided for: omitting an endorsement of the Secretary-General's plan, since this plan presented alternative schemes; omitting a reference to future commissions to be sent to any other country, or financial provisions for such commissions, since it was agreed that other requests could be studied separately when they were received; including in the terms of reference of the commission the examination of the problems of the production and distribution of the coca leaf in Peru; and stating that it should be dispatched as soon as possible. The Social Committee went on record as approving a commission of four rather than of five members.

The resolution, which was adopted by the Social Committee at its 55th meeting and by the Council at its 193rd plenary meeting on August 10, in both cases by 16 votes to 0, with 2 abstentions (resolution 159(VII)IV), reads as follows:

"The Economic and Social Council,

"Having taken note of the resolution adopted by the General Assembly on 17 November 1947 concerning the problem of the coca leaf, and of the 'Detailed Plan' submitted by the Secretary-General,

"Approves the dispatch of a commission of enquiry to Peru at the earliest possible date to investigate the effects of chewing the coca leaf and the possibilities of limiting its production and controlling its distribution, and

"Recommends that the General Assembly appropriate the necessary funds for the Commission of Enquiry."

(2) *Indian Hemp*

At its third session, the Commission considered the problem of the control of Indian hemp, using as the basis for its discussions a study prepared by the Secretariat (E/CN.7/113). It was pointed out in the Commission that the medical uses of Indian hemp were almost non-existent but that there were many practical difficulties involved in a total suppression of its cultivation.

The Commission in its report on its third session (E/799) informed the Council that it had authorized the Secretariat to continue its studies on Indian hemp and to employ an expert if necessary.

(3) *Abolition of Opium-Smoking in the Far East*

At its third session, the Commission took cog-

nization of several reports on the situation in the Far East with regard to the abolition of opium-smoking, and noted that although a number of countries had declared their intention of suppressing opium-smoking in their territories in the Far East the situation in some of these territories had shown little improvement.

On the Commission's recommendation, the Council at its 189th plenary meeting on August 3, 1948, without discussion, unanimously adopted resolution 159 (VII) IIB, inviting all countries in which opium-smoking has been at any time prevalent to adopt the policy of suppression, and requesting those governments which have declared their intention to suppress opium-smoking to forward to the Secretary-General before March 31 of each year a report on the progress achieved in this respect. It further requested those governments to prohibit the import of raw opium into their territories except for medical and scientific purposes and recommended that export authorizations should not be issued for opium shipments to countries where opium-smoking was still prevalent, except for medical and scientific purposes.

(4) Drug Addiction

At its second and third sessions the Commission continued the study of the problem of drug addiction. It considered replies which had been received from governments (E/CN.7/114) to the circular letter and questionnaire which had been sent out by the Secretary-General (E/CN.7/64) in pursuance of the Council's resolution (49(IV)) of March 28, 1947, regarding the legal and practical measures in effect for dealing with the problem of drug addiction and drug addicts.

The Commission asked the Secretariat to make an analytical study of the replies.

(5) Narcotic Drugs and Genocide

A number of details of the factory for the manufacture of narcotic drugs built by the Japanese authorities in Mukden during the Japanese occupation of Manchuria were submitted to the Commission on Narcotic Drugs at its third session. The Commission recommended that the Council should ensure that the use of narcotics as an instrument for the purpose of undermining the physical and moral resistance of entire peoples be covered by the proposed Convention on the Prevention and Punishment of Genocide.

(6) Publication of a Periodical on Narcotic Drugs

Several members of the Commission on Narcotic Drugs having emphasized that a United Na-

tions periodical should be published on narcotic drugs, the Secretariat prepared a program with this end in view. The program suggested (E/CN.7/139) was for a quarterly periodical in English and French giving up-to-date information on the results achieved by governments, the United Nations and the bodies created under the international conventions in controlling narcotics and in fighting drug addiction. It would include an account of the work of the United Nations organs, technical and scientific articles on narcotic drugs from a medical, chemical, legal or administrative view, and articles on drug addiction, its prevention and treatment. It would also include information and articles on national laws and regulations on the subject, on the state of ratifications and adherence to the international instruments and on non-governmental agencies interested in narcotics control, as well as reviews of scientific and popular articles and publications on narcotic drugs.

The Commission approved the program and recommended that the Council approve the publication of the periodical.

The Council discussed the question at the 45th and 46th meetings of its Social Committee on July 24 and 26 and at its 189th plenary meeting on August 3, 1948. The Chinese representative urged that the periodical should not be too technical so that it might appeal to the average educated layman, and hoped that it might be published in Chinese, even in abridged form. The Chilean representative suggested that the bulletin should be published in the five official languages, but if this were not possible on grounds of expense, that it should be published in English and French and an analysis of the matters dealt with should be given in the other three official languages. The Lebanese representative emphasized the importance of giving the bulletin the widest possible circulation in all the languages of Members of the United Nations, if it were intended to educate the masses on questions regarding narcotic drugs, and suggested that it might contain a summary in these various languages. On the proposal of the United States, it was agreed to issue the periodical in English and French with summaries or reprints of special articles in the other official languages. Accordingly, the Social Committee at its 46th meeting by 15 votes to 0, with 3 abstentions, and the Council at its 189th plenary meeting by 17 votes to 0, with 1 abstention, adopted a resolution (159(VII)F) recognizing the value to international co-operation in the control of narcotic drugs of a technical publication and approving its issue.

f. PERMANENT CENTRAL OPIUM BOARD

During its sixth session, the Council by 15 votes to 0, with 1 abstention, adopted at its 159th plenary meeting on March 2 resolution 123(VI)D endorsing the opinion expressed by the Commission on Narcotic Drugs as to the interpretation to be given to the provision in Article 19 of the 1925 Convention, which requires that members of the Permanent Central Opium Board shall not hold any office which puts them in a position of direct dependence on their governments.

This opinion was as follows:

"The provision of article 19, paragraph 5 of the 1925 Convention is fulfilled if a candidate who, at the time of appointment to the Permanent Central Board, was in a position of *direct* dependence on his Government will, following his appointment, not hold such position for the duration of his membership of the Board.

"In this way the clause in question would enable the Council to appoint to the Board a judge, a university professor, a medical practitioner, a lawyer, or specialists of other professions without requiring that the person appointed give up his position or cease to exercise his profession while serving on the Board.

"In this way it would also be possible for the Council to appoint to the Board an official in active service of his Government provided (i) that following his appointment he ceases temporarily, i.e., for the duration of his membership of the Permanent Central Board, to exercise his functions as an official of the Government (by taking, for instance, leave of absence), and (ii) while exercising his powers and functions as a member of the Board he will not act under the instructions of his Government."

In the Council's discussions of the question (at the 131st plenary meeting on February 6, the 36th meeting of the Social Committee on February 21 and the 159th plenary meeting on March 2) the U.S.S.R. representative expressed the view that the interpretation did not basically change the situation and explained that in the U.S.S.R. all scientific experts were employees of the government and as such would be ineligible for election to the Board. The United Kingdom representative also stressed the difficulty of making available experts who were not in government positions, but thought that confidence in the impartiality of the Board's members might be shaken if they were not independent of their governments; he was, however, against any attempt to extend the meaning of Article 19 of the 1925 Convention by an interpretation, without formally amending it, therefore he abstained from voting on the resolution.

The question of remuneration of members of the Central Board having been raised in the report of the second session of the Commission on Narcotic Drugs, the Council at its sixth session in resolution 123(VI)D requested the Advisory Com-

mittee on Administrative and Budgetary Questions to examine that question and submit recommendations thereon to the General Assembly.

After discussing at the 36th meeting of the Social Committee on February 21 what privileges and immunities should be granted to members of the Central Board, the Council, at its 159th plenary meeting on March 2, by 16 votes to 0, adopted resolution 123(VI)E recommending that governments should extend to the members of the Permanent Central Board privileges and immunities on the lines laid down in the Convention on Privileges and Immunities as approved by the General Assembly on February 13, 1946 (resolution 22(1)).¹²⁵ The Council invited governments to report as soon as possible what measures they have taken to carry out this recommendation.

By its resolution 124(VI), adopted at the 159th plenary meeting on March 2, the Council took note of the report of the Central Board for 1947 (E/OB/2). The Council decided to defer, until its first session after the newly-constituted Board convened, the consideration of the Board's proposals on the administrative arrangements to be concluded with the Council under Article 20 of the Geneva Convention of 1925.

The entry into force of the amendments to the Geneva Convention of February 19, 1925, by the Protocol of December 11, 1946, permitted the Council at its sixth session to renew the membership of the Central Board.

At its 151st plenary meeting on February 24, 1948, the Council appointed a committee consisting of the representatives of Australia, China, France, Poland, Turkey and Venezuela to make proposals on appointments to the Permanent Central Opium Board. The Committee considered the names of 33 candidates proposed by 23 governments and, by a majority of two thirds or more, proposed eight candidates to the Council, two other candidates receiving the support of less than two thirds of the Committee (E/719). At its 159th plenary meeting on March 2, the Council by secret ballot elected the following eight members of the Board, who had been proposed by the Committee: Hans Fischer (Switzerland), Sir Harry Greenfield (United Kingdom), Herbert L. May (United States), Pedro Pernambuco Filho (Brazil), Paul Reuter (France), Milan Ristic (Yugoslavia), Sedat Tavat (Turkey), Y. N. Yang (China).

The members were appointed to hold office "until such time as the membership of the Board be renewed by the Council to take effect on or as

¹²⁵See *Yearbook of the United Nations, 1946-47*, pp. 100-3.

soon as possible after 2 March 1953" (resolution 125(VI), adopted by 15 votes to 0, with 1 abstention).

g. SUPERVISORY BODY

As all the amendments to the international conventions on narcotic drugs contained in the Protocol of December 11, 1946, had come into force on February 13, 1948, the Commission was in a position at its third session to proceed with the appointment of a member to the Supervisory Body, and unanimously appointed Colonel C. H. L. Sharman (Canada) to this position.

The Commission recommended that the terms of office of members of the Supervisory Body be fixed at five years to be identical with the term of office of members of the Permanent Central Opium Board, and requested the Secretary-General to approach the other appointing bodies (WHO and the Opium Board) in this connection.

b. MEMBERSHIP OF THE COMMISSION ON NARCOTIC DRUGS

The question of the renewal of the Commission's membership was considered by the Commission at its third session. Taking into account the special composition of the Commission, which consists of representatives from producing or manufacturing countries and countries in which illicit traffic in narcotic drugs constitutes a serious problem, the Commission did not feel it practicable for it to be elected one third at a time as in the case of other functional commissions. It emphasized, however, the desirability of continuity and stated that its experience had shown that a membership of fifteen was suitable.

It recommended (E/799) that the Council (1) renew the membership every three years at its first session in the year beginning in 1949; (2) fix the terms of office of the members to run for three years beginning with the opening day of its first meeting and ending on the eve of the first meeting of the session following the election of their successors; and (3) take the necessary steps to ensure that there be no interval between the term of office of the present members and their successors, and draw the attention of governments when appointing representatives to the Commission to "the particular character of the fundamental problems of the international control of narcotic drugs which can be solved over a period of years".

These recommendations were considered by the Economic and Social Council at its seventh session, at the 46th and 55th meetings of the Social Com-

mittee on July 26 and August 5 and at the 189th and 193rd plenary meetings on August 3 and 10. The Social Committee at first recommended at its 46th meeting by 16 votes, with 3 abstentions, a resolution (E/910) adopting the Commission's first two recommendations, and including under the second recommendation the terms of office of present members. This resolution omitted, however, any reference to the recommendation (number (3) above) to governments concerning their appointment of representatives. Certain members felt that such a recommendation would not be appropriate since the appointment of representatives was an affair for the governments themselves. A proposal by the representative of the United Kingdom to retain this recommendation to governments was rejected by 7 votes to 6, with 5 abstentions.

At the 189th plenary meeting, however, the Canadian representative introduced verbally a resolution to provide that the Council confirm the terms of office of present members as extending to December 31, 1949, and that in electing members to replace them it should follow the procedure adopted in the case of other functional commissions of the Economic and Social Council, electing five members for one year, five for two and five for three years. After discussing the appropriate procedure for dealing with the resolution the Council decided to refer back to the Social Committee the draft resolution it had proposed and the Canadian draft. The question was discussed further at the 55th meeting of the Social Committee and the view was expressed that the question required further study. On the recommendation of the Committee the Council at its 193rd plenary meeting by 14 votes to 0, with 4 abstentions, adopted resolution 159(VII)II.G confirming the term of office of the present members of the Commission as extending to December 31, 1949, and deferring to the next session the procedure to be followed in the election of members of the Commission.

10. Population Questions (except Migration)¹²⁰

The Population Commission held its second and third sessions at Lake Success from August 18 to 27, 1947, and from May 10 to 25, 1948, respectively. The report of the Commission's second session (E/571) was considered by the Economic and Social Council at its sixth session (129th and 157th plenary meetings on February 5 and March 1, and 31st and 32nd meetings of

¹²⁰For Migration, see pp. 641-44.

the Social Committee on February 18 and 19). Members of the Council expressed approval of the report, and the Council adopted a resolution (115(VI)) noting that "the report is devoted chiefly to the implementation of previous decisions of the Council regarding work in the population field". The Council decided not to agree to the Commission's recommendation that its rules of procedure be amended by permitting the Chairman to appoint an alternative representative, members of the Council holding that it was perfectly possible for the Chairman to state his country's position. The report of the third session (E/805) was considered by the Council at its seventh session (51st meeting of the Social Committee on July 30, and 193rd plenary meeting on August 10). The Council unanimously adopted resolution 150(VII) noting the Committee's report.

a. TERMS OF REFERENCE OF THE COMMISSION

In response to a request made by the Council at the time when the Population Commission was established, the Commission at its second session discussed possible modifications of its terms of reference, and made proposals concerning its terms of reference to the sixth session of the Council. The U.S.S.R. representative proposed at the 31st meeting of the Council's Social Committee that two of the items suggested by the Commission—namely, "(b) the influence of demographic factors, including migration, on economic and social conditions" and "(c) the influence of economic and social conditions on the size and structure of populations, and on the changes therein"—should be combined as they were both aspects of the same question. The Council unanimously decided at its 157th plenary meeting to accept the recommendation of its Social Committee to refer this question back to the Population Commission and that meantime it should continue to work according to its original terms of reference (resolution 115(VI)).

A revision of the terms of reference, designed to make them more specific, was formulated by the Commission at its third session and unanimously adopted by the Council in resolution 150(VII) at its seventh session (193rd plenary meeting on August 10). This resolution provides that:

"The Population Commission shall arrange for studies and advise the Economic and Social Council on:

"(a) The size and structure of populations and the changes therein.

"(b) The interplay of demographic factors and economic and social factors;

"(c) Policies designed to influence the size and structure of populations and the changes therein;

"(d) Any other demographic questions on which either the principle or the subsidiary organs of the United Nations or the specialized agencies may seek advice."

b. DEMOGRAPHIC YEAR-BOOK

Pursuant to the recommendation of the Council that the Secretary-General should publish a Demographic Year-Book (resolution 41(IV)),¹²⁷ the Commission at its second session drew up a list of topics to be covered by the Year-Book (E/571, Annex 1). These topics were:

I. *Area and Population*—Area; Total Population; Population Density, Annual Percentage Rate of Population Change, Population of Major Cities; Population by Age and Sex—Absolute Numbers and Proportions, Population by Age, Sex and Marital Condition—Absolute Numbers and Proportions, Population by Urban and Rural Divisions, Population by Race and Nationality (or Citizenship); Population by Age, Sex and Literacy; Households—Number and Distribution by Size; Women by Number of Children Ever Born and by Number of Children Living

II. *Economically Active Population*—Active Population (Labor Force) by Age and Sex; Active Population by Industry, Active Population by Industrial Status (Class of Worker).

III. *International Migration*—Emigrants by Country of Destination; Immigrants by Country of Origin and Nationality; Emigrants and Immigrants by Age, Sex and Occupation.

IV. *Natality*—Total Number of Births; Crude Birth Rates; Births by Month of Occurrence; Births by Age of Mother and Father; Fertility Rates by Age of Mother; Births by Parity; Births by Legitimacy; Births by Duration of Marriage; Stillbirths; Gross and Net Reproduction Rates; Ratio of Children under 5 Years of Age to Women Aged 15 to 49 Years.

V. *Mortality*—Total Deaths, Crude Death Rates; Deaths by Month of Occurrence; Deaths by Age and Sex; Death Rates by Age and Sex; Infant Mortality Rates; Deaths by Cause; Maternal (Puerperal) Mortality Rates; Life Table Death Rates; Life Table Survivors; Mean Expectation of Life.

VI. *Morbidity*—General Morbidity.

VII. *Marriage and Divorce*—Total Marriages; Crude Marriage Rates; Marriage by Ages of Partners; Marriage Rates by Age and Sex; Total Divorces; Crude Divorce Rates; Divorces by Duration of Marriage and Number of Children.

Emphasizing the importance of world-wide coverage, the Commission urged the Secretary-General to make every effort to obtain the information listed for as many countries as possible, and expressed the hope that the publication of the Year-Book itself would stimulate governments to

¹²⁷See *Yearbook of the United Nations*, 1946-47, pp. 511-12.

make available more detailed and more adequate data. In addition to population statistics, the Commission asked the Secretary-General to consider the advisability of publishing data on closely related economic and social subjects, and digests of legislation in the field of population.

In the discussion of the Population Commission's report at the sixth session of the Economic and Social Council (129th plenary meeting), the U.S.S.R. representative suggested that the Demographic Year-Book should also contain data on unemployment and occupational diseases. The French representative, however, thought that these were dealt with by the International Labour Organisation. The U.S.S.R. representative also asked that the method of obtaining population data for the Demographic Year-Book should be in accordance with the previous recommendation of the Council—i.e., that it should be data supplied by governments or obtained as the result of inquiries carried out in agreement with the governments.

At its third session, the Commission (E/805) noted with satisfaction the progress which had been made in compiling the first issue of the Year-Book and considered various proposals for adding to the list of the topics previously recommended. It endorsed the inclusion of data on unemployment, detailed classification of infant mortality, and social and occupational diseases, provided that this would not cause undue duplication in international publications or delay the publication of the first issue of the Demographic Year-Book.

c. STUDIES OF THE POPULATION OF TRUST TERRITORIES

At the second session, the Commission noted the progress made by the Secretariat in the studies of the population of Trust Territories which were recommended by the Council at its fourth session (41(IV)),¹²⁸ and suggested that the Secretary-General distribute the studies, as they were completed, to Member Governments. At the third session, the Commission urged that this work be carried forward as quickly as possible and with due regard to other projects, and requested the Secretary-General to prepare, for consideration at its next session, a statement of further progress and a discussion of the methods of study used.

The Population of Western Samoa, the first in a series of reports prepared by the Secretariat on the population of Trust Territories, was issued in January 1948.¹²⁹ The purpose of the reports is to summarize existing knowledge regarding char-

acteristics of the population, trends of population growth and the relation of population to economic resources in each of the Territories, for the use of the United Nations and of the Administering Authorities in stimulating the economic, social and political advancement of the people under the Trusteeship System.

d. STUDIES OF INTER-RELATIONSHIPS OF DEMOGRAPHIC, ECONOMIC AND SOCIAL FACTORS

The Commission gave considerable attention at its second session to the implementation of the resolutions adopted by the Council at its fourth session (41(IV)),¹³⁰ which were designed to encourage analyses by Member Governments of the inter-relationships between demographic changes in various economic and social circumstances. The Commission (E/571) expressed the opinion that the best way to encourage Member Governments to undertake such studies would be to draw up study plans illustrating the technical problems and the kinds of results that might be obtained under various economic, social and demographic conditions. The Commission felt that such study plans should also provide, by carefully chosen examples, a preliminary insight into the nature of the demographic problems to be met in raising standards of living and improving the health and cultural development of populations in varying economic and social situations. Accordingly, the Commission requested the Secretary-General to prepare, for consideration at a subsequent session, proposals regarding the selection of major demographic situations in typical economic and social settings for which study plans could be constructed, and a proposed plan of study for one or two types of situations in varied economic and social frameworks.

e. DEVELOPMENT OF POPULATION DATA

(1) Recommendations regarding Censuses of Population to be Taken during or about 1950

The Commission made recommendations to the Secretary-General at both its second and third sessions regarding the manner of carrying out the program outlined by the Council at its fourth session, in relation to the censuses of population to be taken by various Governments during or about

¹²⁸See *Yearbook of the United Nations*, 1946-47, pp. 512-13.

¹²⁹United Nations Publications, Sales No.: 1948.XIII.1.

¹³⁰See *Yearbook of the United Nations*, 1946-47, p. 513.

1950 (41 (IV)).¹³¹ The purpose of this program is to render advice and technical assistance to Member Governments and interested international agencies, with a view to improving the quality and international comparability of results.

At the second session, the Commission drew up tentative lists of subjects for which comparability was desirable in population censuses of various countries (E/571) and requested the Secretary-General to submit these lists to Member Governments and to invite their comments. These lists included a suggested minimum list of subjects (E/571, Annex II) and a suggested supplementary list of topics (E/571, Annex III) on which the Commission believed it desirable to obtain comparable information, so far as practicable at the forthcoming censuses.

At the third session, the Commission studied the comments received from Member Governments, together with a series of reports on census methods in various countries which had been prepared by the Secretariat,¹³² the recommendations of the Statistical Commission regarding the content of population censuses to be taken about 1950¹³³ and certain recommendations on this subject proposed at the third session of the Social Commission (E/CN.5/62). The Population Commission thereupon prepared a detailed set of recommendations as to subjects for inclusion in population censuses, types of data to be obtained on each subject, and techniques for improving the comparability of results.

The recommended list of subjects (without regard to relative importance) was as follows (E/805, Annex A):

1. Total population
2. Sex
3. Age
4. Marital status
5. Place of birth
6. Citizenship (legal nationality)
7. Mother tongue
8. Educational characteristics
9. Fertility data
10. Economic characteristics
 - (a) Total economically active and inactive population
 - (b) Occupation, industry and industrial status
 - (c) Population dependent on various types of economic activities
 - (d) Agricultural population
11. Urban and rural population
12. Households (including relationship to household's head)

The Commission requested that its recommendations, together with those of the Statistical Commission, be communicated by the Secretary-General to the interested specialized agencies and

inter-governmental organizations and to all countries planning population censuses about 1950.

The Commission further requested the Secretary-General, in collaboration with the specialized agencies, to study and report at the next session on (a) the possibility of including data on the physically and mentally handicapped in the list of recommended subjects, and (b) the development of standard definitions of employees, employers, workers on own account and unpaid family workers for census classifications of industrial status (E/805).

(2) *Program of Work on Population Estimates*

As requested by the Council in a resolution adopted at the fourth session (resolution 41 (IV)), the Secretary-General submitted to the second session of the Population Commission a report on the progress achieved in providing the population estimates and forecasts needed by the United Nations and the specialized agencies. Noting that the requirements for such estimates and forecasts were extremely large, the Commission (E/571) adopted a scheme of priorities designed to make available as soon as possible the estimates and forecasts which were most essential for the work of the various organs of the United Nations. The Commission considered that the first object should be to compile current estimates of the total population, as of a uniform, recent date, for all countries of the world. Other data which it recommended should have a high priority were estimates of population by sex and age groups for recent dates, forecasts of total population and sex and age groups for dates in the near future (1948, 1949 and 1950), and longer-range forecasts.

(3) *Infant Mortality Data*

At its second session, the Commission requested (E/571) that the Secretary-General examine, in consultation with WHO and other interested agencies, the possibilities of improving the international comparability of data on infant mortality. At the third session the Secretary-General submitted a preliminary report on this problem (E/CN.9/17). The report listed the following principal reasons for the inadequacy and lack of comparability of infant mortality data:

"1. Lack of the application of a universal definition of a stillbirth and of an infant death.

"2. Incompleteness in the registration of births and infant deaths.

"3. Failure to refer the infant deaths to the actual group of births from which the infant deaths come.

¹³¹*Ibid.*, p. 511.

¹³²*Studies of Census Methods*, Nos. 1-6.

¹³³See p. 567.

"4. Failure to relate the statistics of births and deaths to the social-economic conditions of families."

The report, furthermore, recommended procedures for overcoming these difficulties. The Commission recommended that this work be continued and that another report be submitted at a later session.

(4) *Vital Registration*

The Commission requested, at its third session (E/805), that the Secretary-General initiate, in collaboration with WHO, studies of vital registration systems in various countries, and of their effectiveness in providing the information regarding the dynamics of population needed for national and international purposes.

f. RECOVERY OF THE BIRTH RATE

Referring to the importance of realistic assumptions regarding future trends of fertility as a basis for future population estimates, as well as for other work in the field of population, the Commission recommended, at its third session (E/805), that the Secretary-General initiate an analysis of the recent rise of the birth rate, which has been evident in many countries, and present a report on that subject for consideration by the Commission at a future session.

g. DEMOGRAPHIC DICTIONARY

In connection with its work of improving the comparability of population data and furthering international understanding of demographic processes, the Commission requested, at its third session (E/805), that the Secretary-General prepare a dictionary of demographic terms in various languages. It recommended that this work be based on the contributions of Member Governments, the results to be submitted to the Commission for consideration at its next session.

11. *Migration Questions*

a. ALLOCATION OF FUNCTIONS AMONG VARIOUS INTERNATIONAL ORGANIZATIONS

The Economic and Social Council at its fourth session adopted resolution 42(IV)¹³⁴ inviting its Population and Social Commissions to consider and report to it on a practical plan for the allocation of functions, without duplication of work, among the various organs concerned in the field of migration, and requesting the Secretary-General to make such preliminary studies as would facilitate and expedite the work of the Commissions.

In compliance with the latter request, the Secretary-General, after having consulted the interested specialized agencies, prepared a report which was submitted to the two Commissions and, in a revised form (E/806), to the Council.

The Secretary-General's report contained three chapters and two annexes. Chapter I described functions in the field of migration which require a large measure of international co-operation. These functions are: (a) information, comprising data for the guidance of migrants, migration statistics for general use and analytical reports and compilations necessary for understanding the social, economic and demographic causes and effects of migratory movements; (b) advising on migration schemes and the financing necessary for achieving the best possible results from migratory movements of recognized utility; (c) international placement of manpower; (d) simplification of formalities and reduction of costs involved in migration; (e) protection of economic and social rights of migrant workers in connection with their recruitment, placing, selection, professional training, travel, working conditions, social insurance, admission to employment, enforcement of labor regulations, and repatriation; and (f) protection of the rights of migrants as citizens and aliens in connection with freedom of migration and with such problems as discrimination in matters of taxation, property rights, residence and assistance in case of indigency.

Chapter II of the report dealt with the existing international machinery, describing bilateral and plurilateral arrangements, the competence of the respective Commissions and departments of the United Nations and of ILO as well as the competence of and interest taken in these matters by other specialized agencies (IRO, UNESCO, FAO, WHO and the Bank) and by non-governmental organizations engaged in developing or promoting international policies in the field of migration or providing assistance to migrants. The report stated that from the survey of existing international machinery, it was apparent that the constitutional competence of many specialized agencies was likely to lead to duplication of functions; this made it essential for there to be co-ordination through the existing United Nations machinery for this purpose.

Chapter III of the report described the action taken by the Social and Population Commissions with respect to the allocation of functions in matters of migration.

¹³⁴See *Yearbook of the United Nations*, 1946-47, p. 513.

Annex I of the report contained some remarks on the development and significance of the problems arising in connection with migration, while Annex II gave the text of the working arrangement regarding the principles for a division of responsibilities and co-ordination of activities in the field of migration, concluded on November 22, 1947, between the United Nations Secretariat and the International Labour Office.

The Social and Population Commissions, at their respective third sessions, considered the Secretary-General's report. The Social Commission adopted a resolution (E/779, p. 19) which, *inter alia*, resolved that the Commission's responsibilities in the field of migration were to arrange for studies and to advise the Economic and Social Council on the social aspects of migration with a view, particularly, to ensuring to the migrants social and economic rights equal to those of local populations. The resolution stated that such studies and advice were to have reference especially to the following topics: (a) the social position, rights and benefits of immigrants including their rights and benefits when they happen to be indigent; (b) family and community relationships of immigrants; and (c) advance planning by government authorities with a view to the provision of social services, and facilities for health and education. The Commission also requested the Secretary-General to consult with those non-governmental organizations which are interested in migration problems and particularly with trade union organizations, and to seek their advice in order to ascertain whether these organizations could make arrangements for co-ordinating their respective activities.

The Population Commission approved a resolution (E/805, p. 6) which, among other things, stated that the Commission should arrange for studies and should advise the Economic and Social Council on the demographic aspects of migration, on the relationships between demographic, economic and social factors in migration and on the overall co-ordination of international research and study in this field by the United Nations and the specialized agencies. The resolution stated that these studies should cover the trends, causes and consequences of migration, and should take into account in this connection the influence of economic and social factors, legislative and administrative measures, the social and economic conditions of migrants, and such other factors as are important determinants in, or consequences of, migration.

The Economic and Social Council at its seventh session considered the report of the Secretary-

General and the recommendations of the Social and Population Commissions at its 180th and 193rd plenary meetings, on July 21 and August 10, and at the 51st, 52nd and 53rd meetings of its Social Committee on July 30 and 31, and August 2, 1948.

Draft resolutions were proposed by New Zealand (E/AC.7/W.27) and by the U.S.S.R. (E/AC.7/W.37). The first proposed a text consolidating the respective resolutions of the Social and Population Commissions. The second would have the Council consider that: (1) the Governments of all States Members of the United Nations have the task of creating a higher standard of living for all inhabitants of their countries; (2) migratory movements of workers from one country to another may be conceded by way of exception in individual cases; and (3) the problem of refugees and displaced persons should be considered separately from questions of migration.

After adopting the first paragraph of the U.S.S.R. proposal by 10 votes to 4, with 4 abstentions, the Committee rejected the other paragraphs by varying votes and rejected the resolution as a whole by 10 votes to 6, with 2 abstentions.

The New Zealand proposal was voted on as two separate resolutions, to the second of which was added a preamble proposed by the United States. Both resolutions were approved by the Social Committee and were adopted by the Council at its 193rd plenary meeting by 14 votes to 2, with 2 abstentions (resolution 156(VII)A), and by 13 votes to 2, with 2 abstentions (resolution 156(VII)B), respectively.

The U.S.S.R. and Byelorussian S.S.R. representatives, in voting against the two resolutions, stated, *inter alia*, that they limited the rights of immigrants. They also objected to the agreement between the Secretary-General of the United Nations and the Director-General of the International Labour Office regarding the allocation of functions, and stated that the second resolution was an attempt to make mandatory on governments a decision on questions affecting the sovereign rights of states.

The representatives of Brazil, Chile, Peru and Venezuela objected to the inclusion of paragraph 5 in the first resolution (see below). They felt that the paragraph sought to define the responsibilities of governments, and that if they were bound by it, they might find themselves compelled to set up for displaced persons a special regime outside the framework of their general immigration laws, an obligation which their Governments could not accept.

The representatives of the Byelorussian S.S.R.,

Poland, the United Kingdom and the United States, on the other hand, supported the retention of the paragraph, stating that it was merely a statement of fact and did not imply the establishment of a special regime for migrating refugees. They declared that it was necessary to point out the difference between the problems of displaced persons and refugees and those of migration in general, since the organizational treatment would differ in the two cases.

On putting the question to a vote, the Council decided by 14 votes to 4 to retain paragraph 5.

The representatives of France and Turkey declared that in their opinion the principle that equal treatment should be granted to both national and foreign workers meant that a foreign worker and a national worker who did the same kind of work would enjoy the same wages and benefit from the same social legislation, but did not mean that an immigrant worker arriving in a country had the right to exercise any profession he chose.

The texts of the two resolutions approved are as follows:

"A. ALLOCATION OF FUNCTIONS

"The Economic and Social Council,

"Having considered the report and recommendations of the Population Commission and the Social Commission outlining their proposals for a practical plan for the allocation of functions, without duplication of work, among the various organs concerned in the field of migration, submitted in accordance with the Council's resolutions of 29 March 1947, 13 August 1947 and 3 March 1948, and

"Taking into account the Secretary-General's report on that question,

"1. Notes that the Secretary-General has consulted the relevant specialized agencies on the respective functions of these agencies in the field of migration and on their interests in this field;

"2. Notes with satisfaction the working arrangement concluded between the Secretary-General and the Director-General of the International Labour Office on their respective responsibilities in matters of migration;

"3. Endorses the opinion of the Social Commission that the conclusion of the above working arrangement provides a favourable opportunity to define responsibility for the various matters of migration among the various organs of the Council;

"4. Notes the opinion of the Social Commission that migration includes aspects beyond those covered in the arrangement between the Secretary-General and the Director-General of the International Labour Office and that the problem of migration is broader than the labour problem, which is only one aspect of it;

"5. Notes that the problem of refugees and displaced persons must be distinguished from the general question of migration as a special question which is to be settled separately in connexion with General Assembly resolution 136(II);

"6. Notes that, for the solution of questions of common interest, it is desirable for the economic aspects of migration involving Trust Territories to be considered

jointly by the Economic and Social Council and the Trusteeship Council;

"7. Decides that the Population Commission shall arrange for studies and advise the Council on the demographic aspects of migration, on the relationships between demographic, economic and social factors in migration and on the overall co-ordination of international research and study in this field by the United Nations and the specialized agencies. These studies shall cover the trends, causes and consequences of migration and shall take into account in this connexion the influence of economic and social factors, legislative and administrative measures, the social and economic conditions of migrants, and such other factors as are important determinants in or consequences of migration;

"8. Resolves that the Social Commission's responsibilities in this field are to arrange for studies and advise the Council on the social aspects of migration with a view, particularly, to ensuring to the migrants equal social and economic rights with those of local populations, such studies and advice to have reference especially to the following topics:

"(a) The social position, rights and benefits of immigrants, including their rights and benefits when they happen to be indigent;

"(b) Family and community relationships of immigrants;

"(c) Advance planning by Government authorities with a view to the provision of social services and facilities for health and education, which are necessary for immigrants and their families arriving in a new community;

"9. Recalls that, in addition to the Population and Social Commissions, all the other functional commissions of the Council may have to deal with aspects of migration which fall within their respective assignments, the co-ordination of the activities of the commissions being the task of the Council;

"10. Invites the regional economic commissions and the functional commissions of the Council to consult together, when desirable, through the Secretary-General, on migration problems which may be put to them, and to keep the Population and Social Commissions informed of such consultations;

"11. Requests the Secretary-General to consult with those non-governmental organizations which are interested in migration problems and particularly with trade union organizations, and to seek their advice in order to ascertain whether these organizations can make arrangements for co-ordinating their respective activities,

"12. Invites the specialized agencies and the Secretary-General to submit to the Administrative Committee on Co-ordination set up under the resolution of 21 September 1946 any migration problems which may arise in such circumstances or in such a form that overlapping might occur or that important aspects of these questions might be neglected.

"B. PROTECTION OF MIGRANT AND IMMIGRANT LABOUR

"The Economic and Social Council,

"Having considered the report of the Secretary-General on the allocation of functions among the various organs concerned in the field of migration, and the report and recommendations of the Social Commission relating to migration, and taking into account the memorandum on migration submitted by the International Labour Organisation in accordance with Council resolution 85(V) of 13 August 1947,

"Notes with satisfaction that the Governing Body of the International Labour Office, conscious of the importance and the urgency of the problem, has placed revision of the Migration for Employment Convention, 1939, and its related recommendations on the agenda of the thirty-second session of the International Labour Conference;

"Expresses the wish that, pending the adoption and ratification of an international convention providing adequate protection of migrant and immigrant labour, Member Governments, in determining their respective policies in this field, should be guided by the principle of equality of treatment in social and economic matters of national and foreign workers,

"Expresses also the wish that international arrangements in matters of migration include as soon as possible:

"(a) Broadening of the present system of international information in matters of migration so as to assure the immediate availability of knowledge on migration possibilities and conditions for use by government and voluntary organizations and by migrants or prospective migrants;

"(b) Means for the improvement of statistics on international migration so as to increase their adequacy and comparability."

b. PROTECTION OF MIGRANT AND IMMIGRANT LABOR

The American Federation of Labor proposed that an item dealing with the protection of migrant and immigrant labor be included on the agenda of the fifth session of the Economic and Social Council and submitted a memorandum on the subject (E/454 and Add.1 and 2). The American Federation of Labor urged the adoption of a resolution by the Council which would (1) recommend that the Economic Commissions for Europe and for Asia and the Far East promote the use of standards recommended by the International Labour Organisation in expediting efficient mobilization of manpower in the reconstruction of countries; and (2) urge the International Labour Organisation to expedite the reconsideration of its Convention and recommendations on migrant workers.

The Council considered the question at its 113th and 114th plenary meetings on August 12 and 13, 1947. It adopted a resolution jointly submitted by the delegations of Norway and the United Kingdom (E/546), as amended by the representatives of Czechoslovakia and the United States. The amendments provided for calling the matter to the attention of the Council's Social and Population Commissions. The majority of representatives agreed on the importance of the problem and expressed support of the proposed resolution and amendments. The U.S.S.R. representative, however, thought that the separate problems of immigration and of refugees and displaced persons had been merged in the document submitted by the American Federation of Labor, and that the

latter problem could best be settled by repatriation, to which no reference had been made by the American Federation of Labor. He therefore urged the rejection of the proposal.

The resolution 85(V), adopted by the Council on August 13, by 15 votes to 0, with 3 abstentions, reads as follows:

"The Economic and Social Council,

"Having taken note of the item regarding the protection of migrant and immigrant labour placed on its agenda at the request of the American Federation of Labor, and the memorandum submitted by the Federation,

"Noting also that the International Labour Organisation is now considering the revision of its existing convention and recommendations on migration,

"Resolves to transmit this memorandum to the International Labour Organisation as the competent specialized agency concerned and, in view of the urgency of the problem,

"Requests the International Labour Organisation actively to pursue its consideration of the subject and to inform the Economic and Social Council as soon as possible of the progress made, and

"Calls the attention of the Social and Population Commissions to this memorandum in their consideration of the problems assigned to them by the Council by its resolution on migration of 29 March 1947."

With reference to that decision, the Council, at its sixth session, considered two sections of the resolution of the United Nations Conference on Trade and Employment which dealt with population and migration problems (E/635). The Council transmitted these sections to ILO, the Social Commission and the Population Commission and invited them to take these sections into account in the action on those aspects of population and migration which fall within their respective fields (resolution 104(VI)).¹²⁵

The question of the protection of migrant labor was considered by the Social Commission and the Population Commission at their third sessions simultaneously with their study of the question of the allocation of responsibilities in the field of migration. The Social Commission (E/779) recommended that the Council take note of the steps which had already been initiated in this matter by ILO and expressed the wish that interim steps be taken by governments pending the adoption and ratification of an international convention.

The Economic and Social Council at its seventh session, in connection with its general discussion on migration problems (51st to 53rd meetings of its Social Committee on July 30 to August 2, and 193rd plenary meeting on August 10), considered this recommendation as well as a memorandum submitted by the ILO (E/888).

¹²⁵See pp. 135-36.

The latter explained the measures taken by ILO in considering the question of the protection of migrant and immigrant labor.

The recommendation of the Social Commission was approved by the Council at its 193rd plenary meeting on August 10 (see resolution 156-(VII)B).

c. PROGRAM OF WORK ON DEMOGRAPHIC ASPECTS OF MIGRATION

The Population Commission, in accordance with its recommendation that it should be responsible for studies and advice to the Economic and Social Council on the demographic aspects of migration, established at its third session (E/805) a program of work regarding this aspect of the problem of migration. The program was to be carried out by the Secretary-General in consultation and collaboration with the specialized agencies.

It consisted of five items: (1) improvement of migration statistics; (2) analysis of change in the size and structure of populations in the countries of origin and destination, resulting from migration; (3) analysis of the influence of migration on the size and characteristics of the labor force in countries of immigration and emigration; (4) analysis of the influence of economic and social factors on migration; and (5) influence of legislation on migration.

12. Refugees and Displaced Persons

The General Assembly, at its second regular session, adopted resolution 136(II)¹³⁶ which, *inter alia*, requested the Secretary-General to submit, in collaboration with the Director-General of the International Refugee Organization or the Executive Secretary of the Preparatory Commission, a report on the progress and prospect of repatriation, resettlement and immigration of refugees and displaced persons. The report in question (E/816 and Add.1), dated June 10, 1948, was circulated among Member Governments prior to the convening of the seventh session of the Economic and Social Council.

The report noted, *inter alia*, that, although during the first year of PC-IRO operations some 51,000 persons who had been in receipt of care and maintenance had been repatriated to their countries of origin, and another 157,000 persons eligible for help had departed for resettlement, there still remained on June 30, 1948, approximately one million refugees and displaced persons believed to be eligible for the Organization's assistance. Of this number, approximately 600,000

were in the camps and assembly centres of PC-IRO.

The report observed that, if the forecasts of PC-IRO as to resettlement and repatriation were realized, there would still remain some 600,000 refugees eligible for the Organization's assistance, whether as to repatriation or resettlement, on July 1, 1948. While noting the efforts made by a number of countries to give assistance in solving the problem, the report emphasized the unfortunate consequences that followed the tendency of certain governments, members of the PC-IRO, to exclude from resettlement in their countries any but the most able-bodied refugees and displaced persons applying for immigration. This would inevitably leave the organization with the problem of what to do with a relatively large "hard core" of older, handicapped or disabled refugees. The report condemned this policy, and called upon all States Members of the United Nations to open their doors to family groups which would include the old, the maimed and the chronically ill.

The report also urged Member States which had not yet joined IRO to ratify its Constitution with the least possible delay, so as to bring the Organization into legal operation at the earliest possible moment.

Finally, as requested by a resolution adopted at the sixth session of the Economic and Social Council,¹³⁷ the Secretary-General's report submitted information as to the situation of children removed from their countries of origin during the course of the Second World War, and on measures taken or contemplated on their behalf, and recommendations on what could be done to accelerate a final solution of this tragic problem.

The report of the Secretary-General was considered by the Social Committee of the Economic and Social Council at its 57th to 60th meetings from August 12 to 19, and by the Council at its 212th and 214th plenary meetings on August 24, 1948.

The representative of the U.S.S.R., supported by the representatives of the Byelorussian S.S.R. and Poland, charged that displaced persons camps in the Western Zones of Germany and Austria were frequently horbods of propaganda and terrorism directed against the present governments of certain Eastern European states, including the U.S.S.R.; that known quislings and war criminals were frequently found in positions of authority in the administration or leadership of such camps; that children were being prevented from returning to

¹³⁶See General Assembly, pp. 128-29.

¹³⁷See p. 613.

their countries of origin; that representatives of the Eastern European governments involved were frequently prevented from freely consulting their nationals who were inmates of the displaced persons camps; and that several states were seeking to exploit the displaced persons as a supply of cheap manpower. It was further charged that, despite previous Assembly resolutions, the emphasis had been shifted from repatriation to resettlement of the refugees and displaced persons.

The representative of the U.S.S.R. submitted a draft resolution (E/AC.7/W.39) designed to curb the alleged tendencies and practices which he had outlined in his criticism of the manner in which the problem was being handled.

Several representatives declared that, while they would abstain during the voting on some individual paragraphs of the Soviet proposal since they regarded these as unobjectionable, they would vote against the proposal as a whole because it implied criticism of PC-IRO and also because a constructive alternative was available in the joint draft resolution (see below).

The Soviet resolution, after paragraph by paragraph votes, was rejected as a whole by the Social Committee by 13 votes to 4, with 1 abstention, and when re-submitted at the plenary meeting was rejected by the Council by 14 votes to 3, with 1 abstention.

A majority of Committee members, while agreeing with a number of principles put forward by the U.S.S.R. representative, denied the general validity of the charges levelled at the displaced persons camp administration and the validity of the charge of systematic exploitation of displaced persons as reservoirs of cheap manpower. The majority expressed their support of a draft resolution submitted jointly by the representatives of Brazil, the Netherlands, the United Kingdom and the United States (E/946) which, they felt, represented a well-balanced organic whole and a constructive approach to the entire problem. This resolution was adopted, with minor drafting changes, by the Social Committee by a vote of 14 to 3, and by the Economic and Social Council at its 214th plenary meeting by a vote of 15 to 3. It (157-(VII)) reads as follows:

"The Economic and Social Council,

"Noting with appreciation the report on the progress and prospect of repatriation, resettlement and immigration of refugees and displaced persons submitted by the Secretary-General in collaboration with the Executive Secretary of the Preparatory Commission for the International Refugee Organization pursuant to General Assembly resolution 136 (II) of 17 November 1947 and Council resolution 122 (VI) A.

"Having in mind the recommendation of General Assembly resolution 136 (II) to 'each Member of the United Nations to adopt urgent measures for the early return of the repatriable refugees and displaced persons to their countries of origin, having regard to the General Assembly resolution of 12 February 1946, and for settling a fair share of the non-repatriable refugees and displaced persons in its country',

"Recognizing that the Preparatory Commission for the International Refugee Organization, by means of the machinery it has developed during its first year of activity, can substantially accomplish its purpose of repatriating or re-establishing all the refugees and displaced persons who are its concern within a period of, at most, two years, provided that it is assured of the effective co-operation of Governments,

"Considers that, to accomplish this objective, a substantial number of Governments which have not already done so should take early action for membership in the International Refugee Organization,

"Urges the Preparatory Commission for the International Refugee Organization to continue its efforts for the repatriation of refugees and displaced persons to their countries of origin in accordance with the constitution of the International Refugee Organization;

"Stresses the need for accelerated resettlement of non-repatriable refugees and displaced persons and urges all States to admit them to the maximum limit of their capacity,

"Expresses its view that the policy which should be followed with regard to unaccompanied children is:

"(a) To unite children with their parents wherever the latter may be, and

"(b) In the case of orphan or unaccompanied children whose nationality has been established beyond doubt, to return them to their country, always providing that the best interests of the individual child shall be the determining factor;

"Recommends to the Preparatory Commission for the International Refugee Organization:

"(a) That it consult immediately with Members of the United Nations concerning resettlement of all non-repatriable refugees and displaced persons on the basis already approved by the General Assembly in resolutions 62 (I) and 136 (II), including recognition of the importance of resettling refugees and displaced persons in family units as recommended by the report submitted by the Secretary-General; and

"(b) that it report thereon to the Council at its eighth session;

"Requests the Secretary-General to transmit the report, together with this resolution and such additional relevant data as may be available from the Preparatory Commission for the International Refugee Organization, to the General Assembly at its third regular session for its information, sympathetic consideration and such further action as it may deem appropriate."

13. Action for the Solution of Legal Difficulties Arising from the Absence, due to War Events or Persecution, of Persons Whose Death Cannot Be Conclusively Established

In a communication to the Secretary-General dated June 3, 1948, the Executive Secretary of the

Preparatory Commission for the International Refugee Organization requested that the item "Action for the solution of legal difficulties arising from the absence, due to war events or persecution, of persons whose death cannot be conclusively established" be placed on the agenda of the seventh session of the Economic and Social Council. This request, he declared, was in accordance with a resolution adopted by the Preparatory Commission for IRO, at the sixth part of its first session. At the same time a memorandum (E/824) on the necessity of co-ordinating procedures for declarations of death was submitted.

The memorandum stated that, as a result of mass deportations and the technique of modern warfare, thousands of human beings had disappeared and it had not been possible in the ordinary way formally to establish the fact of their death. It stated that the legal consequences of death (cessation of legal personality, succession to the estate, dissolution of marriage, termination of paternal authority) were so important that a death certificate was normally required in order to establish rights resulting from death. Failure to furnish such evidence of death gave rise to such serious difficulties as the following: heirs cannot establish title and so obtain possession of the property of missing persons; a surviving husband or wife cannot remarry; and the guardianship of orphan children cannot be definitely established.

The memorandum went on to state that the laws of the various countries relating to missing persons did not in general provide for a simple and rapid procedure in cases when proof of death of a missing person could not be established under normal certification procedures.

The memorandum concluded by stating that an international convention appeared to be the appropriate means of eliminating the present difficulties within a reasonable time.

The Economic and Social Council, at its 180th plenary meeting on July 21, 1948, referred the item to its Social Committee, which considered it at its 60th and 61st meetings on August 19 and 20, 1948.

The representatives of the United States and the United Kingdom submitted to the Social Committee a joint draft resolution (E/933) requesting the Secretary-General to prepare, in collaboration with IRO, a preliminary draft convention on the subject; and to submit the draft convention, not later than October 20, 1948, to Members of the United Nations for their comment. The General Assembly, the draft resolution stated, was to

take definitive action on the matter at its fourth regular session.

The representatives of the Netherlands, New Zealand, Venezuela and Turkey supported the joint draft resolution. The representative of Australia wondered whether a committee of the Economic and Social Council was competent to deal with the proposed convention. He thought that there should be some provision made for consultation with a more technical body.

The representative of Canada submitted an oral amendment to the joint draft resolution, providing for the participation of other organizations which might be interested in, and competent to deal with, the matter. The amendment, supported by the representative of Denmark, was accepted by the representatives of the United Kingdom and the United States.

The representatives of the U.S.S.R. and the Byelorussian S.S.R. opposed the joint draft resolution. The representative of the U.S.S.R. maintained that the question was not sufficiently advanced for a final decision. Both representatives declared that the problem was closely linked with the question of the conclusion of peace treaties with Germany and Japan. Until positive steps had been taken towards the signature of those treaties, action on the matter was premature, they maintained, and the measures proposed by the Preparatory Commission for IRO were doomed to failure. The representative of the Byelorussian S.S.R. doubted whether international action was necessary. The representative of the U.S.S.R. proposed that the whole question be deferred to the next session of the Council.

The Social Committee at its 61st meeting by 12 votes to 2 rejected the U.S.S.R. proposal to defer the item to the next session of the Council and adopted by 12 votes to 2, with 1 abstention, the United Kingdom—United States draft resolution as amended.

The report of the Social Committee (E/995) was considered by the Economic and Social Council at its 214th plenary meeting on August 24.

The representative of the United States, speaking in favor of the Social Committee's draft resolution, declared that the problem was not limited to refugees, but affected the relatives of all who had disappeared during the war, including those of some six million Jews who had disappeared as a result of Nazi persecution.

The representative of the Byelorussian S.S.R. argued that a draft convention should await the conclusion of peace treaties with Germany and Japan. He thought the Council should limit its

action to transmitting to the governments concerned the records of the discussion that had taken place.

The representative of Poland thought that there was general agreement on the urgency and importance of the problem, and that international action was needed. The main difference among Council members, he held, concerned the proper method of coping with the problem. He himself doubted that there was a need for the preparation of a draft convention, as envisaged in the Committee's draft resolution, and thought that a suitable recommendation to the Members by the General Assembly might be sufficient. Accordingly, he proposed to delete from the preamble of the draft resolution the third paragraph, which read "[the Economic and Social Council] considering that these difficulties might best be solved by an international convention", and to substitute in the operational part of the draft resolution the expression "a proposal for an international regulation of the subject" for "a preliminary draft convention".

The Polish amendments were rejected by separate but identical votes of 15 to 3.

The representative of the U.S.S.R. regarded the draft resolution submitted by the Social Committee as premature. The entire problem was, he said, linked with that of refugees and displaced persons, and would probably cease to exist once the latter question had been properly settled by the repatriation of all displaced persons desiring repatriation.

The Committee's draft resolution was strongly supported by the representatives of China, Australia, Chile, United Kingdom and France, who regarded it as offering an adequate program for dealing with the problem.

The Social Committee's draft resolution was adopted by the Council at its 214th plenary meeting on August 24 by a vote of 15 to 2, with 1 abstention. The text of the resolution (158(VII)) is as follows:

"The Economic and Social Council,

"Taking note of the memorandum on the necessity of co-ordinating procedures for declarations of death,

"Recognizing that the solution of the legal difficulties arising from the absence, because of war events or persecution, of persons whose death cannot be conclusively established, is an urgent and important problem,

"Considering that these difficulties might best be solved by an international convention,

"Requests the Secretary General:

"(a) To prepare, in collaboration with the Preparatory Commission for the International Refugee Organization or the International Refugee Organization and with other competent organizations, a preliminary draft convention on the subject;

"(b) To submit the draft convention, not later

than 20 October 1948, to Members of the United Nations for comment by them;

"(c) To submit the draft convention to the Council at its eighth session, together with such comments as may have been received from Members of the United Nations, in order to enable the Council to take such action as may be appropriate, with a view to definitive action on this matter by the General Assembly at its fourth regular session."

14. Cultural Activities

a. UNITED NATIONS SCIENTIFIC RESEARCH LABORATORIES

The Economic and Social Council during its third session, on October 3, 1946, adopted resolution 22 (III), which invited the Secretary-General to consult UNESCO and the other specialized agencies concerned and to submit to the Council a general report on the problem of establishing United Nations research laboratories.¹³⁸

In accordance with that resolution, the Secretary-General prepared a comprehensive report (E/620 and Add. 2) which contained studies, views and suggestions submitted by various specialized agencies, particularly UNESCO, and by international governmental and non-governmental scientific organizations, national research institutions and outstanding scientists. The report stated that the inquiry opened by the Secretary-General endeavored to cover two aspects of scientific research problems. It attempted in the first place to ascertain the state of mind existing in the scientific world on the question of international action for the improved organization of research. Secondly, it was deemed necessary to seek out those fields not yet covered by existing or projected instruments of co-ordination; and to define the fields in which international co-operation would appear to offer the greatest promise and to be most immediately desirable.

In the report submitted by UNESCO (UNESCO/Nat.Sci.24/1947) and reproduced in the Secretary-General's report to the Council (E/620, pp. 49-145), seventeen subjects were recommended for first priority, as follows:

"1. An Institute for the study of the Chemistry and Biology of the Self-Reproducing Substances, including Cancer Research.

"2. A chain of Laboratories and Field Teams in Nutritional Science and Food Technology, (a) in China, (b) in the arid and arid-tropical zone, (c) in the humid equatorial zone.

"3. The Study of the Life and Resources of the Humid Equatorial Zone, beginning with an Institute of the

¹³⁸See *Yearbook of the United Nations, 1946-47*, p. 341.

Amazon (Hylea), and expanding into a chain of equatorial zone Stations.

"4. One or more Institutes of Oceanography and Fisheries in Asia, their work to be correlated with that of the Nutritional Laboratories.

"In addition to these proposals, and owing to the urgent need for correlation of activities already begun by independent organizations, the Secretariat recommends:

"5. An Antarctic Research Institute, including a Meteorological Institute for the Southern Hemisphere if sufficient support is forthcoming from ICAO.

"And in view of the very small cost involved:

"6. A United Nations Ornithological Observatory on Heligoland.

"In the opinion of the Secretariat [of UNESCO], Second Priority is indicated for the following:

"7. An Astronomical Observatory in the Southern Hemisphere.

"8. An Institute for Research on Tuberculosis.

"9. Computing Laboratories in Asia.

"10. An Institute or a series of Laboratories for Human Biological and Genetical Analysis.

"11. A High Altitude Station in the Himalayas.

"12. An Institute of Human Evolution in Africa.

"13. An Arctic Research Institute.

"14. Institutes and Stations for the Study of the Arid Zone (Desert and Arid Tropical Zones).

"15. An Institute of Individual and Social Psychology.

"In the meantime, UNESCO will be actively concerning itself with:

"16. The Creation of International Pool Facilities for Scientific Standards and Type Collections.

"17. Improvement in Scientific Documentation Services."

The report also revealed that the Secretary-General had received numerous suggestions from scientific organizations and individual scientists. Specific proposals were made for the establishment of the following research institutions:

International Astronomical Observatories

International High Altitude Stations

International Meteorological Observatories

International Geophysical Observatories

International Floating Laboratories

International Marine Biological Station

International Cartographic Centre

International Institute of Human Science

International Health Institute

International Research Institute for the Middle East

International Institute for New Food Plants

International Brain Institute

International Research Centre on Tuberculosis

International Institute of Nuclear Research

International Centre for Pure Products

International Construction Materials Laboratory

Other suggestions concerned questions that might be studied at the international laboratories if they were established. In brief, these were as follows:

Oceanography

Seismology

Vulcanology

Solar and terrestrial relationship

Cosmic rays

Soil erosion

Fluid and soil mechanics

Applied mathematics and physics

Photogrammetric research

Synthesis based on chemical elements

Arctic regions

Nutritional research

Biotechnology

Biological vegetable and animal resources

Standardization of biological substances of pharmacological activity

Industrial hygiene

Urban hygiene

The improvement of agriculture and standards of life in tropical regions

The adaptation of man to his environment

Impact of war and its disorganizing effect on children and the development of therapies

Typhus

Onchocercosis

Malta Fever

Malarial disease

It was pointed out in the report that many of the institutions and persons consulted signified their warm approval of the idea itself, and in many cases they expressed their gratification at the fact that the United Nations was examining the problem. Generally speaking, it appeared that all countries wished to see certain scientific problems studied on the international plane, and that improved unification or co-ordination of effort was desired by specialists in every field.

Some of the persons consulted expressed the view that multiplicity of research centres is a *sine qua non* for maintaining freedom of research, the spirit of competition and therefore scientific progress, and that the international laboratory should therefore deal only with the type of problem which, in present conditions, is not satisfactorily covered by the existing national laboratories.

The report stated that, on the basis of the results of the inquiry, it would be easy to make a list of fourteen or fifteen scientific problems for which international research laboratories seem desirable, and likely to promote the peaceful activities of modern societies. It added, however, that the degree of urgency and the allocation of priorities demand detailed analysis and debate by competent persons. The report suggested the desirability of conferences or study groups examining the preliminary data which had been assembled before any final decisions were made.

The Economic and Social Council examined the report of the Secretary-General during its seventh session, at its 193rd and 194th plenary meetings on August 10, 1948. The French representative submitted a draft resolution (E/858) which, after taking account of the work done, and affirming the importance of pursuing the studies, would have

invited the Secretary-General (1) to communicate to governments, specialized agencies and leading international scientific organizations the Council's desire to have the problem of establishing international United Nations research laboratories discussed and (2) to form a small committee of experts to examine the advisability and appropriate procedure for convening an international conference of scientists to report on the possible establishment of international research laboratories. The Secretary-General was to submit to the Council this preparatory committee's report and the result of consultations with governments, specialized agencies and scientific organizations.

This proposal was supported by the representatives of the United Kingdom, New Zealand, Netherlands, Denmark, Peru, Poland, Brazil, Chile, Lebanon, and Turkey. Those of the United States, Canada, Poland, Chile and Lebanon thought that more emphasis should be placed on the role of UNESCO. The Canadian representative suggested that the expert committee should be convened under UNESCO's auspices. The Australian representative pointed out that other specialized agencies, such as ICAO and WHO, might also be interested in some of the projects. The United States representative thought that the function of the United Nations was to stimulate research, which could be better done by co-ordinating the work of existing national agencies through interchanges of scientific personnel and the dissemination of scientific knowledge than by the creation of international agencies; the Polish representative, however, thought that the establishment of new research laboratories under United Nations auspices would fulfil a definite need, as many small countries for financial reasons found it difficult to carry out research. The Netherlands representative hoped that the committee would be guided by the following considerations: (1) that only work which, because of expense, could not be carried out by national laboratories should be assigned to international research laboratories, (2) that work done by certain national laboratories should be taken into account and measures adopted to transform national laboratories into international laboratories with a view to avoiding expense and duplication of work; and (3) that the work of existing national laboratories should not be duplicated, and that effective co-operation with interested agencies should be developed. The Danish representative felt that the committee should include experts in the field of scientific organization, and that it should be in a position to draw upon the voluntary help of

scientists. The U.S.S.R. representative thought that it was not practical to consider the question at present, since the financial expenditure would be high and there was already a great shortage in national research organizations of the highly qualified staff necessary. He therefore opposed the resolution. The Australian representative considered that it would be preferable to embark on a small number of top priority projects rather than consider an elaborate program, and referred in this connection to the items suggested by UNESCO.

The Council was addressed by the Director-General of UNESCO, who gave an account of UNESCO's activities for promoting scientific research, and by a representative of WHO, who urged the fuller utilization of existing research laboratories.

The French draft resolution, with amendments introduced verbally by Chile, the United States and the United Kingdom and accepted by the French representative, was adopted by the Council at its 194th plenary meeting by 14 votes to 2, with 2 abstentions. The principal changes introduced provided for the co-operation of UNESCO in the formation of the committee, the consultation of the committee with the specialized agencies and the examination by the committee of the question of the possible establishment of international research laboratories.

In its resolution (160(VII)) the Council noted the Secretary-General's report, conveyed its thanks to the specialized agencies, organizations and scientists for their co-operation in its preparation and affirmed its interest in furthering the development of research. It invited the Secretary-General:

"1. To communicate to all Governments the Council's desire to have the problem of establishing international United Nations research laboratories discussed by the governing bodies of all the important national scientific institutions for higher education and research, and to be apprised of their findings through the intermediary of the Secretary-General of the United Nations;

"2. To send a like communication to the United Nations Educational, Scientific and Cultural Organization and the other specialized agencies concerned and to the leading international scientific organizations;

"3. To form, during next year, in co-operation with the United Nations Educational, Scientific and Cultural Organization, a small committee of experts in the basic sciences (exact, natural and social) to examine, in consultation with the specialized agencies, the question of the possible establishment of international research laboratories, including the advisability of, and appropriate procedure for, convening an international conference of scientists with instructions to submit a general report to the Council on this subject;

"4. To submit to the Council in due course this preparatory committee's report and the result of the further consultations referred to in paragraphs 1 and 2 above."

b. TRANSLATION OF THE CLASSICS

In pursuance of General Assembly resolution 60(I)¹³⁹ on the translation of the classics, the Council decided at its fourth session to request UNESCO to submit by June 1, 1948, to the Economic and Social Council a report giving recommendations for needed action including particularly data on objective methods of selection of great books, the needs of various cultural regions, and suggestions for general assistance in translation, publication and distribution.¹⁴⁰

The second General Conference of UNESCO held at Mexico City in November 1947 adopted a scheme of work on this subject, prepared by the UNESCO Secretariat, forming part of a wider project conceived as extending to the translation of contemporary works not only in the fields of literature and philosophy but also in those of the natural and social sciences. On the basis of this scheme, UNESCO addressed a questionnaire to the bodies designated by Member Governments for the purpose, and at the same time consulted various international organizations. UNESCO then convened a conference of experts, which met in Paris in May 1948 and which examined the material which had been collected. The report of UNESCO to the Council (E/823), prepared on the basis of the consultations mentioned, and on the work of the Committee of Experts, examined the following groups of problems:

(i) Problems concerning the selection of classics; the definition of a classic, the public for which they are intended, the methods of choosing classics;

(ii) Problems of translation;

(iii) Problems of publication and dissemination.

The report concluded that the help of governments and of international professional and expert bodies would make it possible to produce in the fairly near future lists of works regarded as classics; that UNESCO would take responsibility for this plan; that the special problems, however, of publication and distribution in the many countries suffering from economic handicaps could not be solved by UNESCO alone; and that a satisfactory solution worthy of the importance of the project lay in the effective collaboration between the governments concerned and the competent agencies of the United Nations.

The report (E/823) was presented to the Council at its seventh session. At its 203rd plenary meeting on August 18 the Council decided by a vote of 9 to 6, with 2 abstentions, to defer consideration of it, along with other items, to the next session.

c. TEACHING OF THE PURPOSES AND PRINCIPLES, STRUCTURE AND ACTIVITIES OF THE UNITED NATIONS IN SCHOOLS OF MEMBER STATES

In implementation of General Assembly resolution 137(II)¹⁴¹ on the teaching of the purposes and principles, structure and activities of the United Nations in the schools of Member States, the Secretary-General of the United Nations, in co-operation with UNESCO, submitted to the seventh session of the Council an interim report (E/837 and Add. 1 and 2) on the activities and results accomplished by the United Nations, UNESCO and a number of non-governmental organizations.

This interim report was divided into two parts. The first, prepared by the Secretary-General, included information on the steps they had taken to implement the Assembly's resolution transmitted to the Secretary-General or to UNESCO by Austria, Belgium, Bolivia, Byelorussian S.S.R., Canada, China, Czechoslovakia, Ecuador, France, Greece, India, Luxembourg, Netherlands, New Zealand, Philippines, Siam, Sweden, Switzerland, Union of South Africa, U.S.S.R. and United States; an analysis of the experience of the League of Nations in the promotion of teaching about international co-operation; and an enumeration of the programs and activities of non-governmental organizations in this field. The second part was prepared by UNESCO and dealt with its own functions and activities in regard to teaching about the United Nations.

The Council's discussions, in the 198th plenary meeting on August 13, centred around a draft resolution proposed by China (E/944) (see below).

It was generally agreed that the importance of teaching about the United Nations was universally recognized.

The representative of the U.S.S.R. stated that while his Government had supported and implemented the Assembly resolution, he could not support the Chinese draft resolution, which, by extending the scope of the resolution to teaching about the specialized agencies, would take the United Nations further than had been intended by the Assembly resolution.

The Council adopted by 15 votes, with 1 abstention, the Chinese draft resolution with amendments suggested by France and China respectively, which would have the Council recommend Mem-

¹³⁹See *Yearbook of the United Nations, 1946-47*, p. 184.

¹⁴⁰*Ibid.*, p. 541.

¹⁴¹See *General Assembly*, p. 137.

ber States to intensify their efforts in this direction, and would include teaching about the specialized agencies as well as about the United Nations.

In its resolution (170(VII)) the Council commended the program developed by the United Nations and UNESCO on the subject; requested the Secretary-General and UNESCO to continue in close collaboration their efforts in this direction and to report jointly and regularly to the Council; and recommended Member States to make full use of the information and advice which the United Nations and UNESCO can provide on the subject, and to intensify efforts to promote in their respective territories the teaching of the purposes, the principles, structure and activities of the United Nations and the specialized agencies

d. INTERNATIONAL FACILITIES FOR THE PROMOTION OF TRAINING IN PUBLIC ADMINISTRATION

The Council at its sixth session had before it an item proposed by the representative of Brazil on international facilities for the promotion of training in public administration (E/610 and Rev.1 and Add.1).

The Council discussed the proposal at its 151st plenary meeting on February 24, 1948. The U.S.S.R. and Byelorussian representatives opposed the idea of establishing an international institute, on the grounds that the economic and social structures of different countries were so dissimilar as to make it impossible to draw up general principles of administration. The Canadian representative felt that it was inadvisable to ask the Secretariat to undertake further special studies before substantial results had been achieved on other subjects initiated by the Council a long time ago. The Belgian representative, on the suggestion of the Netherlands representative, was invited to explain to the Council the work of the Institut de Bruxelles. He suggested that the purpose of the Institut was the same as that envisaged in the Brazilian proposal, and that its activities might be extended to carry out the program proposed by Brazil. The United Kingdom and French representatives felt that there were sufficient points in common between different national administrative systems for an international survey to be valuable; the Polish representative, while recognizing that notable differences did exist between the administrative systems of different countries, accepted the idea of a survey.

The United States representative supported in principle the Brazilian proposal, and suggested

that account should be taken of the studies already begun by UNESCO and the existence of the Institut, which was doing similar work in Belgium. He introduced amendments, which were accepted by the Brazilian representative, providing for consultations with appropriate public and private international organizations and providing that the study should be concerned with the "means for promoting the science of administration on the international plane" instead of "the establishment of an international centre especially devoted to the science of administration" as proposed by Brazil.

By 12 votes to 2, with 3 abstentions, the Council adopted the Brazilian draft resolution with amendments introduced by the United States, the United Kingdom and Denmark.

This resolution (123(VI)) recommended that the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, the International Civil Service Advisory Board and appropriate public and private international organizations, should prepare a study concerning the development of international facilities for the promotion of the science of administration, so as to provide adequate training for an increasing number of candidates of proved ability recruited on the widest possible geographical basis, but mainly from the countries in greatest need of access to the principles, procedures and methods of modern administration.

The Secretary-General presented to the seventh session of the Council a report (E/849) in which he stated that study of available documentary materials had been initiated, contact established with various authorities in the field of public administration, and discussions begun with representatives of the specialized agencies to ascertain what facilities they might offer within the broad field covered by the Council's resolution.

The report stated that the question was to be discussed also by the Advisory Committee on Administrative and Budgetary Questions during its meeting in the autumn. The Secretary-General pointed out, however, that the scope of the study and the desirability of consulting the International Civil Service Advisory Board made it probable that the Secretary-General's complete report could not be made before the spring of 1949.

The subject was also on the agenda of the seventh session, but in view of the pressure of business in the Council and the situation described in the progress report, the representative of Brazil withdrew the item from the agenda of that session.

e. CO-ORDINATION OF CARTOGRAPHIC SERVICES OF SPECIALIZED AGENCIES AND INTERNATIONAL ORGANIZATIONS

During its sixth session (at the 149th meeting on February 19) the Council considered a Brazilian proposal (E/695) for the co-ordination of cartographic services of specialized agencies and international organizations. The proposal contained a reference to communications which had been received during 1947 from the United States delegation (E/257), the French delegation (E/258) and the Danish delegation (E/483, forwarding a communication from the International Council for the Exploration of the Sea). The U.S.S.R. representative suggested that the proposal should be deferred in view of more urgent tasks. The Council, however, adopted by 12 votes to 1, with 3 abstentions, the Brazilian proposal, with the addition of clauses providing that the action recommended to the Secretary-General should be taken within the limits of budgetary availabilities and that in co-ordinating the plans and programs of the United Nations and specialized agencies in the field of cartography he should take into account the work of the various governmental and non-governmental organizations, and that he should report to a subsequent session of the Council. The resolution (131(VI)) adopted by the Council reads as follows:

"Whereas accurate maps are a prerequisite to the proper development of the world resources which in many cases lie in relatively unexplored regions;

"Whereas such maps facilitate international trade, promote safety of navigation, by air and sea, and provide information required for the study of measures of peaceful adjustment under Chapter VI of the Charter, and for the application of security measures contemplated in Chapter VII of the Charter;

"Whereas the co-ordination of the cartographic services of the United Nations and specialized agencies, as well as those of the Member nations, will result in significant economies in cost, time and personnel, and will contribute to the improvement of cartographic techniques and standards;

"Whereas several Member Governments have already indicated their interest in a co-ordinated programme of international cartography,

"The Economic and Social Council therefore

"Recommends:

"(i) That the Member Governments stimulate the accurate survey and mapping of their national territories;

"(ii) That the Secretary-General take appropriate action within the limits of budgetary availabilities;

"(a) To further such efforts by promoting the exchange of technical information and other means, including the preparation of a study on modern cartographic methods and development of uniform international standards;

"(b) To co-ordinate the plans and programmes of the United Nations and specialized agencies in the

field of cartography, taking account of the work in this field of the various inter-governmental and non-governmental organizations and to report on these matters to a subsequent session of the Council;

"(c) To develop close co-operation with cartographic services of interested Member Governments."

f. WORLD CALENDAR

At the fourth session of the Economic and Social Council, the representative of Peru submitted a draft resolution on the appointment of an *ad hoc* committee to study the question of a "World Calendar" (E/291). After a preliminary study of the problem, the Council postponed further discussion of the proposal until its next session, and invited the Secretary-General to prepare whatever material was readily available for the consideration of the Council on the subject of revision of the calendar, and to communicate to Member Governments of the United Nations the proposed resolution (resolution 54(IV)).

At the fifth session of the Council, the Secretary-General submitted a note (E/465 and Adds. 1, 2 and 3) on the work done in the field of calendar reform by international organizations, especially by the League of Nations. Relevant documents and an extensive bibliography on this question which had been compiled by the Secretariat, were submitted to the Council. On July 21, 1947, at its 86th plenary meeting, the Council adopted a resolution proposed by the United States and supported by India, the U.S.S.R. and the United Kingdom, to postpone the consideration of the question of universal adoption of a World Calendar (resolution 97 (V)).

g. METRIC SYSTEM

The Economic and Social Council, at its 86th plenary meeting on July 21, 1947, considered a Norwegian proposal (E/472) for the examination of the question of the universal adoption of the International Metric System of Measures and Weights and of the Decimal System of Currencies and Coinage. The representative of Norway argued that the universal adoption of one system would further world trade and speed reconstruction. He proposed that the Secretariat be asked to study the question in preparation for the next or a later session of the Council, so that a report could be presented to the governments for their decision.

The representatives of the United Kingdom, India and New Zealand suggested postponement of the study in view of the pressure of work on the Secretariat. The United Kingdom representative suggested that the item should be dropped

from the agenda for the time being; it could be brought up again by a member of the Council at a later session. The French representative suggested that the Secretariat be asked to make a preliminary study, for example, on costs and distribution of work in order to give the Council a basis on which to take action during the next session. The representative of the United Kingdom could

not accept the French amendment, stating that his original stand for postponement was not prompted by financial considerations alone but by the fact that he felt that the proposal should be made at a more propitious time.

By a vote of 8 to 4, with 6 abstentions, the Council decided to drop the item from the agenda for the time being.

H. OTHER ECONOMIC AND SOCIAL QUESTIONS

1. *Implementation of Recommendations on Economic and Social Matters*

In its resolution 119(II) of October 31, 1947, the General Assembly

"Calls upon all Member States to carry out all recommendations of the General Assembly passed on economic and social matters;

"Recommends, furthermore, that in fulfilment of Article 64 of the Charter of the United Nations, the Secretary-General report annually to the Economic and Social Council and that the latter report to the General Assembly on steps taken by the Member Governments to give effect to the recommendations of the Economic and Social Council as well as to the recommendations made by the General Assembly on matters falling within the Council's competence."

The Secretary-General brought the General Assembly's resolution to the attention of the members of the Council on January 22, 1948. This matter was also on the agenda of the Council at its sixth session, but it was decided on February 27, 1948, to defer consideration of this subject to the seventh session. Subsequently, on May 17 and 27, the Secretary-General requested Members of the United Nations to notify him of action which they had taken to implement the recommendations referred to in General Assembly resolution 119(II).

This question was on the agenda of the Council at its seventh session. The Council had before it a report from the Secretary-General (E/963) and the information received from Member Governments up to August 28, 1948, the date on which this question was considered (E/963/Add. 1-19). In view of the fact that in the time available it had not been practicable to ensure that the information was full and up to date, and that the Council had not time to discuss the question in sufficient detail, the Council after a short discussion at its 128th plenary meeting on August

28, on the basis of a draft resolution presented by the President (E/1021), adopted resolution 177(VII), which stated that the great importance of this question warranted a more extensive examination than the Council had been able to give to it in 1948. The Council also decided to forward to the General Assembly for its information the report of the Secretary-General and the statements by Member States, and to consider this matter at its eighth session.

2. *Housing and Town and Country Planning*

The Social Commission, at its second session (E/578/Rev.1, resolution No. 8), endorsed the Secretary-General's proposals (E/CN.5/31) as to the program of its future activities in the field of housing and town and country planning. At the same time it noted the interests of some other commissions, notably of the Economic and Employment Commission, of the Population Commission, of the Statistical Commission and of the Economic Commission for Europe, as well as of several specialized agencies, inter-governmental and non-governmental organizations, in certain aspects of the problem of housing and town and country planning. It requested the Secretary-General to study the problems of housing and town and country planning, to co-ordinate the activities of the various bodies interested in these problems and to report the results of these studies and co-ordination efforts to the third session of the Social Commission. It also requested the Secretary-General to proceed with the preparations for a publication of an international housing review and of information concerning housing legislation in various countries; and approved the Secretary-General's proposals concerning the calling of small

meetings of experts on particular technical matters in the housing field.

The question was discussed by the Council at its sixth session at the 28th meeting of the Social Committee on February 17 and the 157th plenary meeting on March 1. The representative of Venezuela expressed gratification at the satisfactory results of a meeting of a small group of experts held at Caracas, Venezuela, in December 1947 to discuss tropical housing, and hoped that similar meetings would be held elsewhere. The United Kingdom representative also felt that small meetings of experts could be useful. The Danish representative questioned the value of holding international conferences on the subject, and felt that other forms of collaboration, such as establishing liaison between building research institutions in the various countries, might be useful. He questioned the necessity for an international review of housing and town and country planning problems in view of the number of private publications on the subject. This view was shared by the Australian representative.

The United States representative felt that the first step in implementing the program on housing should be a detailed report by the Secretariat indicating what was being done by the many inter-governmental organizations interested in the problem.

The United States and United Kingdom proposed two draft resolutions (E/AC.7/56 and 58). Both resolutions called for a report from the Secretary-General, but the United Kingdom resolution in addition would have authorized the Secretary-General to call small meetings of experts within the limits of budgetary possibilities and would have approved the decision of the Commission to turn its attention first to housing in tropical areas.

The Polish representative proposed (see E/AC.7/SR.28, p. 6) that priority should be given to "studies of the problem of housing and town and country planning in war-devastated areas where immediate action in co-ordination with the regional economic commissions can be taken". The United States resolution was accepted by 15 votes to 1 by the Council, with certain amendments suggested by the United States representative to take account of points put forward in the Polish and United Kingdom proposals. In its resolution 122(VI)D, adopted on March 1, 1948, the Council approved the principles set forth in the Social Commission's resolution, and requested that the Secretary-General submit to the seventh session of the Council a report outlining the sev-

eral activities of the specialized agencies, inter-governmental and non-governmental organizations and subsidiary organs of the Council in this field, and the measures taken toward their co-ordination. It also suggested to the Secretary-General that he include in his budgetary estimates for 1949 provision for not more than two small meetings of experts on particular technical matters in the housing field, and draw the attention of the then existing regional economic commissions to the importance of giving further consideration to the problems of housing in the war-devastated countries.

At its third session the Social Commission discussed the report of the fifth session of the Inter-departmental (Technical *ad hoc*) Committee on Housing and Town and Country Planning, a body consisting of the officers working on the subject in the Secretariat of the United Nations and the various specialized agencies, inter-governmental and non-governmental organizations concerned (E/CN.5/51). It also discussed an outline of the Secretary-General's report to the seventh session of the Council on the several activities of these organizations. The Commission considered the form of the report and requested the Secretariat, when completing it, to take into account the opinions that had been advanced by members of the Commission. During the discussion, particular emphasis was laid on the desirability of hastening the publication of the review on housing and town and country planning, designed to disseminate technical information on housing legislation as well as on the results of research into constructional methods and the availability of building materials (E/779).

The Social Commission also emphasized that the two meetings of experts authorized by the Council at its sixth session would require long and careful preparation.

The Secretary-General's report (E/802) was presented to the seventh session of the Council. It dealt with the activities and interests in the field of these specialized agencies. Food and Agriculture Organization, International Bank for Reconstruction and Development, International Labour Organisation, International Refugee Organization, United Nations Educational, Scientific and Cultural Organization and World Health Organization; of these subsidiary organs of the Council: Social, Population, Human Rights, Status of Women, Statistical and Economic and Employment Commissions, the Economic Commissions for Europe, for Asia and the Far East, and for Latin America and the forthcoming Scien-

tific Conference on Conservation and Utilization of Resources; of the Trusteeship Council and the Special Committee to Examine Information transmitted under Article 73 e of the Charter; of these non-governmental organizations: American Federation of Labor, International Co-operative Alliance, International Federation for Housing and Town Planning, International Union of Local Authorities and World Federation of Trade Unions; and of these inter-governmental organizations: Caribbean Commission, Pan American Union and South Pacific Commission. It also showed what steps had been taken to co-ordinate these activities.

The questions being studied included: housing standards, housing needs, health and welfare, housing in special areas including problems of reconstruction, housing of special groups, land planning, finance, building materials, methods of construction, housing costs, organization of the building industry, training, employment and industrial relations, collection and dissemination of information, and research, advice and conferences.

The Council discussed the question at the 51st meeting of the Social Committee on July 30 on the basis of a joint draft resolution submitted by the United States, Venezuela, Chile and Brazil (E/AC.7/W.32). This provided that the Council should request the Secretary-General to continue the activities in the field of housing and town and country planning previously authorized and submit to the Council's next session an "effective and integrated" program of study and activity in this field reflecting the interests and activities of the specialized agencies, inter-governmental and non-governmental organizations, and to take into consideration any advice from interested commissions.

The French representative, stressing the importance of the publication of the review on housing and town and country planning, proposed a verbal amendment which was accepted by the authors of the resolution, to add a provision that this should be undertaken as soon as possible.

The French and Venezuelan representatives also stressed the importance of the meetings of experts on housing in tropical areas. The Danish representative, however, expressed concern at the large number of international organizations active in this field, and the U.S.S.R. representative thought that an excessive number of commissions was dealing with the subject. The Danish and Australian representatives expressed the view that on the international plane the question could more appropriately be handled by the regional

commissions. The United Kingdom and Danish representatives also raised the question of the costs of the proposed program. After various amendments had been adopted in the Social Committee with the object of clarifying the text, the Council at its 198th plenary meeting on August 13 adopted by 15 votes to 0, with 3 abstentions, resolution 155(VII)F, which reads as follows:

"The Economic and Social Council,

"Taking note of the report of the Secretary-General on activities in the field of housing and town and country planning,

"Considering that a programme in this field should be initiated at the earliest possible opportunity,

"Requests the Secretary-General:

"(a) To continue the activities regarding the field of housing and town and country planning previously authorized by Council resolution 122 (VI) D;

"(b) To begin as soon as possible the publication of a bulletin on housing and town and country planning; the establishment of which had already been decided by Council resolution 50 (IV) of 28 March 1947; and

"(c) To develop and submit to the Council at its next session suggestions for an effective and integrated programme of study and activity in this field, which should reflect the interests and activities of the interested commissions, specialized agencies, inter-governmental and non-governmental organizations."

3. *Technical Assistance to Member Governments*

On December 14, 1946, the General Assembly adopted resolution 52(I)¹⁴² referring to the Economic and Social Council for study

'the question of providing effective ways and means for furnishing, in co-operation with the specialized agencies, expert advice in the economic, social and cultural fields to Member nations who desire this assistance.'

The Economic and Social Council at its fourth session, on March 29, 1947, adopted resolution 51(IV),¹⁴³ instructing the Secretary-General to establish machinery within the Secretariat to render assistance to Member Governments in obtaining information on expert personnel, research facilities and other resources that could be made available to them by the United Nations and the specialized agencies, and on the elaboration of plans and programs for utilizing such personnel, facilities and resources. The Secretary-General was also to assist Members in securing expert advice, particularly in the form of teams of experts who would study specific problems and recommend solutions to the Governments concerned.

¹⁴²See *Yearbook of the United Nations, 1946-47*, p. 183.

¹⁴³*Ibid.*, p. 540.

The Secretary-General was instructed to work in close co-operation with the specialized agencies and to obtain a report on the subject from the Co-ordination Committee for submission to the Council's fifth session if possible. He was further instructed to study, in co-operation with the Co-ordination Committee, the general procedures and terms, including financial arrangements, that might be followed by the United Nations and specialized agencies with respect to such technical assistance.

Accordingly the Secretary-General submitted to the fifth session of the Economic and Social Council an Interim Report on Expert Assistance to Member Governments (E/471 and Adds. 1, 2 and 3).

a. INTERIM REPORT ON EXPERT ASSISTANCE

In his report the Secretary-General pointed out that expert assistance was a normal service which the United Nations and the specialized agencies performed for their Member States; in the case of some of the specialized agencies this was an important and basic function. As the provision of advice by correspondence or personal contact entailed no separable costs or special administrative arrangements, the report related more particularly to types of requests involving special arrangements or costs, such as the provision of experts for a substantial period of time.

The Secretary-General reported that he had made provision within the Secretariat for handling requests from Member Governments, as requested in the Economic and Social Council's resolution of March 28, 1947, and that the specialized agencies had also established channels for the prompt handling of such requests.

With regard to the general report from the Co-ordination Committee requested by the Council, consultations were taking place with a view to preparing a paper with regard to problems and procedures for submission to the Co-ordination Committee which it was expected would meet in September or October 1947. Meanwhile the Secretariat was continuing consultation with appropriate technical representatives of the specialized agencies on the requests received in addition to those made under the General Assembly resolution 58(I) transferring to the United Nations the advisory social welfare functions of UNRRA.¹⁴⁴

As regards the third part of the Council's resolution instructing the Secretary-General, in co-operation with the Co-ordination Committee, to study the general procedure and terms which the United Nations and the specialized agencies

might follow in providing expert advice, the Secretary-General reported that to provide a basis for the preparation of a working paper for submission to the Co-ordination Committee, he had requested the specialized agencies to transmit statements of their experience to date and descriptive analyses of their handling of certain general problems.

In his report the Secretary-General listed certain fields in which the Secretariat of the United Nations was equipped to provide expert assistance or arrange for its provision. These were as follows:

Economic: including among others the fields of economic development, reconstruction, stability, employment, international trade, currency, balances of payments and international investments.

Social: including among others the fields of social welfare (social welfare administration, child welfare, physical rehabilitation, fellowship programs, prevention of crime and treatment of offenders, standards of living, housing, etc.).

Statistical: including such fields as social, population and vital statistics, the statistics of national income and expenditure, industry, agriculture, trade, transport and finance; the development of adequate national statistical programs; the organization of national statistical systems and offices, including survey and data collection methods, questionnaire and form design, census and registration procedures, processing and tabulation methods, and the application of statistical methods, including sampling theory and practice.

Human Rights: including freedom of information, freedom of discussion, status of women, freedom of minorities.

Narcotic Drugs: including control of traffic in drugs, production of raw materials, and measures to combat drug addiction.

Fiscal: including, among other fields, standards of public finance organization and management, relations between public spending and financing; structure and administration of tax systems, international double taxation, fiscal evasion and other international tax problems.

Transport and Communications: including the fields of telecommunications, aviation, maritime navigation, inland transport (railways, roads, waterways, pipelines, power), passport and frontier formalities, postal matters.

Legal Affairs: including projects relating to the development and codification of international law in public, private or penal fields, and projects of a legal character involving comparative law studies in private and public law.

Non-Self-Governing Territories: particularly as regards economic and social conditions subject, in the case of Trust Territories, to the control of the Trusteeship Council.

Public Administration: including civil service systems, accounting methods, and budgetary and financial practices.

Under the General Assembly's resolution 58(I) assistance had been extended in the fields of social welfare administration, child welfare, physical re-

¹⁴⁴See *Yearbook of the United Nations*, 1946-47, pp. 161-62.

habilitation and fellowships to the following countries: Albania, Austria, China, Czechoslovakia, Finland, Greece, Italy, Philippines, Poland and Yugoslavia. The Secretariat had made available an expert on fiscal matters to Venezuela and was considering a request from Peru for technical assistance in connection with that Government's narcotic drug control system. At the request of the Canadian Government, advice was given to a special joint parliamentary committee of the Canadian Legislature concerned with the preparation of an international bill of rights.

During the period under review, the following arrangements for financing the cost of technical assistance were in effect.

Where the assistance provided through the United Nations Secretariat was limited to documentation or correspondence, no separable costs were envisaged. The costs for expert assistance in the social welfare field provided for in the General Assembly resolution 58(I) were provided for in the 1947 budget of the United Nations. In other instances where experts were assigned from the staff of the United Nations Secretariat, the Secretary-General proposed (E/471/Add.1)

"to follow the general policy that the United Nations will pay the salaries of such staff so long as replacement is not required and to request Governments to reimburse the United Nations for other costs. Where provision of experts from the staff of the United Nations necessitates temporary replacement of personnel, the Secretary-General proposes to request the Governments seeking assistance to pay for the cost involved in making such replacements."

Sums for advances to be made to Member Governments for expenses other than salaries would be made available either from normal budgetary appropriations, if expenses were small, or from the Working Capital Fund, through the revolving fund created to finance self-liquidating activities.

Statements on expert assistance from the following specialized agencies were also presented: Food and Agriculture Organization; United Nations Educational, Scientific and Cultural Organization; International Civil Aviation Organization; Interim Commission of the World Health Organization; International Bank for Reconstruction and Development; International Monetary Fund; International Labour Organisation. These statements outlined the functions of these agencies in regard to providing expert assistance, and reviewed their activities in this field.¹⁴⁵

b. CONSIDERATION OF THE REPORT AT THE COUNCIL'S FIFTH SESSION

The Secretary-General's report was considered by the Council at its 113th plenary meeting on

August 12, 1947. The representative of Venezuela felt that the Secretary-General's note departed in substance from the intention of the Council's resolution; he believed that some machinery should have been created for rendering expert assistance. This view was shared by the Chilean representative. The U.S.S.R. representative could not see how, with limited personnel, the Secretariat could implement the provisions concerning expert assistance outlined in the report. He also felt that it would be more appropriate if arrangements for advances by the United Nations to Member Governments to facilitate the rendering of expert assistance were made in each particular case rather than that a general policy governing the whole question should be laid down. The Acting President pointed out that in view of budgetary and other problems it would be difficult to create special machinery in the Secretariat at the present time. He also pointed out that the views of the U.S.S.R. representative would be brought to the attention of the Secretary-General, since the report submitted by the Secretariat was only an interim one. The Indian representative suggested that one or more officials be designated within the Secretariat to handle requests for expert assistance so as to achieve co-ordination; some reference might be made to that aspect of the matter in the Secretary-General's final report.

The Council decided without a vote to take note of the Secretary-General's interim report (resolution 96(V)).

c. SUMMARY OF TECHNICAL ASSISTANCE AVAILABLE OR CONTEMPLATED IN THE FIELD OF DEVELOPMENT, MID-1948

The United Nations Secretariat at the request of the Sub-Commission on Economic Development—a Sub-Commission of the Economic and Employment Commission—prepared in the middle of 1948 a summary of the technical assistance then available or contemplated in the field of development through the United Nations and the specialized agencies (E/CN.1/61, pp. 22–28).¹⁴⁶ This summary, based on information supplied by the United Nations and by the specialized agencies, listed the following forms of technical assistance available at the end of June 1948.

(1) *Technical and Educational Missions*

Experts had been sent out by the United Nations and most of the specialized agencies to

¹⁴⁵For the functions of the specialized agencies and their activities in the period under review, see pp. 817–983.

¹⁴⁶See also Part Two: *The Specialized Agencies*, pp. 817–983.

provide, upon the request of Member Governments, technical assistance in economic development. The fields of activity, origins and destinations of individuals and groups sent out for this purpose are indicated in the table on page 661.

(2) *Fellowships and Technical Training*

Fellowships for study abroad were provided by WHO and UNICEF in public health, by UNESCO in various branches of education and by the United Nations in the field of social welfare administration. Opportunities for training in their home countries or nearby countries had been made available by the United Nations and a number of the specialized agencies, among them FAO, which had conducted regional seminars on certain aspects of agriculture and which had set up in Baghdad a school for training in agricultural statistics; WHO, which had offered to students from Member countries opportunities for study at research centres operated by the Organization; and the United Nations, which had conducted regional seminars in Latin America for social welfare. These studies result in publication, from time to time, of special technical reports and sometimes special texts or methodological guides on selected aspects of development.

In addition to such occasional publications by each of the agencies, FAO produces periodical publications in the fields of agriculture, forestry, and fisheries; the United Nations in the field of transportation; ITU in the field of communications; ILO in the field of labor and employment; and WHO in the field of public health. Bibliographies of current literature in their respective fields are published by FAO, ICAO and ITU, and the United Nations was proposing the publication of a periodical to include current bibliographies in the field of housing. UNESCO was preparing various technical bibliographies including, for example, bibliographies of films for technical training in various fields.

(3) *National Committees and Regional Dissemination Centres*

Facilities for the internal dissemination of technical advice had been organized by two agencies: FAO, in the fields of agriculture, forestry and fisheries; and UNESCO, in the field of education in general. For this purpose, FAO now has national committees operating in a large number of Member countries. UNESCO had set up Field Science Co-operation Offices in Rio de Janeiro, Nanking, Cairo and New Delhi to serve, among other things, as reception and distribution offices for scientific information.

(4) *International Conferences*

In addition to the regular conferences of the deliberative bodies of the international organizations, a number of the agencies—particularly FAO, WHO, ILO and the Fund—had established international panels of experts to consult on particular problems in their respective fields. A number of agencies, as well as the United Nations, had convened or were planning special international conferences of experts. Among these may be mentioned, for example, the United Nations Scientific Conference on the Conservation and Utilization of Resources, the World Statistical Congress and the 30-country conference on balance of payments statistics.

Regional conferences played an important part in the programs of FAO, ILO and the regional economic commissions of the United Nations, but were not limited to these agencies.

(5) *Regional Economic Commissions*

Machinery for technical assistance in certain regions of the world is available in the Economic Commissions for Europe, for Asia and the Far East, and for Latin America. These Commissions are empowered, *inter alia*, to initiate and participate in measures for facilitating concerted action for raising the level of economic activity within the respective areas, and to make or sponsor such investigations and studies of economic and technological problems of and development within member countries and territories as they may deem appropriate. The Economic Commission for Europe had created a number of committees, sub-committees and other bodies to consider particular problems of reconstruction and development, and through them had provided information and analyses on such subjects as coal, electric power, industry, inland transport and housing.

The Economic Commission for Asia and the Far East had undertaken studies of more pressing problems in the region with which it is concerned, including, for example, the problem of technical training and technical assistance to member countries of the region.

(6) *International Laboratories*

In connection with the administration of biological standards, WHO was continuing the agreement established by the League of Nations Health Organization whereby the State Serum Institute at Copenhagen and the laboratory of the Medical Research Council at Hampstead (London) actually prepare and distribute standard medical substances, as well as engage in experimental work incident to the establishment of biological standards. WHO

had also enlisted the co-operation of established laboratories in various parts of the world for experimental research in connection with its program on biological standardization.

(7) *Provision of Equipment and Supplies*

UNESCO had provided certain types of essential supplies and equipment to Members, chiefly in the form of laboratory equipment and technical publications. WHO had provided medicines and medical literature, largely in connection with its technical missions. FAO had distributed hybrid corn seed in connection with the promotion of improved agriculture in certain of its Member countries. The United Nations, in the closely related field of social welfare, had made available demonstration equipment, chiefly for the rehabilitation of the disabled.

(8) *Fields and Countries Receiving Technical Assistance*

The summary (E/CN.1/61) prepared by the United Nations Secretariat contained a table showing the fields and countries in which technical assistance for the promotion of economic development had been or was soon to be rendered by experts sent out by the United Nations and the specialized agencies. (This table is reproduced in substance on p. 661.)

d. ACTION OF THE COUNCIL AT ITS SEVENTH SESSION

The question of technical assistance was again considered by the Economic and Social Council at its seventh session in conjunction with the report of its Economic and Employment Commission.¹⁴⁷ In addition to the resolutions adopted by the Council on the basis of this report, the Council also adopted resolution 149(VII)¹⁴⁸ inviting the Statistical Commission to consider how statistically under-developed countries requiring assistance in remedying deficiencies of statistical data could be helped to improve their basic statistical services.

4. *Social Aspects of the Activities of the Regional Economic Commissions*

The Social Commission, at its third session, discussed the close relationship between social problems and the economic problems falling within the scope of the regional economic commissions. It recommended (E/779) to the Council that it request these commissions to communicate with the Social Commission questions of this kind for the purpose of obtaining its opinion.

In accordance with this recommendation, the

Council at its seventh session, after adopting at the 50th meeting of the Social Committee on July 29 an amendment proposed by the United States representative that the request should be made to the Secretary-General in view of his over-all responsibilities, at its 198th plenary meeting on August 13, 1948, adopted by 16 votes to 0, with 2 abstentions, resolution 155(VII)G. In this resolution the Council requested the Secretary-General to keep the Social Commission informed of such matters considered by the regional economic commissions as should, in the judgment of such commissions or of the Secretary-General, be brought to the attention of the Social Commission.

5. *Provisional Questionnaire of the Trusteeship Council*

In resolution 7(I), adopted during its first session, on April 28, 1947, the Trusteeship Council had decided to transmit its Provisional Trusteeship Questionnaire (T/44) to the Economic and Social Council and to the specialized agencies for their advice and comments on those sections which dealt with subjects of special concern to them.

During its fifth session, on August 16, 1947 (resolution 88(V)), the Economic and Social Council resolved to transmit the pertinent parts of the Provisional Trusteeship Questionnaire to its various functional commissions for their consideration and recommendations.

The Council's Economic and Employment Commission considered the Questionnaire at its third session (April 19 to May 6, 1948) (E/790) but felt that it did not have sufficient time to make a thorough examination. The task of thoroughly examining the document in question was entrusted to a committee composed of the representatives of Belgium, Cuba, Czechoslovakia, France, Poland, U.S.S.R., United Kingdom and United States, which was instructed to formulate definite suggestions on the Questionnaire for the consideration of the Economic and Employment Commission at the latter's fourth session, to be held between the Economic and Social Council's first and second sessions in 1949.

At its third session, the Statistical Commission informed (E/795) the Economic and Social Council on May 26, 1948, that the present status of experience in the use of the statistical aspects of the Provisional Trusteeship Questionnaire did not yet permit the formulation of definitive proposals for revisions. It suggested that the matter be deferred

¹⁴⁷See *Economic and Employment Matters*, pp. 518-20.

¹⁴⁸See *Statistical Activities*, p. 564.

TABLE OF COUNTRIES AND REGIONS RECEIVING TECHNICAL ASSISTANCE AND OF FIELDS OF ACTIVITY

COUNTRY OR REGION	FIELDS													
	Agriculture ^a	Forestry ^a	Fisheries ^a	Industry ^b	Air Transport ^a	Surface Transport ^b	Communications ^d	Housing ^b	Labor and Employment ^a	Education and Technical Training ^f	Health, Nutrition and Safety ^g	Sciences ^b	Finance and Currency ^h	Public Administration ^b
Austria *	..	..	..	..	..	..	..	..	X	..	X ¹	..	..	..
Bolivia ..	..	..	..	..	..	..	..	..	..	..	X ²	..	X ³	..
Brazil .....	..	..	..	..	..	..	..	..	..	X ⁴	..	X ⁵	X ³	..
Canada .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Chile .....	..	..	..	..	..	..	..	..	..	..	..	..	X ³	..
China	X ⁶	..	..	X ⁶	..	..	..	..	X	X	X ¹	..	..	..
Colombia ..	..	..	..	..	..	..	..	..	X	..	..	..	..	..
Costa Rica ..	..	..	..	..	..	..	..	..	X	..	..	..	..	..
Czechoslovakia ..	..	..	..	..	..	..	..	..	X	..	..	..	..	..
Ecuador ..	X	..	..	..	..	..	..	..	X	..	..	..	..	..
Egypt .....	..	..	..	..	..	..	..	..	X	..	X ³	..	..	..
El Salvador ..	..	..	..	..	..	..	..	..	X	..	..	..	..	..
Ethiopia ..	..	..	..	..	..	..	..	..	..	..	X ¹	..	..	..
France ..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Greece	X	..	X ⁷	X ⁷	X	..	..	..	X	..	X ¹	..	..	X ⁷
Haiti .....	..	..	..	..	..	..	..	..	X	X	..	X ⁵	..	..
Hungary *	..	..	..	..	..	..	..	..	..	..	X ¹	..	..	..
Iceland .....	..	..	..	..	X	..	..	..	..	..	..	..	..	..
India .....	..	..	..	..	..	..	..	..	X	..	X	..	..	..
Iran .....	..	..	..	..	..	..	..	..	X	..	..	..	..	..
Italy *	..	..	..	..	..	..	..	..	..	..	X ¹	..	..	..
Mexico .....	..	..	..	..	..	..	..	..	X	..	..	..	X ³	..
Peru .....	..	..	..	..	..	..	..	..	..	X ⁵	..	..	X ³	..
Philippines ..	..	..	..	..	..	..	..	..	..	..	..	..	X ³	..
Poland	X	X ⁷	..	..	..	..	..	..	..	..	X ¹	..	..	..
Siam	X	X ⁷	..	..	..	..	..	..	..	..	..	..	..	..
Turkey .....	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Venezuela	X	..	..	..	..	..	..	..	X	..	..	X ⁵	X ⁸	..
Mediterranean ..	..	X	..	..	..	..	..	..	..	..	..	..	..	..
Near East ..	X ⁹	X	..	..	..	..	..	..	..	..	..	..	..	..
Latin America ..	..	X	..	..	..	..	..	..	..	..	..	..	..	..
British East Africa ..	..	..	..	..	..	..	..	..	..	X	..	..	..	..

* Non-members of the United Nations, but Members of one or another of the specialized agencies.

^a By FAO, except as indicated.

^b No specialized agency has specific responsibility in this field.

^c By ICAO.

^d By ITU.

^e By ILO, including only missions sent since 1939.

^f By UNESCO, Pilot Projects in Fundamental Education.

^g By WHO, except as indicated.

^h By the United Nations.

ⁱ By the Bank, the Fund and the United Nations. Approximately 25 cases in which the Fund has sent expert advisers to Member countries are not indicated. Study groups sent by the Bank to devastated European countries are excluded.

¹ Supported largely by residual UNRRA funds

² By ILO.

³ Study group.

⁴ Experts sent out to conduct field research, in conjunction with Hylean Amazon Institute.

⁵ Proposed.

⁶ UNRRA activities continued by FAO

⁷ Incidental to broad agricultural missions.

⁸ By the United Nations.

⁹ Experts sent out to conduct field research

NOTE: In addition to the missions noted in the table, one mission was sent to Algeria by the International Labour Organisation.

until such a formulation might prove possible and that the Secretariat continue its examination of replies to the Provisional Questionnaire, with a view to suggesting modifications.

The Transport and Communications Commission, during its second session, held from April 12 to 20, 1948, adopted a resolution (E/789, p.18) recommending certain modifications in the sections of the Provisional Questionnaire dealing with transport and communications.

Similarly, the Commission on the Status of Women, at its second session held from January 5 to 19, 1948, suggested certain modifications in those parts of the Trusteeship Questionnaire which dealt with the status of women in Trust Territories. The Commission's report to the Economic and Social Council (E/615) also noted that some members of the Commission had expressed the wish that a Commission representative be permitted to participate, without vote, in Trusteeship Council discussions involving the rights of women, and, if this were not possible, that some other appropriate means of participation be found.

The Social Commission reported (E/779, p.14) to the Economic and Social Council that at the Commission's third session, held from April 5 to 23, 1948, it had been decided to refer to the Council for consideration a series of recommendations regarding changes in questions relating to the social sphere of the Provisional Trusteeship Questionnaire. These recommendations had been proposed by the representatives of Czechoslovakia, the Netherlands, Poland and the United States, respectively, and had been collated in a single document (E/CN.5/80).

Modifications in the parts of the Provisional Questionnaire dealing with demographic topics were suggested (E/805) by the Population Commission during the latter's third session, held from May 10 to 25, 1948.

The Commission on Narcotic Drugs, at its third session, held from May 3 to 22, 1948, suggested (E/799) that a section of the Provisional Questionnaire be headed "Narcotic Drugs" and that it should include a number of specific questions as drafted by the Commission.

The Commission on Human Rights, at its second session, held from December 2 to 17, 1947, suggested (E/600) a draft resolution in which the Economic and Social Council would request the Trusteeship Council to consider the Human Rights section of its Questionnaire as provisional "until the Commission on Human Rights is able to review it in the light of an approved Bill of Human Rights". The Commission noted that the repre-

sentative of the U.S.S.R. had suggested a number of specific questions for inclusion, as addenda, in the Provisional Questionnaire. (The questions suggested by the representative of the U.S.S.R. were contained in the Commission's report to the Economic and Social Council, (E/600, p. 14)).

Consideration of these recommendations and observations of the Commissions by the Economic and Social Council at the latter's seventh session was brief and did not involve any major differences of opinion, nor was there in most cases prolonged debate in the Economic, Social and Human Rights Committees, to which the Council referred all but one of the observations of the functional commissions. The exception was the relevant section of the report of the Commission on Human Rights (E/600), which was transmitted to the Trusteeship Council without reference to committee.

At its 225th plenary meeting, on August 28 to 29, 1948, the Council had before it a draft resolution (E/1037) presented by the President, which would have the Council adopt the relevant observations and suggestions of the functional commissions and transmit them to the Trusteeship Council. The representatives of the United Kingdom, France, the United States and Canada felt that the word "adopts" was not altogether justified since there had been little or no discussion by the Council of the observations on, and proposed modifications of, the Provisional Trusteeship Questionnaire, although they stressed that they had few if any objections regarding the substance of the proposed modifications. The representative of the U.S.S.R. favored retention of the President's draft, saying that the Council could, if it wished, discuss the substance of the recommendations. He also proposed the addition of the report of the second session of the Commission on Human Rights to the list of documents to be forwarded to the Trusteeship Council, a proposal which was adopted unanimously.

The Council, by a vote of 14 to 3, with 1 abstention, adopted a United States amendment, as revised by Canada, to make the pertinent passage of the draft resolution omit the word "adopts", making it read "decides to transmit their observations thereon". The amended resolution was adopted unanimously.

In its operative part, the resolution (163(VII)) recorded the Council's decision to transmit to the Trusteeship Council the observation and recommendations of the eight functional commissions mentioned above, together with copies of the summary records of the Council's various committees at which they were considered.

6. *Draft Rules for the Calling of International Conferences*

The General Assembly at its second session invited the Secretary-General "to prepare, in consultation with the Economic and Social Council, draft rules for the calling of international conferences, as provided in paragraph 4 of Article 62 of the Charter, for consideration at the third session of the General Assembly" (resolution 173(II)).¹⁴⁹

During its sixth session (125th plenary meeting on February 3) the Council adopted without

discussion a resolution (135(VI)) instructing the Secretary-General to prepare in accordance with the General Assembly's resolution 173(II) of November 17 draft rules for the calling of international conferences.

The Secretary-General prepared a paper on the subject (E/836) to serve as a basis for discussion in the Council. The Council during its seventh session (178th plenary meeting on July 20) decided by 9 votes to 8 to defer the consideration of the draft Rules for the Calling of International Conferences.

I. CO-ORDINATION OF SPECIALIZED AGENCIES

1. *Agreements between the United Nations and the Specialized Agencies*

Under Articles 57 and 63 of the Charter, the Economic and Social Council, through its Committee on Negotiations with Inter-Governmental Agencies, had, as of September 21, 1948, negotiated agreements with eleven agencies. Four of these agreements—with the International Labour Organisation (ILO), the Food and Agriculture Organization of the United Nations (FAO), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the International Civil Aviation Organization (ICAO)—were concluded and entered into force before the second session of the General Assembly in September 1947. Four further agreements subsequently came into force—with the International Bank for Reconstruction and Development, the International Monetary Fund, the Universal Postal Union (UPU) and the World Health Organization (WHO). A fifth, with the International Telecommunication Union (ITU), was to come into force on January 1, 1949, at the same time as the revised International Telecommunication Convention. Agreements with two other agencies—the International Refugee Organization (IRO) and the Inter-Governmental Maritime Consultative Organization (IMCO)—were negotiated during the period between the second and third regular sessions of the General Assembly, and negotiations had been authorized with the International Trade Organization (ITO) (or its Interim Commission) and the World Meteorological Organization (WMO).

a. AGREEMENTS WITH THE WHO, UPU, ITU, INTERNATIONAL BANK AND INTERNATIONAL MONETARY FUND

(1) *Draft Agreement with the World Health Organization (WHO)*

At its third session, the Council adopted a resolution (14(III)) directing the Secretary-General to initiate as soon as possible conversations with the Interim Commission of WHO for the purpose of preparing an agreement to be negotiated at an early session of the Council. During the fifth session, on August 4, 1947, the Committee met with the Negotiating Committee of the Interim Commission of WHO and negotiated a draft agreement.

The Committee submitted a report and a draft agreement (E/541) to the Council at its fifth session. The Council at its 114th plenary meeting on August 13 without discussion approved the draft agreement for submission to the General Assembly (resolution 91(V)).¹⁵⁰

(2) *Draft Agreement with the Universal Postal Union (UPU)*

In accordance with a decision of the second session of the Council, the Secretary-General convened a meeting of postal experts in December 1946, at which the text of a draft agreement between the United Nations and UPU was adopted (E/CONF/POST/PC/W.17) and recommended to Member Governments. At its fourth session, the Council (resolution 35(IV)) authorized the Committee on Negotiations with Inter-Govern-

¹⁴⁹See *General Assembly*, p. 37.

¹⁵⁰For text of agreement, see pp. 919-23.

mental Agencies to enter into negotiations at the appropriate time with the UPU with the purpose of bringing it into relation with the United Nations. The Committee met in Paris from June 17 to 20, 1947, with the Negotiating Committee of the Universal Postal Congress and negotiated a draft agreement, which was submitted to the fifth session of the Council (E/488).

The Committee's report and the draft agreement were considered by the Council at its 104th plenary meeting on August 4. The Norwegian delegation proposed a resolution (E/498) as follows:

"The Economic and Social Council,
"Having examined the agreement entered into between its Committee on Negotiations with Specialized Agencies and the Universal Postal Union, and

"Bearing in mind that the General Assembly in its resolution No. 50 (I) of 14 December 1946, considered it essential that the policies and the activities of the Specialized Agencies and of the organs of the United Nations should be co-ordinated,

"Takes note of the special circumstances which made it impossible for the time being to reach an agreement with the Union in more close conformity with other agreements with Specialized Agencies, already approved by the General Assembly, and

"Considers that the agreement should be reviewed and revised at the earliest opportunity,

"States that the agreement with the Union should not be regarded as a precedent for future agreements with Specialized Agencies, and

"Recommends to the General Assembly that the agreement with the Universal Postal Union be approved with the above-mentioned reservations."

The Norwegian representative stated that the leading principle in concluding agreements with specialized agencies must be the co-ordination of the policies of the agencies, so that the agreements should be drawn up in such a way that the rights of the United Nations, as the supreme policy-making authority in the international field, should be clearly recognized. He also stressed that the agreements should make it possible for the General Assembly to co-ordinate the budgets of the various specialized agencies. The agreement with UPU was considerably weaker and less comprehensive than those concluded with ILO, FAO and UNESCO, and he hoped that co-operation between the two organizations would prove that a revision of the agreement was desirable and possible for both of them. He recommended that the agreement be approved, but that it should be made clear that the approval was given because of the special position of the UPU and should not be regarded as a precedent.

The French, United Kingdom and United States representatives emphasized that the agreement was

the best that could be reached after negotiations with UPU and that it should be accepted without reservations. It might be possible to revise it in the light of experience but not until the next Universal Postal Congress, which would not meet for five years. The United Kingdom representative suggested the deletion of paragraphs 2, 3 and 4 of the Norwegian draft resolution. At the suggestion of the United States representative the Norwegian representative agreed to deleting the words "with the above-mentioned reservations" from the last paragraph of the draft resolution. The Cuban representative felt that it would be regrettable if agreements were concluded with inter-governmental agencies which varied in their text and spirit from those already entered into.

At the suggestion of the Canadian representative the Norwegian draft resolution was voted on paragraph by paragraph, and all the paragraphs with the exception of the fourth were approved. The U.S.S.R. representative recorded an abstention on the sixth paragraph on the ground that the references in Article IV, paragraph 1, of the agreement to recommendations to Members of UPU were contrary to the Charter provisions, and that Article VI, paragraph 2 (providing that "no provision in the Universal Postal Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations"), was unnecessary.¹⁵¹

The Council at its 104th plenary meeting on August 4, 1947 by 16 votes to 0, with 1 abstention, adopted resolution 89 (V), which reads as follows:

"The Economic and Social Council,
"Having examined the draft agreement entered into between its Committee on Negotiations with Specialized Agencies and the Universal Postal Union, and

"Bearing in mind that the General Assembly in its resolution No. 50 (I) of 14 December 1946, considered it essential that the policies and the activities of the specialized agencies and of the organs of the United Nations should be co-ordinated,

"Takes note of the special circumstances which have made it impossible for the time being to reach an agreement with the Union in closer conformity with other agreements with specialized agencies, already approved by the General Assembly,

"States that the agreement with the Union should not be regarded as a precedent for future agreements with specialized agencies, and

"Recommends to the General Assembly that the draft agreement with the Universal Postal Union be approved."

(3) *Draft Agreement with the International Telecommunication Union (ITU)*

A decision of the second session of the Council provided for the calling of a preparatory con-

¹⁵¹For text of agreement, see pp. 906-8.

ference of experts on telecommunications. This meeting was later cancelled, by agreement with the members of the Committee on Negotiations with Inter-Governmental Agencies. Particular regard was given to the fact that concurrent meetings of the Council during its fifth session and of the Plenipotentiary Conference of the ITU would take place in July and August 1947. By resolution 35- (IV), adopted at its fourth session, the Council authorized its Committee to enter into negotiations at the proper time for the purpose of bringing ITU into relationship with the United Nations. The Committee on Negotiations with Inter-Governmental Agencies met with the Negotiating Committee of ITU on August 12, 13 and 14, during the fifth session of the Council, and negotiated a draft agreement.

The Committee's report and draft agreement (E/551/Rev.1) were considered by the Council at its 120th plenary meeting on August 16. The Council adopted without objection a resolution which had been proposed by Norway (resolution 90(V)), similar to that previously adopted in the case of the draft agreement with the UPU.¹⁵²

(4) *Draft Agreements with the International Bank for Reconstruction and Development and with the International Monetary Fund*

During the third session of the Council, the Committee on Negotiations with Inter-Governmental Agencies recommended (E/205) that every possible effort should be made to negotiate with the Bank and with the Fund, at an early session of the Council, draft agreements which would take into account the special characteristics of these organizations, and to submit these draft agreements to the second regular session of the General Assembly in 1947. At its third session, the Council (resolution 14(III)) directed the Secretary-General to strengthen and extend working relationships between the United Nations and the two organizations and to continue consultations with them with a view to initiating formal negotiations as soon as practicable. Relations with these organizations were developed during the year in accordance with these instructions. In July, the Bank and the Fund proposed a tripartite negotiation and transmitted drafts of agreements at the same time. During the fifth session, the Committee on Negotiations with the Inter-Governmental Agencies met with the Negotiating Committees of the Bank and the Fund, and negotiated draft agreements.

The Committee had regard to the responsibilities placed upon the two organizations by their Articles of Agreement in regard to the nature and method

of their operations and the confidential character of some of their transactions, and to the fact that their budgets are financed from their general operating funds and not from annual contributions from Member Governments. The draft agreements were drawn up in a form that differed in a number of respects from that of previous agreements and refer specifically to the responsibilities of the two organizations. A number of other provisions were modified as compared with previous agreements. In the case of the draft agreement with the Bank, the United Nations recognized that the action to be taken by the Bank on any loan is a matter to be determined by the independent exercise of the Bank's own judgment in accordance with its Articles of Agreement; and that it would therefore be sound policy to refrain from making recommendations to the Bank with respect to particular loans.

The reports of the Committee on Negotiations with Inter-Governmental Agencies on these negotiations (E/558 and Corr.1 and E/559) were considered jointly by the Economic and Social Council at its 120th plenary meeting on August 16. The Norwegian and U.S.S.R. representatives strongly criticized the proposed agreements, in particular the draft agreement with the Bank. Both representatives criticized as being contrary to the relevant article of the Charter the provision (Article II, paragraph 1) which states that in addition to attending meetings of the Bank's Board of Governors, representatives of the United Nations may participate without vote "in meetings specially called by the Bank for the particular purpose of considering the United Nations point of view in matters of concern to the United Nations". Both also criticized as being contrary to the Charter the provision (Article X, paragraph 3) that the United Nations would agree in interpreting Article 17, paragraph 3, of the Charter (approval of budgetary arrangements with specialized agencies and examination of their administrative budgets) "to take into consideration that the Bank does not rely for its annual budget upon contributions from its Members, and that the appropriate authorities of the Bank enjoy full autonomy in deciding the form and content of such budget". The Norwegian representative also criticized the provisions of Article VI (Security Council). The U.S.S.R. representative criticized the provisions in Article IV to the effect that the United Nations would not make recommendations to the Bank in respect of loans, and also the provision in this article and the comparable article in the draft agreement with the

¹⁵²For text of agreement, see pp. 952-54.

Fund that the United Nations could not make recommendations to these two organizations if they did not wish to receive recommendations. The Norwegian representative recognized the special position of the Bank, but felt that it could have friendly relations with the Council without becoming a specialized agency.

The Chilean and Venezuelan representatives stated that they would vote in favor of the agreements, but expressed some criticisms. The Chilean representative feared lest the practically independent status which the Bank would obtain under the agreement might result in some loss of its capacity to pursue purposes differing widely from those of private trade institutions. The Venezuelan representative thought that it was unnecessary for the Bank to state its independence as categorically as it had in Article I and also took exception to the clause in Article IV reading "The United Nations recognized, therefore, that it would be sound policy to refrain from making recommendations to the Bank with respect to particular loans or with respect to the terms and conditions of financing by the Bank".

The United States, Netherlands, United Kingdom and Canadian representatives stressed the importance of concluding agreements with the two organizations and the necessity for allowing them the necessary amount of independence with which to carry on their work, in view of their special character, and held that relationship agreements must vary according to the type of agency. The United States representative pointed out that the Charter only provided for recommendations to specialized agencies; it did not transfer to the United Nations budgetary control over any of them. The Norwegian representative, however, stated that Article 17, paragraph 3, of the Charter constituted a very clear recommendation regarding budgetary control, and indicated the discrepancies between Article X of the draft agreement and the conditions laid down in the Charter; his delegation reserved the right to raise the question before the General Assembly as to whether the Council was entitled so to depart from the provisions of the Charter.

Voting by roll call, the Council:

(1) rejected by 14 votes to 3, with 1 abstention, a U.S.S.R. proposal that the draft agreements be sent back to the Committee on Negotiations with Inter-Governmental Agencies;

(2) rejected by 12 votes to 4, with 2 abstentions, a Norwegian proposal (E/563) requesting the Secretary-General "to transmit the draft agree-

ments to the Member Governments in order to enable them to present their comments thereon at the next session of the General Assembly" and recommending that the General Assembly draw up "general directives concerning the principles which should govern the relations with specialized agencies" in the light of which the Economic and Social Council would review the two draft agreements in detail at its next session;

(3) rejected by 8 votes to 2, with 8 abstentions, a Norwegian proposal similar to that adopted in the case of UPU and ITU, taking note of the special circumstances which made it impossible to reach agreements with the Bank and Fund in more close conformity with other agreements with specialized agencies, and stating that the agreements should not be regarded as precedents for the future;

(4) adopted by 13 votes to 3, with 2 abstentions, a resolution which had been proposed by the United States (92(V)) stating that the Council, having considered the draft agreements, recommends to the General Assembly that it approve them.¹⁵³

(5) *Approval and Entry into Force*

The General Assembly, in resolution 124 (II) of November 15, 1947, approved the agreements with the World Health Organization (WHO), the Universal Postal Union (UPU), the International Telecommunication Union (ITU), the International Bank for Reconstruction and Development and the International Monetary Fund.

The agreements with the two latter agencies, having already been approved by their Boards of Governors on September 16 and 17, 1947, respectively, came into force immediately. The agreement with WHO was approved subsequently by the first World Health Assembly on July 10, 1948, and accordingly came into force on that date; while the agreement with UPU came into force at the same date as the Universal Postal Convention of Paris, July 1, 1948.

The agreement between the United Nations and ITU was to enter formally into force when the ITU Convention entered into force on January 1, 1949. However, it came into force provisionally (in accordance with its Article XVIII) on November 15, 1947, when it was approved by the General Assembly, having previously been approved by the Plenipotentiary Conference of ITU at Atlantic City.

¹⁵³For texts of agreements, see pp. 873-74, 885-87.

b. NEGOTIATIONS WITH IRO, WMO, ITO and IMCO

During its sixth session (172nd plenary meeting on March 10) the Council considered the report of its Committee on Negotiations with Inter-Governmental Agencies (E/C.1/36) and approved (resolution 130(VI)) by the following votes its recommendations that negotiations should be entered into with the following agencies:

(1) *International Refugee Organization or its Preparatory Commission*, 15 votes to 2. (The U.S.S.R. and Byelorussian representatives felt that the Council should not enter into relationships with a temporary organization, and also criticized the Organization's activities.)

(2) *World Meteorological Organization*, 15 votes with 2 abstentions. (The Australian representative wanted further information about this organization, and the Netherlands representative wondered if it fulfilled the condition of "having wide international responsibilities".)

(3) *International Trade Organization or its Interim Commission, if established*, 14 votes with 3 abstentions. (The Polish representative expressed the view that the Council should only negotiate with fully constituted organizations.)

(4) *Inter-Governmental Maritime Consultative Organization*, 14 votes with 4 abstentions.

(1) Draft Agreements with IRO and IMCO

On July 21, 1948, the Committee held a negotiating session at Geneva with representatives of PC-IRO, as a result of which a draft agreement was proposed and considered by the Economic and Social Council at its 214th plenary meeting on August 24, 1948.

The representatives of the U.S.S.R., Poland and the Byelorussian S.S.R. opposed accepting the agreement. They thought that it was unwise, as well as unconstitutional, to conclude an agreement with an organization which was entirely temporary in character and that, additionally, the Organization had failed in its purpose since it was more interested in resettlement than repatriation. The representative of the U.S.S.R. further claimed that the Organization was not an authoritative body, since its Constitution had only been ratified by fifteen states.

The President stated that to conclude the agreement was proper and constitutional, in fact obligatory, since the General Assembly had approved Article 3 of the Constitution of the Organization, which provided for an agreement to establish the

relationship between the two organizations. The United States representative also maintained that the agreement was perfectly constitutional.

The Byelorussian representative suggested that if, in spite of objection, the Council approved the agreement, it should be with the provision that it would be valid for one year only.

As formulated, the Byelorussian proposal, that the Council request its Negotiating Committee to reopen negotiations with PC-IRO with a view to attaching a time limit of one year to the validity of the draft agreement, was rejected by 15 votes to 3.

The Council adopted by 15 votes to 3 resolution 164(VII), recommending to the General Assembly that it approve without change the draft agreement entered into between the Committee on Negotiations with Inter-Governmental Agencies and the Negotiation Committee of the PC-IRO.

A similar negotiating session was held at Geneva on August 10, 1948, between the representatives of the Inter-Governmental Maritime Consultative Organization and the Negotiating Committee, and a draft agreement was prepared. At its 222nd plenary meeting on August 27 the Economic and Social Council adopted without discussion by 12 votes to 0, with 6 abstentions, resolution 165(VII) recommending the General Assembly to approve without change the draft agreement between the United Nations and the Inter-Governmental Maritime Consultative Organization.

(2) WMO and ITO

The Interim Commission of the International Trade Organization (IC-ITO) and the World Meteorological Organization (WMO) were the remaining two agencies with which negotiations had been authorized by the Council. IC-ITO and the International Meteorological Organization on behalf of WMO expressed the hope that they would shortly be in a position to enter into negotiations with the United Nations.

c. SUPPLEMENTARY AGREEMENTS REGARDING THE USE OF THE UN *Laissez-Passer*

The Council at its sixth session (127th and 153rd plenary meetings on February 4 and 25) considered the request of ICAO for the extension to its officials of the right to use the United Nations *laissez-passer*. The Council appointed an *ad hoc* committee, consisting of representatives of Australia, Denmark, the U.S.S.R. and the United States, which met on February 17 and 18 and con-

sidered various suggestions, including a U.S.S.R. proposal (E/680) to postpone the matter until the Council's next session (on the ground that ICAO had not yet expelled Franco Spain), a United States draft resolution (E/AC.23/W.1) and amendments proposed by the representatives of Australia and Denmark (E/AC.23/W.2). The *ad hoc* Committee proposed a resolution (E/683) which was adopted by the Council at its 153rd plenary meeting by 13 votes to 3, with 2 abstentions. Before adopting the resolution the Council rejected by 9 votes to 4, with 5 abstentions, a U.S.S.R. proposal to add in paragraph (a) of the operative part of the resolution (see below) the words "with the exception of such organizations as include Franco Spain as a member".

In its resolution (136(VI)) the Council requested the Secretary-General

"(a) To conclude with any specialized agency which may so desire a supplementary agreement to extend to the officials of that agency the provisions of article VII of the Convention on Privileges and Immunities of the United Nations,¹⁴⁴ and to submit such supplementary agreement to the General Assembly for approval, and

"(b) Pending the entry into force of such agreement, to make arrangements for the use of the United Nations *laissez-passer* by officials of the specialized agency concerned, such *laissez-passer* to be issued on a provisional basis for use only in those countries which have previously undertaken to recognize the validity of *laissez-passer* so issued."

The supplementary agreement, requested by ICAO, and a similar agreement requested by UPU, were accordingly drawn up for submission to the General Assembly at its third session.

The agreements with WHO, ITU, the Bank and the Fund had included articles concerning the *laissez-passer*; while the most recent agreements negotiated—those with PC-IRO and IMCO—also include provision for the use of the United Nations *laissez-passer* by officials of the agencies concerned.

d. ELECTION OF MEMBERS TO THE COMMITTEE ON NEGOTIATIONS WITH INTER-GOVERNMENTAL AGENCIES

At its 172nd meeting on March 10, 1948, the Council elected Denmark, the Netherlands, Poland and Venezuela to fill the vacancies in the Committee on Negotiations with Inter-Governmental Agencies (E/SR.172), since of the original members appointed at the Council's first session, Belgium and Colombia had ceased to be members of the Council in 1947, and Czechoslovakia and Norway in 1948.¹⁴⁵

2. Reports of Specialized Agencies

a. REPORTS CONSIDERED AT THE SIXTH AND SEVENTH SESSIONS

At its sixth session, the Council held a special debate in which it discussed together all the reports of the specialized agencies of which it had deferred consideration at its fifth session. The following reports had been submitted:

International Labour Organisation: report covering period from establishment of the United Nations to July 15, 1947 (E/586), with appendices (E/586/Add.1), and supplementary note (E/586/Add.2) completing an account of its activities up to the end of 1947, and giving an indication of the main activities of ILO for 1948.

Food and Agriculture Organization: second annual report to the Conference of FAO covering the period July 1, 1946, to June 30, 1947 (E/597), and supplementary report (E/597/Add.1) dated January 8, 1948, dealing with current work program and relations with other specialized agencies.

United Nations Educational, Scientific and Cultural Organization: report covering period November 4, 1946, to June 30, 1947 (E/461), and supplementary note completing account of activities up to end of 1947 (E/461/Add.1), attached to which was work program for 1948 as adopted by General Conference of UNESCO.

International Civil Aviation Organization: second annual report of its Interim Council to the first Assembly of ICAO covering period June 8, 1946, to March 31, 1947, and resolutions adopted by the first Assembly of ICAO, May 1947 (E/456), a supplementary report covering ICAO's activities until the end of 1947 (E/456/Add.1/Rev.1), and a supplementary report on activities from March 1 to May 31, 1948.

World Health Organization: Interim Commission—report of its activities in 1947 (E/593).

In its general debate on the co-ordination of specialized agencies, at its 141st and 144th plenary meetings on February 13 and 17, 1948, the Council included consideration of the reports of the specialized agencies, but most of the views expressed referred to matters of co-ordination, and the Council at its 163rd and 165th meetings on March 4 and 5 considered the reports in detail (see below). (The debates in question have been reproduced *in extenso* in documents E/784 and E/785.) Representatives of the five agencies were present and addressed the Council.

At its 165th meeting, after a U.S.S.R. proposal to delete the reference to ICAO had been rejected by 11 votes to 4, with 1 abstention, the Council adopted by 14 votes, with 3 abstentions, a resolution (129(VI)A), which had been proposed by the United States, expressing appreciation of the reports submitted by ILO, FAO, UNESCO, ICAO

¹⁴⁴See *Yearbook of the United Nations, 1946-47*, p. 103.

¹⁴⁵For list of members of the Committee, see p. 705.

and the Interim Commission of WHO, and requesting the Secretary-General to transmit to these specialized agencies summaries of the Council's discussion of the reports.

At its seventh session the Council had before it the following reports from the specialized agencies:

International Labour Organisation: second report to the United Nations (E/810), covering the period from July 1947 to March 1948.

Food and Agriculture Organization: supplementary report of FAO (E/797), covering the principal activities of the period from January 1 to May 1, 1948.

United Nations Educational, Scientific and Cultural Organization: supplementary report to that considered by the Council at its sixth session, covering the activities of UNESCO during the first four months of 1948 (E/804) and a General Organization Chart (E/804/Add.1/Rev.1).

International Civil Aviation Organization: report of the Council of ICAO to the second Assembly of the Organization, covering the activities of ICAO for the period from June 1, 1947, to March 1, 1948, the budget estimates for the period from July 1, 1948, to December 31, 1949, submitted by the ICAO Council to the Assembly (E/808), an addendum covering the proceedings of the second Assembly of ICAO (E/808/Add.1), and a supplementary report on activities from March 1 to May 31, 1948.

International Bank for Reconstruction and Development: second annual report of the Bank to the Board of Governors for the year ending June 30, 1947, a memorandum relating to its financial statements as of March 31, 1948, and a statement on "Activities and Organization, 31 March 1948" (E/803).

International Monetary Fund: annual report of the Executive Directors of the Fund, dated June 30, 1947, and quarterly financial statements for November 28, 1947, and February 29, 1948 (E/801), and a memorandum giving information on the Fund and its activities for the period from its last report until the end of March 1948 (E/801/Add.1 and Corr.1).

Universal Postal Union: administrative report, 1947 (E/811).

World Health Organization: Interim Commission report of its activities (E/786 and Corr.1).

International Telecommunication Union: descriptive report of the organization and its historical background (E/812).

The Council decided to allocate the reports to its committees as follows: the reports of FAO, the Bank, the Fund, ICAO, UPU and ITU to the *Economic Committee*, and the reports of ILO, UNESCO and WHO to the *Social Committee*. It was later decided to discuss the report of ILO in plenary meeting since it touched on the work of different committees, and also to consider the work of ICAO in plenary session simultaneously with the question of ICAO's implementation of the General Assembly resolutions concerning Franco Spain.

b. INTERNATIONAL LABOUR ORGANISATION

In the Council's discussions of the ILO reports, at its sixth session (163rd and 165th plenary meetings), the United States representative suggested that future ILO reports should emphasize current and future projects and that an evaluation of the experience of ILO's industrial committees should be furnished.

Various representatives congratulated ILO on the work it had accomplished. The U.S.S.R. representative criticized the Organisation as responding to the interests of the employers rather than of the workers. The Polish representative suggested that the Organisation should deal more with certain basic questions, such as raising the standard of living of the working classes particularly in underdeveloped areas and in Non-Self-Governing Territories.

The report of ILO was discussed during the seventh session at the 199th, 203rd and 205th plenary meetings on August 14, 18 and 19, 1948.

Members expressed appreciation of the work of the Organisation, with particular reference to the extension of its regional activities. The Brazilian representative thought that the Organisation should give more attention to the geographical distribution of its staff.

The main discussion in the Council centred round a draft resolution, proposed by the U.S.S.R. (E/973), and supported by the Polish and Byelorussian representatives, calling upon the Council to recommend to the Members of the United Nations which were also Members of ILO to take the necessary steps to increase the representation of the workers to half in the Conferences and the Governing Body of the Organisation, the other half to consist of the representatives of the governments and the employers.

It was argued by representatives supporting the resolution that the present structure of ILO—which had been established at the close of the First World War—rendered it unable to deal with the social problems arising at a time of vast economic and social changes. The Organisation, as at present constituted, it was argued, did not, in view of the predominant representation of employers and capitalist governments, pay adequate attention to the interests of labor. This had been shown by the action of ILO when the question of trade union rights was referred to it, and it had considered instead the question of freedom of association. The Organisation, it was said, had shown too little interest in the great economic and social changes in Eastern Europe. It was further pointed out that

many of the conventions adopted by ILO had not been ratified, which, it was argued, showed that the Organisation as at present constituted was ineffective.

The Brazilian, New Zealand, United Kingdom, United States, Canadian, Danish and Chilean representatives opposed the resolution. Among the arguments against it were: that the present tripartite character of ILO was one of the sources of its strength and helped to make social understanding possible; that the Organisation had recently reviewed its structure which had been approved by large majorities; that in any case it was for ILO itself to change its structure if it thought this desirable; that it was incorrect to assume that government representatives favored the interests of employers over those of employees, since they represented the interests of their countries as a whole—frequently, for example in the case of labor governments, the interests of the government and workers representatives were the same, that if ILO was predominantly an instrument of the employers it would not be receiving, as it was, the overwhelming support of trade unionists and the WFTU would not recently have entered into an agreement with it.

With regard to the small number of ratifications, it was pointed out that the responsibility in this respect lay with governments and not with ILO itself, and it was argued that this showed that the Organisation's policy was in advance of that of national governments, that in some instances lack of ratification was due to constitutional reasons or to certain points of detail and that in any case national legislation was influenced by the ILO Conventions even if they were not ratified. Various representatives approved the Organisation's work on freedom of association. It was further maintained that the U.S.S.R. resolution did not merely involve a suggestion for a change in the structure of ILO, but was based on a different concept of society which envisaged a class struggle; the structure of ILO, on the other hand, was based on the principle of co-operation between governments, workers and employers in discussing labor problems.

The representative of ILO quoted the principles of the work of the Organisation as reaffirmed by its Conference: the responsibility of the Governments of the Members of the Organisation to their peoples as a whole; the selection of employers' and workers' representatives on the principle of majority rule; the freedom of employers' and workers' representatives to represent their constituents without government instructions; the equal rights in

the Conference of all nations; and the obligation of Members to submit to their constitutional authorities the decisions of the Conference.

The Danish, Peruvian and Venezuelan representatives pointed out that they were without sufficient instructions to adopt a resolution making recommendations for change in the structure of ILO, and the Danish representative inquired whether the U.S.S.R. had made its proposal with a view to joining ILO if its structure was altered. The U.S.S.R. representative stated that he would be in a position to reply if members of the Council had shown any willingness in favor of the Soviet draft resolution.

The U.S.S.R. draft resolution was rejected by 11 votes to 3, with 3 abstentions.

The Council, at its 205th plenary meeting on August 19, adopted by 14 votes to 0, with 4 abstentions, resolution 167 (VII)A expressing its appreciation of the second report of ILO.

c. FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

The following are among the views expressed during the Council's sixth session with regard to the FAO reports, at its 163rd and 165th plenary meetings, on March 4 and 5. The United States representative suggested that the FAO reports should give more information on priorities of the various projects undertaken, regular statistical material and continuity of technical publications, and on the relations between the regional activities of FAO and the activities of the United Nations regional commissions.

The Brazilian representative felt that while FAO's report showed a welcome expansion of activities, attention was focussed on Europe, China and the Near East and the Organization was slow to act in Latin America. He also stressed the importance of co-operation between FAO and ITO on commodity agreements. The Chilean and Peruvian representatives also felt that a greater share of FAO's technical assistance be extended to Latin America and suggested that the Economic Commission for Latin America might co-operate with FAO. The French representative felt that the problems dealt with by FAO were of sufficient importance to justify wider publication of the results of its work, and suggested that steps should be taken to ensure better co-ordination between FAO and the United Nations International Children's Emergency Fund. The Polish representative suggested that the work of FAO should be on a wider basis.

During the Council's seventh session, the supplementary report of FAO was discussed at the 34th meeting¹ of the Economic Committee on August 16. The Brazilian representative welcomed the expansion of the regional activity of FAO and the development of related technical services and emphasized the importance of dealing with the question of rural welfare. On the recommendation of the Committee, the Council, at its 222nd plenary meeting on August 27, adopted by 16 votes to 0, with 2 abstentions, resolution 167(VII)B expressing appreciation of the supplementary report and requesting the Secretary-General to transmit to FAO the record of the Council's discussions.

d. UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

During the sixth session of the Council (163rd and 165th plenary meetings) certain representatives expressed fear that there was a danger of overlapping between some of UNESCO's activities and those of the other specialized agencies and of the United Nations, as, for instance, between the Hylean Amazon project, which included an expert on tropical diseases, and the work of the World Health Organization; the work of UNESCO on mass communication and on education about the United Nations and the work of the United Nations Department of Public Information; and the inquiry, held under UNESCO's guidance, into the philosophical principles underlying human rights and the work of the Commission on Human Rights. Some representatives also felt that there was too great a dispersion of UNESCO's efforts, others praised the Organization for its activity and for not having neglected any continent, and still others felt that the multiplicity of its program was inevitable at the existing stage of its development. The New Zealand representative suggested that stress might be laid on the primary object of the furtherance of peace through educational, scientific and cultural objectives for their own sake. The Polish representative criticized UNESCO's budget on the ground that the amount allotted for general information and communication was much larger than the appropriation for reconstruction and general education. He stated that reconstruction in war-devastated and under-developed countries should now constitute UNESCO's main activity. He also stated that UNESCO should not contemplate any work in Germany until the peace treaty had been signed and until assured of the consent of the Allied Control Commission. He suggested that UNESCO should treat Members

of the United Nations which were not Members of UNESCO on a different footing from other non-members.

During the seventh session of the Council, the report of UNESCO was considered at the 56th meeting of the Council's Social Committee on August 9. Several representatives expressed approval of the concentration of the Organization's activities and the granting of priority to certain projects. It was felt that lack of progress had resulted from the width of scope of UNESCO. The United States representative felt that there had been insufficient co-operation with other specialized agencies at the planning stage. The Peruvian and Brazilian representatives emphasized the importance of the Hylean Amazon project, and the Lebanese, French and Polish representatives stressed the importance of dealing with the question of illiteracy. The Polish representative thought that first consideration should be given to the educational and cultural reconstruction of war-devastated countries.

The Committee heard a statement by the representative of UNESCO on the matters raised and particularly on recent organizational progress.

The Council at its 212th plenary meeting on August 24 adopted by 16 votes to 0, with 2 abstentions (the U.S.S.R. and Byelorussian representatives abstaining on the ground that their countries were not members of UNESCO), resolution 167(VII)C expressing its appreciation of the report and requesting the Secretary-General to transmit to UNESCO the records of the Council's discussions.

e. INTERNATIONAL CIVIL AVIATION ORGANIZATION

The reports of ICAO were considered during the Council's sixth session, at the 163rd and 165th plenary meetings on March 4 and 5. The United States representative suggested that future ICAO reports might cover the relationship between air navigation and new problems being created, such as frontier restrictions, trade barriers, and the extent to which joint action might be taken by governments on technical aspects of air navigation. While ICAO had established relations with the Universal Postal Union and the International Meteorological Organization, co-operation with the International Telecommunication Union, the World Health Organization and other agencies should also be considered. The Brazilian representative drew attention to a possible duplication of work on international double taxation (Fiscal

Commission), maps and charts (Economic and Social Council), standardization of units and measurements (World Meteorological Organization) and insurance requirements (Inter-Governmental Maritime Consultative Organization).

The U.S.S.R. representative pointed out that the agreement with ICAO was conditional on the exclusion of Franco Spain from membership, and stated that according to the Organization's report, Spain was still a Member. He proposed (E/680) that the Council should therefore take no decision on the report, warn ICAO that it had not so far complied with the stipulation of the General Assembly, and request the Secretary-General to submit to the Council's seventh session a report on the implementation by ICAO of the General Assembly resolutions and the measures arising out of the situation. Voting paragraph by paragraph, the Council adopted the preamble (by 4 votes to 0, with 14 abstentions) and the third paragraph, which requested the report from the Secretary-General (by 11 votes to 0, with 7 abstentions). The first paragraph was rejected by 14 votes to 4, and the second by 10 votes to 3, with 5 abstentions. The resolution adopted by the Council (129(VI)B) read as follows:

"Whereas the General Assembly in its resolution 39-(I) of 12 December 1946¹⁴⁶ recommended that the Franco Government of Spain be debarred from membership in international agencies established by or brought into relationship with the United Nations;

"Whereas the General Assembly in its resolution 50-(I) of 14 December 1946¹⁴⁷ resolved to approve the Agreement with the International Civil Aviation Organization, provided that that Organization complied with any decision of the General Assembly regarding Franco Spain;

"Whereas the resolution of the Assembly of the International Civil Aviation Organization of May 1947 concerning an amendment to be made in the Convention of that Organization providing for the automatic cessation of membership in the said Organization of the Governments of countries whose expulsion is recommended by the General Assembly has not yet been ratified and come into force;

"Whereas the report of the International Civil Aviation Organization on its work during the second half of 1947, which has been submitted to the Secretary-General of the United Nations for consideration by the Economic and Social Council (document E/456/Add.1/Rev.1 of 26 January 1948), admits that Franco Spain was one of the forty-six members of that Organization as at 15 December 1947,

"The Economic and Social Council, having considered the report of the Organization,

"Requests the Secretary-General of the United Nations to submit to the seventh session of the Council a report on the implementation by the International Civil Aviation Organization of the General Assembly resolutions 39(I) and 50(I) and on the measures arising out of the

situation which will exist by the time the seventh session of the Council opens."

As requested by this resolution the Secretary-General submitted to the Council's seventh session a report (E/831/Rev.1) on the compliance of the International Civil Aviation Organization with a resolution of the General Assembly calling for the debarment of Franco Spain from ICAO membership.

The report showed that ICAO, at its Assembly in Montreal in May 1947, had approved a proposed amendment to its constitution—the Convention on International Civil Aviation—calling for the automatic cessation of the membership in ICAO of a State whose Government the General Assembly of the United Nations has recommended for debarment from membership in international agencies established by, or brought into relationship with, the United Nations. The report further showed that immediately following the approval of this amendment, the Spanish delegation withdrew from further participation in the Montreal Assembly of ICAO.

The report also stated that, in accordance with Article 94 of the ICAO Convention, the proposed amendment will come into force upon ratification by not less than two thirds of the total number of contracting states. As of June 8, 1948, out of ICAO's 51 contracting states, nine—Pakistan, Canada, New Zealand, Dominican Republic, India, United Kingdom, Afghanistan, China and Czechoslovakia—had ratified the proposed amendment.

The Secretary-General further reported that he had been informed that, following the adoption of the amendment at the Montreal Assembly of ICAO, no invitation had been extended to Spain to participate in conferences or other activities arranged by ICAO, and no representative of Spain had attended any meetings of the Organization or had otherwise participated in ICAO activities.

When the Economic and Social Council considered this report at its 213th plenary meeting, on August 24, 1948, during its seventh session, two draft resolutions on the subject were placed before it reflecting the trend of the discussion. One (E/1013), submitted by the representative of the U.S.S.R., and supported by the representatives of Poland and of the Ukrainian S.S.R., would have placed the Council on record as considering: that ICAO "is proceeding exceedingly slowly" with the exclusion of Franco Spain; that "through this reluctance . . . Franco Spain continues for an appre-

¹⁴⁶See *Yearbook of the United Nations*, 1946-47, pp. 129-30.

¹⁴⁷*Ibid.*, p. 153.

ciable and indeterminate period to remain a legal member" of the ICAO; and that the General Assembly had decided to approve the agreement with the ICAO *on condition* that the Organization complied with all decisions of the General Assembly relating to Franco Spain. In its operative paragraph, the draft resolution proposed by the U.S.S.R. would have the Economic and Social Council decide temporarily to suspend the validity of the agreement with the ICAO pending the actual exclusion by that body of Franco Spain from membership.

The U.S.S.R. proposal was rejected by the Council by a vote of 14 to 3, with 1 abstention. Then, by a vote of 13 to 3, with 2 abstentions, the Council approved a Canadian draft resolution (E/1014) with one or two drafting changes verbally proposed by the representative of Venezuela. The resolution as adopted (169(VII)) reads as follows:

"The Economic and Social Council,

"Having considered the report of the Secretary-General on the implementation by the International Civil Aviation Organization of General Assembly resolution 39(I) of 12 December 1946 and 50(I) of 14 December 1946 concerning Franco Spain,

"Notes with satisfaction the measures taken by the Organization to amend the Convention on International Civil Aviation at the first session of the International Civil Aviation Organization Assembly, and not to extend to Spain invitations to participate in any conferences or other activities arranged by the Organization so as to comply fully with the foregoing resolutions of the General Assembly; and

"Recommends that those Member States which are members of the International Civil Aviation Organization and which have not as yet ratified the Protocol of Amendment of the Convention on International Civil Aviation (article 93 bis) should deposit their instruments of ratification as soon as possible."

At its 217th plenary meeting on August 26, the Council adopted without discussion resolution 167(VII)D, expressing appreciation of the ICAO report.

f. INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

The first report of the Bank was considered during the Council's seventh session, at the 34th to 37th meetings of the Council's Economic Committee from August 16 to 23, and the 224th plenary meeting on August 28. Several representatives expressed appreciation of the report. The U.S.S.R., Polish and Byelorussian representatives alleged that the Bank was showing political discrimination in paying undue attention to the countries of Western Europe at the expense of other countries. The U.S.S.R. representative stated that no country

in Eastern Europe had received a loan, although Czechoslovakia, Poland and Yugoslavia had been among the first to apply; the Bank, he stated, was being used in support of the Marshall Plan as an instrument of United States foreign policy, a contention denied by the United States representative. The Polish representative emphasized that the purpose of the Bank was to help the reconstruction of devastated countries, promote sound industry and increase industrial and agricultural production. The Bank had not followed the policy of granting loans to the countries most devastated by the war, although their progress in reconstruction and their possibilities of further development offered good returns for investment and would contribute to general European reconstruction and the restoration of the equilibrium in international trade and the balance of payments. He submitted a draft resolution (E/AC.6/W.28) referring to the purposes of the Bank as expressed in its Articles of Agreement and calling the Bank's attention to the fact that reconstruction and general world economic progress was retarded by inadequate production facilities. The resolution stated that the measures taken to remedy the situation should be such as to guarantee the best effects for world economy and in particular "investment goods and credits should be allocated according to the criterion of their greatest economic productivity", and requested the Bank to consider ways and means appropriate for the increase of facilities for producing the commodities crucial to international reconstruction and development.

In the discussion on this draft resolution certain representatives expressed the view that it was not necessary to restate the principles on which the Bank was already acting and thought that the phrase "greatest economic productivity" was somewhat ambiguous. The United States representative thought that there were other criteria to be taken into account such as the "greatest need"; the Canadian representative thought that the formula used in the draft resolution might favor the highly-industrialized countries; the Chilean representative pointed out that it might be used to classify countries according to their natural resources, the Brazilian and Chinese representatives thought that it did not take sufficient account of the question of both short- and long-term productivity. The Canadian representative proposed (E/AC.6/W.29) that the Council should merely note the report and transmit the records of its discussions to the Bank. While agreeing that the Bank from many points of view had made a good start, the Chinese representative thought that too much stress was being

laid on its functions as a commercial bank and too little on its character as an international organization for constructive and development projects. Too much emphasis, he thought, had also been placed on reconstruction as against development, the only loan hitherto granted for development projects being to Chile. He proposed an amendment (E/AC.6/W.30) to the Canadian proposal, welcoming the statement of the Bank that it was contemplating paying more attention to development projects, and expressing the hope that it would take measures to overcome the obstacles to international investment so that development loans might be granted as soon as possible, particularly to under-developed countries. He also proposed that, after consultation with the Bank, the Secretary-General should recommend to the Bank that it review its principle of using its funds for "the greatest possible increase in the shortest possible time". The representative of Venezuela also expressed the hope that loans would be granted to under-developed countries, and he and the Australian representative hoped that they would be granted to parts of the world other than Europe. In this connection the representative of the Bank informed the Economic Committee of the Council that in the last few months it had sent nine missions to under-developed areas to discuss plans with the governments concerned; that one of the Bank's senior economists had been placed at the service of the Economic Commission for Asia and the Far East and that the dispatch of a further six or seven missions in the near future was contemplated.

The Netherlands representative pointed out that as the Bank's funds came from private investors, the interests of the investors had to be borne in mind, and expressed the hope that the Bank should become a truly international organization, not only one lending American dollars. The Chilean representative pointed out, in addition, that the Bank must, in assessing the plans of countries which applied for loans, pay attention not only to their needs and its own resources but also to the co-ordination of the general effort towards reconstruction and development.

Certain members of the Council felt the Council could not adopt a recommendation to the Bank in view of the article in the Bank's agreement with the United Nations which precluded either party from making recommendations to the other without prior consultation. On these grounds, the Netherlands, French and United Kingdom representatives abstained from voting on the final resolution. Other members held that

the Council in performing its duties of co-ordination of the activities of specialized agencies should discuss the policy of the Bank and embody its views in a resolution, though agreeing that before a formal recommendation was made consultations should take place. Various representatives criticized the provisions of the agreement.

The Polish draft resolution, incorporating the Canadian proposal to refer the records of the Council's discussion to the Bank, was voted on paragraph by paragraph, certain paragraphs being accepted, but the resolution as a whole defeated by 8 votes to 3, with 6 abstentions. In varying paragraph by paragraph votes, the Economic Committee of the Council adopted the Canadian draft proposal as amended by China with other amendments accepted by the Chinese representative.

At its 224th plenary meeting on August 28, the Council by 12 votes to 2, with 4 abstentions, adopted resolution 167(VII)E as follows:

"The Economic and Social Council,

"Taking note of the report submitted by the International Bank for Reconstruction and Development,

"Appreciating the statements made by high officials of the Bank on recent occasions to the effect that, other sources of financing now being available for a substantial part of reconstruction needs, the Bank is contemplating paying more attention to the problems of development hereafter,

"Expresses its hope that the Bank will take immediate steps to expedite the examination of these problems and to adopt all reasonable measures to facilitate the early realization of development loans, particularly those in areas economically under-developed; and

"Requests the Secretary-General to transmit to the Bank the records of the discussions which took place at the seventh session of the Council on the report."

g. INTERNATIONAL MONETARY FUND

The first report of the Fund was discussed during the Council's seventh session, at the 38th meeting of the Economic Committee on August 24. It was generally regretted that the report was not sufficiently detailed or up to date. The Byelorussian and U.S.S.R. representatives criticized the policy of the Fund as benefitting almost exclusively countries participating in the Marshall Plan, as giving too much prominence to the German economy, and as being too restrictive. The Polish representative explained that the reason certain countries, including his own, had not declared their parities was because they considered that in the present disturbed state of international trade such a declaration would be artificial. Those countries which had established their eligibility to buy currencies through the Fund by declaring their parities had used the currencies solely to fill in the gaps in

their balance of payments, which had done nothing to restore the equilibrium in foreign balances. The representative of Denmark, explaining that his Government had felt concern about declaring par values, thought that countries should not be apprehensive at declaring par values since, he understood, the Fund would change them when the situation made a change necessary. He agreed that it was necessary to take German economic conditions into account.

The representative of the Fund, in answer to certain points raised, stated, *inter alia*, that no state outside the Marshall Plan had applied for and been refused assistance, even on technical grounds; the fate of the Fund was not bound up with that of the Marshall Plan although the Fund had to take account of that as of all important financial plans; similarly it had to take into account the fact that German economy was an integral part of European economy.

The Council, at its 224th meeting on August 28, adopted by 15 votes to 2, resolution 16(VII)F, taking note of the Fund's report and requesting the Secretary-General to transmit to the Fund the records of the Council's discussions.

b. UNIVERSAL POSTAL UNION

The first report of UPU was considered during the seventh session of the Council, at the 39th meeting of the Economic Committee on August 25, and at the 220th and 222nd plenary meetings of the Council on August 27. The U.S.S.R. and Byelorussian representatives criticized the Bureau of the Union for circulating technical documents to the postal administration of Franco Spain, alleging that this was against the terms of the General Assembly's resolution 39(1) urging that Franco Spain be debarred from agencies brought into relationship with the United Nations. They also criticized the refusal of the Postal Congress to admit the Baltic Republics—Latvia, Lithuania and Estonia—which had been signatories of the 1939 Convention. The U.S.S.R. representative, supported by the Byelorussian representative, submitted a draft resolution (E/1030) recommending that UPU review the question of membership with the object of eliminating discrimination in relation to these three countries.

The representative of the Union made a statement *inter alia* explaining that technical literature was distributed by the Bureau to all postal administrations in the course of its duties. He also stated that the U.S.S.R. had notified the Union in 1940 that the Baltic States had ceased to exist

and although it had later cancelled this statement, the majority of the Congress of UPU had not considered the States sovereign in the full sense of the word.

The Council rejected the draft resolution by a vote of 14 to 3, and adopted by 14 votes to 0, with 3 abstentions, resolution 167(VII)G taking note of the report and requesting the Secretary-General to transmit to the UPU the records of the Council's discussions.

i. WORLD HEALTH ORGANIZATION

The Council considered the report of the WHO Interim Commission during its sixth session, at its 163rd and 165th meetings on March 4 and 5. Representatives congratulated the Interim Commission of the World Health Organization on the work it had so far accomplished. The Brazilian and New Zealand representatives suggested that the World Health Organization might appropriately take over the anti-tuberculosis campaign at present being carried on in collaboration with the United Nations International Children's Emergency Fund. The U.S.S.R. representative considered that the Pan American Sanitary Organization should be included in WHO, that the Interim Commission of WHO should augment its publications and increase the work of its expert committees, that the costs of missions of lecturers and inspectors sent to various countries by WHO should be defrayed by those countries and that the offices of WHO should be concentrated in Geneva. He proposed a draft resolution (E/711) incorporating these points, but agreed to withdraw it after the Council had heard explanations from a representative of the Interim Commission of WHO on the measures to be taken or contemplated along these lines when WHO should come into existence.

During the seventh session of the Council the report of the World Health Organization was discussed at the 55th and 56th meetings of the Social Committee on August 5 and 9.

The representative of the World Health Organization made a statement supplementing the report to note the action taken at the first World Health Assembly held in June 1948 at Geneva.¹³³ Members expressed their appreciation of the work of the Interim Commission and their gratification at the ratification of the Constitution of the World Health Organization by a sufficient number of Members bringing the Organization into existence. Attention was specially directed, in the discussion,

¹³³See pp. 911-18.

to collaboration between the World Health Organization and the United Nations International Children's Emergency Fund, to regional arrangements planned by the World Health Organization, to the health needs of war-devastated countries, and to the connection between health and economic problems.

Representatives also stressed the importance of collaboration between WHO and other specialized agencies, the importance of malaria control and prevention, and the importance of scientific research.

At the 212th plenary meeting on August 24 the Council unanimously adopted resolution 167(VII)H, in which it expressed its appreciation of the report submitted by the World Health Organization and requested the Secretary-General to transmit to the Organization the records of the discussion which took place at the seventh session of the Council.

j. INTERNATIONAL TELECOMMUNICATION UNION

The first report of ITU was discussed during the Council's seventh session, at the 38th meeting of the Economic Committee on August 24, and the 222nd plenary meeting of the Council on August 27. The U.S.S.R. representative objected that Spain was still *de jure* a Member of the Union since the revised convention did not come into effect until January 1, 1949, and that certain organs of the Union still maintained relations with Spain. He also objected to the exclusion of the Baltic Republics—Lithuania, Latvia, Estonia—and the Mongolian People's Republic, which had participated in the Madrid Convention. He submitted a draft resolution (E/1031) recommending ITU to review its statutory provisions with the object of eliminating discrimination against these four countries.

The representative of ITU, in explanation, stated that the Atlantic City Convention was followed by a protocol debarring Spain from membership, but that pending the full entry into force of this Convention on January 1, 1949, routine notices were sent to Spain as an adherent to the Madrid Convention. The Provisional Frequency Board of the Union had to obtain data from all countries including Spain. With regard to the Baltic Republics he stated that the U.S.S.R. had notified the Union in 1940 that the Republics had ceased to be Members of ITU on the date they were incorporated in the U.S.S.R. Although the U.S.S.R. had notified the ITU in 1947 that its previous com-

munication was no longer valid, the Atlantic City Conference after a full discussion had decided against inviting the Baltic Republics, and the conditions of membership had been altered so that adherence to the Madrid Convention did not automatically entitle a state to membership under the new Convention.

The Council at its 222nd plenary meeting on August 27 rejected the U.S.S.R. draft resolution by 14 votes to 3, and adopted by 15 votes to 0, with 3 abstentions, resolution 167(VII)I, taking note of the report of ITU and requesting the Secretary-General to transmit to the Union the records of the Council's discussions.

3. *Co-ordination by the Council of Activities of the Agencies*

a. DECISIONS OF THE COUNCIL'S SIXTH SESSION

At its sixth session the Council had before it two reports (E/614 and E/625) of the Administrative Committee on Co-ordination (previously called the Co-ordination Committee and the Secretary-General's Committee on Co-ordination) which had been established pursuant to the Council's resolution 13(III).¹⁵⁹ The reports covered the second and third sessions of the Committee from October 1 to 3, 1947, and January 15 to 17, 1948. They dealt with organizational matters, implementation of agreements, co-operation on substantive questions, co-operation on administrative matters and budgetary and program co-ordination.

The Council also had before it a note by the Secretary-General (E/602/Rev.1) listing reports and work programs of Commissions of the Council and specialized agencies which were available, and draft proposals submitted by the United States (E/647). After a general discussion at its 141st and 144th plenary meetings on February 13 and 17, during which all representatives stressed the necessity for co-ordination but in which some difference of opinion was expressed as to whether the machinery being established for co-ordination purposes was not too cumbersome, the Council at its 145th plenary meeting on February 17 established a Committee on Matters relating to Co-ordination, to sit during the session. It was composed of the representatives of Australia, Brazil, Canada, China, France, Netherlands, New

¹⁵⁹See *Yearbook of the United Nations*, 1946-47, p. 546; see also pp. 682-83.

Zealand, Peru, Poland, U.S.S.R., United Kingdom and United States. The Council referred to this Committee the note by the Secretary-General, the reports of the Administrative Committee on Co-ordination and the proposals of the United States, and also requested it to suggest methods of considering the reports from specialized agencies. The Committee held eight meetings, on February 18, 20, 21, 25, 26 and 27 and on March 3 and 4.

On the recommendation of the Committee (E/681) the Council decided at its 157th plenary meeting on March 1 to consider the reports of the specialized agencies in a committee of the whole. These reports were later recalled to the plenary meeting, and, during the consideration of the reports (see above) at the 163rd and 165th plenary meetings, views were expressed by members of the Council on the general process of co-ordination. Among these were that the reports showed the multiplicity and value of the work performed by the agencies, but that there were dangers of overlapping between the work of some of the agencies and the various organs of the United Nations and between the agencies themselves. The positive task of the Economic and Social Council in giving a lead to and not merely co-ordinating the activities of the agencies was stressed. It was suggested by the United States representative that the agencies should report on the implementation of United Nations resolutions and recommendations; by the U.S.S.R. representative that the Secretariat might be asked to report on the activities of the agencies; and by the French representative that the Council's Committee on Matters relating to Co-ordination might be asked to draw the Council's attention to the way in which each agency fulfilled its task.

The Brazilian representative suggested that the four principal types of recommendations that could profitably be made by the Council were on allocations between the various agencies, to prevent overlapping, on priorities and on the initiation of activities.

The proposal submitted by the United States (E/647) formed the basis for much of the discussion in the Council's Committee on Matters relating to Co-ordination. This proposal contained three resolutions, the first stressing the need for the fullest possible implementation of the agreements between the United Nations and the agencies, the second dealing with the nature of the reports that the Council wished to receive from the agencies, and the third giving certain directives to the Administrative Committee on Co-ordination. The Committee made recom-

mendations to the Council (E/740) based on the United States proposals, amendments suggested by Australia (E/AC.24/1 and Rev.1 and Rev.1/Add.1) and proposals submitted by the United Kingdom (E/AC.24/2 and Rev.1 and E/AC.24/3). On the Committee's recommendation (E/740), the Council at its 171st plenary meeting on March 10 took the following decisions:

It requested the specialized agencies (resolution 128(VI)A) to submit to the Council, not later than May 15 of each year, reports on the organization of the agency; the activities of the past year; the activities and work program of the current calendar year, with an indication of the priorities applied to these programs, and the proposed activities and work programs for the following year. This resolution was adopted by 17 votes with 1 abstention.

It requested the Secretary-General (resolution 128(VI)B) to prepare, in consultation with the specialized agencies, reports on the action taken in pursuance of the agreements between the United Nations and the various agencies; on the facilities which would be available for these agencies at the seat and regional offices of the United Nations, and existing and future liaison arrangements; and on inter-governmental organizations with responsibilities similar to those of the United Nations and the specialized agencies in economic, social, cultural, educational, health and related fields. The Secretary-General was also requested to submit from time to time to the Council, after consultation with the Administrative Committee on Co-ordination, a catalogue of studies or investigations in the economic and social fields by the United Nations and specialized agencies; and, finally, to submit to the Council, not later than June 1 of each year, a report including information on the organization and allocation of personnel in the Economic and Social Departments of the Secretariat and an account of the current work programs of the Economic and Social Departments and the commissions of the Council. This resolution was adopted by 14 votes, with 4 abstentions.

It requested (resolution 128(VI)C) the Administrative Committee on Co-ordination to transmit to the Council, at its seventh session, observations on the form and content of the reports of the specialized agencies; to examine the possibility of including in these reports such budgetary information as would enable the Council to appraise the relative scope of current and prospective work programs; to draw the Council's attention to any overlapping or duplication in the activities of the

United Nations and the specialized agencies; and, finally, to report on its work to each session of the Council. This resolution was adopted unanimously.

It requested (resolution 128(VI)D) the commissions of the Council to establish priorities of work based on the importance of the various projects in implementing Article 55 of the Charter, and to indicate these priorities in their reports. The Secretary-General was also requested to submit to the seventh session of the Council his suggestions on the form and character of the reports of commissions and other subsidiary bodies. This resolution was adopted by 15 votes, with 3 abstentions.

It decided (resolution 128(VI)E) to appoint a committee to sit during the seventh session to consider questions relating to the co-ordination of the activities of the specialized agencies and the United Nations raised by members of the Council, the Secretary-General or the Administrative Committee on Co-ordination. This resolution was adopted by 14 votes, with 3 abstentions.

b. DISCUSSIONS AT THE COUNCIL'S SEVENTH SESSION

The decision to establish a Committee on Matters relating to Co-ordination was confirmed by the Council during its seventh session, at its 180th plenary meeting on July 21, 1948. At its 181st meeting on July 23, the Council decided that the Committee should consist of the representatives of the following thirteen countries: Australia, Brazil, Canada, Chile, China, Denmark, France, New Zealand, Poland, Turkey, U.S.S.R., United Kingdom and United States.

This Committee, at meetings as listed below, and the Council, at its 225th plenary meeting on August 28, considered the reports submitted in accordance with the resolutions adopted by the Council at its sixth session. In particular the Committee considered (1) relations with and co-ordination of specialized agencies (E/813, E/818 and Add.1, E/842, E/843/Rev.1, E/846, E/847, E/848 and Corr.1 and Add.1, E/AC.24/4 or E/AC.7/74); (2) a list of reports of specialized agencies (E/815/Rev.1); (3) report of the Secretary-General on the organization of the Economic and Social Departments of the Secretariat and on the work programs of commissions of the Council (E/844 and Add.1) and a report of the Secretary-General concerning the form and character of the reports of commissions and other subsidiary organs (E/845); and (4) draft calendar of meetings and conferences in 1949 (E/906, E/AC.24/5 or E/AC.7/75).

The Committee held meetings on August 4, 5, 6, 9, 11, 12, 13, 16, 18, 19, 20, 21, 23, 24, 26, and 27. Owing to the wide nature of the field under review, and the close inter-relation in subject-matter between the various reports, the Committee decided to conduct discussions along the following lines: (1) processes of co-ordination; (2) administrative and budgetary co-ordination; and (3) program co-ordination.

In the Council's discussion of the Committee's report (E/1038) at its 225th plenary meeting, various representatives raised the question of how matters relating to co-ordination should be considered in the future. The representative of Australia thought that in future the problem of co-ordination of policies should be carried out by the Council's two main committees of the whole, the Social Committee and the Economic Committee, and not by the Committee on Matters relating to Co-ordination. The Canadian representative suggested that the Council should consider the possibility of combining the functions of the Committee on Matters relating to Co-ordination with those of the Agenda Committee, which would then have two tasks to fulfil before the next session: the drafting of a report on the agenda, and the review of material submitted by the Secretary-General and the specialized agencies on co-ordination. He declared that substantive questions concerning the co-ordination of work with specialized agencies should be referred directly to the main committees of the Council. The representative of the U.S.S.R. deplored the tendency to multiply organs dealing with matters of co-ordination and considered that the Council should request the Secretary-General to report on the possibilities of a reduction in their number.

The Committee's recommendations were approved by the Council at its 225th plenary meeting. The matters dealt with are reviewed below.

(1) Processes of Co-ordination

(a) ORGANIZATIONAL MATTERS

The Council's Committee on Matters relating to Co-ordination first gave consideration to organizational matters raised in the report of the Administrative Committee on Co-ordination (E/846).

This report dealt with the general scope and nature of the Committee's work, program co-ordination, administrative and budgetary questions, the International Civil Service Advisory Board, regional activities, co-ordination of administrative services in different centres, calendar of conferences, non-statistical questionnaires and fellowship programs.

The Council's Committee on Matters relating to Co-ordination reviewed the various types of machinery which had been set up either by the Administrative Committee on Co-ordination or in pursuance of resolutions of the General Assembly (e.g., concerning an International Civil Service Advisory Board). The need for keeping such machinery to the minimum consistent with efficiency was emphasized, and the Secretary-General was requested to keep the Council informed of steps taken to achieve this. It was recognized, however, that the wide scope of activities would in future involve a considerable volume of additional work. The magnitude and complexity of the Committee's task had made it increasingly difficult for the administrative officers to deal with more than the major issue of policy and program involved. The representative of the U.S.S.R. expressed the view that there was no necessity to establish the International Civil Service Advisory Board.

(b) FORM AND CHARACTER OF REPORTS BY AGENCIES

The Council's Committee noted the view of the agencies as expressed in the report of the Administrative Committee that, owing to differing circumstances and limitations of both staff and resources, it might be difficult for some agencies to give detailed information under all the items requested. It recognized that a greater degree of uniformity and comparability in the reports, for purposes of co-ordination, would be attained progressively with further experience, and that, in time, the adaptation of agency budgets to the standard budget summaries worked out by the Consultative Committee on Administrative Questions would yield information which would be useful to the Council in its task of program co-ordination.

(c) FORM AND CHARACTER OF REPORTS OF COMMISSIONS

The Council considered the report of the Secretary-General on the form and character of commission reports (E/845). It approved, with certain modifications, a standard form suggested for normal use, from which deviations might, however, be made in exceptional cases.

In the Council's discussions of the Committee's report (E/1038), certain representatives, including those of Australia, the U.S.S.R. and Canada, referred to the question raised in the report of the inclusion of minority views in reports of commissions. The Committee had recommended that at the present stage the appropriate place for such views was in the summary records. The

Committee further pointed out that any representative had the right to request that a specific reservation made by him be mentioned in a footnote to the report. The Australian representative agreed with this recommendation. The representative of the U.S.S.R. regretted that only the views of individual representatives of the Commission, rather than minority views, would be included in the reports. He stated that his delegation could not accept that recommendation of the Committee. The representative of Canada pointed out, as Chairman of the Committee on Matters relating to Co-ordination, that it was for the commissions to decide themselves whether minority views should be included in the reports.

(d) FORM AND CHARACTER OF "COMPARATIVE REVIEW"

The Committee considered whether changes should be made in the form and character of the *Comparative Review of the Activities and Work Programmes of the United Nations and the Specialized Agencies in the Economic and Social Fields*, as suggested by the Secretary-General (E/843/Rev. 1, E/848 and Add.1). It agreed that the Secretary-General should prepare next year's *Comparative Review* in a similar form as a reference document, with an indication of priorities wherever possible, and with specific questions requiring the special attention of the Council treated in separate documents. The *Comparative Review* contains analytical lists of the principal questions in the economic and social fields and the work of the United Nations and specialized agencies related to each; lists of documents used in its preparation; outlines of the organizational structure of the specialized agencies; inter-agency agreements; and lists of principal committees and other bodies concerned with problems of co-ordination.

(e) DESCRIPTIVE CATALOGUE OF ECONOMIC AND SOCIAL STUDIES

The Committee noted with approval the Secretary-General's report (E/813) on the progress made in the plans to publish the descriptive catalogue of economic and social studies, which had been requested in the Council's resolution 128 (VI) B.¹⁶⁰ The catalogue, it was planned, would describe studies, investigations and other projects in the economic and social fields undertaken by the United Nations and the specialized agencies and would include a brief description of the nature, scope, origin and purpose of each project and publication details concerning resulting memoranda or reports. It would include lists of de-

¹⁶⁰ See p. 677.

partments and officers concerned with the listed projects, and would be issued annually.

(f) CALENDAR OF CONFERENCES OF SPECIALIZED AGENCIES

The Committee took note of the reports of the Secretary-General (E/843/Rev.1, E/847) on the progress which had been made in drawing up a balanced calendar of agency conferences, with the principal aim of assisting in ensuring that agencies would be able to time the submission of work programs and budgets before the pre-Assembly session of the Council.

Attention was drawn to the fact that UNESCO and FAO were holding their conferences during the second half of the year. The Council took note of the various technical and procedural reasons for this, and also noted the consideration that had been given by these organizations to the possibility of changing the date of future conferences to the first half of the year; and it expressed the hope that they would be able, in the near future, to conform to the plan recommended for achieving a balanced calendar.

(g) CO-ORDINATION OF PROGRAMS, FACILITIES AND LIAISON ARRANGEMENTS

The Committee took note of the report (E/842), prepared by the Secretary-General in accordance with the Council's resolution 124(VI)B, on the action taken in pursuance of the agreements with the specialized agencies to develop effective co-ordination of the economic and social programs of the United Nations and the specialized agencies, on the facilities which will be available for specialized agencies at the seat and regional offices of the United Nations, and on existing or contemplated liaison arrangements among the United Nations and specialized agencies.

The Committee agreed that the Secretary-General should be requested to undertake a study in greater detail than in this report with a view to enabling the Council to report to the Assembly.

The Committee considered the possibility of formulating policies on the location—in relation to the various offices of the United Nations—of the headquarters of those agencies that have not yet selected a permanent seat, but it was not found possible to formulate policies that would be generally applicable at this stage. It was therefore agreed that each case of an agency seeking prior consultation on this matter should be treated on its merits.

Regarding the location of the regional offices of agencies, the Committee noted that the Administrative Committee on Co-ordination favored full

consultation in advance, through the latter Committee, before the establishment of regional offices. It endorsed this action as the procedure which should be followed by specialized agencies in conformity with the principles stated in the agreements between such agencies and the United Nations. It also expressed the hope that agencies not yet in relationship with the United Nations but represented on the Administrative Committee on Co-ordination would adopt a similar procedure if the question of establishing regional offices should arise.

(h) LIST OF INTER-GOVERNMENTAL ORGANIZATIONS

The Committee considered the report of the Secretary-General (E/818 and Add.1) listing 70 inter-governmental organizations in the economic, social, cultural, educational, health and related fields having responsibilities similar to those of the United Nations and specialized agencies. The report had been requested in the Council's resolution 128(VI)B. The Committee recommended a draft resolution, which was adopted by the Council by 16 votes to 0, with 2 abstentions, and reads as follows (resolution 171(VII)):

"The Economic and Social Council,

"Believing that the establishment of the United Nations and of the specialized agencies having wide responsibilities in the economic, social, cultural, educational, health and related fields makes desirable re-examination by Member Governments of possible duplication or dispersion of effort between these organizations and other existing inter-governmental organizations,

"Recognizing that any action to simplify the structure of inter-governmental organizations could be taken only by Governments members of such organizations,

"Requests the Secretary-General to transmit, not later than 15 October 1948, to Member States and the specialized agencies a list of inter-governmental organizations, to include those in documents E/818 and E/818/Add.1, prepared in response to Council resolution 128(VI), and any other organizations established by inter-governmental agreement which he may consider should be added,

"Recommends that Member States and the specialized agencies submit by 1 February 1949 their views regarding:

"1. The possible termination absorption or integration of any of these organizations into the United Nations or the specialized agencies;

"2. Relationships which might be established between any of the listed organizations and the United Nations or the specialized agencies; and

"Requests the Secretary-General to submit by 1 May 1949 a consolidated report, based on the replies received, for consideration by the Council at its ninth session."

(2) Administrative and Budgetary Co-ordination

The Committee took note of the Secretary-General's report on administrative and budgetary co-ordination of the United Nations and the specialized agencies (E/847). This report had been

prepared in accordance with the General Assembly's resolution 125(II)¹⁸¹ for submission to the Economic and Social Council and the third regular session of the Assembly. This resolution requested recommendations concerning: (a) measures for achieving greater uniformity in presentation of the budgets of the United Nations and of the specialized agencies, with a view to providing a basis for comparison of the several budgets; (b) the fiscal year and schedule of meetings of the specialized agencies with a view to setting priorities and developing effective co-ordination of programs; and (c) the feasibility of improved budgetary co-ordination between the United Nations and the specialized agencies.

The Committee recognized that the report would be discussed in detail by the General Assembly at its third session. However, it felt that the report might suitably be supplemented as far as possible with the following additional information: (a) practices of agencies with regard to presentation of their budget estimates on a project basis; (b) the practical experience of the League of Nations and the International Labour Office in the presentation and approval of budgets; and (c) possible measures for timing the Council's review of agency programs and the review of agency budgets by the Advisory Committee on Administrative and Budgetary Questions, so that recommendations of the General Assembly with respect to budgets might be related to recommendations of the Council with respect to programs.

The Committee noted with approval that progress was being made towards working out a joint system of external audit for the United Nations and the specialized agencies.

(3) Program Co-ordination

In considering problems of program co-ordination covering economic and social co-operation between the United Nations and the specialized agencies, the Committee had before it the *Comparative Review* prepared by the Secretary-General (E/848 and Corr.1 and Add.1). This *Comparative Review* was based, *inter alia*, on the following documents: reports of the specialized agencies as listed in document E/815/Rev.1; reports of commissions of the Council as summarized in the Secretary-General's report on work programs of the Economic and Social Departments and of commissions of the Council for 1948-49 (E/844); report by the Secretary-General on the organization of the Economic and Social Departments of the Secretariat for 1948-49 (E/844/Add.1).

A survey was first made of the social field, during which the Committee agreed that while there were overlapping fields of interest, there was not in fact at the present time actual overlapping in the work programs of the specialized agencies. Periodic review of work programs was, however, considered to be required, since the broad terms of reference of these agencies made overlapping possible. It was also agreed that co-ordination in the social field could best be achieved by concentrating on individual projects and problems and by developing joint plans of action on these subjects. It was further agreed, on a proposal of the New Zealand representative (E/AC.7/W.35), that it was desirable for organs of the United Nations and specialized agencies to set down, in their work programs for any specific period, only those items on which they would be actively engaged during that period. It was emphasized that the Economic and Social Council might rely on the Secretary-General (in consultation with the Administrative Committee on Co-ordination, and after taking into consideration the views expressed by members of the Council) to select and prepare studies on specific topics for the Committee's consideration, from the co-ordination aspect, at future sessions.

In surveying the economic field, the Committee agreed that, since the Administrative Committee on Co-ordination had already arranged to keep the subject of economic development under review, and since the question could in any case be more suitably studied when the program of the future ITO and the future status of the Economic and Employment Commission and its sub-commissions were better known, no further action would be taken for the time being. It was considered desirable, however, to have for the Economic and Social Council's information at the next session a report on the existing arrangements for co-ordinated action between the regional commissions and specialized agencies.

The Committee submitted a draft resolution on program co-ordination, which was adopted by the Council at its 225th plenary meeting by 15 votes to 2, with 1 abstention (resolution 166-(VII)), and reads as follows:

*"The Economic and Social Council,
"Having examined the report of its Committee on Matters relating to Co-ordination regarding the processes of co-ordination, the progress made in administrative and budgetary co-ordination and questions of programme co-ordination reported to it by the specialized agencies, the subsidiary organs of the Council and the Secretary-General,*

"Requests the Secretary-General to transmit to the Ad-

¹⁸¹See General Assembly, pp. 113-14.

ministrative Committee on Co-ordination and to the specialized agencies the report of the Council's Committee on Matters relating to Co-ordination and the records of the proceedings at the seventh session of the Council relating to these matters;

"Requests the specialized agencies, the Commissions and the other subsidiary organs of the Council and the Secretary-General to continue their work in pursuance of General Assembly resolutions 125(II) and 165(II)¹⁰² and Council resolution 128(VI)¹⁰³ in the light of that examination; and

"Decides that an account of the action taken to implement Article 63 of the Charter and of related matters be included in its report to the third regular session of the General Assembly."

4. *Co-operation between the United Nations and the Agencies*

a. INTER-AGENCY AGREEMENTS

Under the provisions of their respective agreements with the United Nations, the specialized agencies have agreed to inform the Council of any agreements negotiated with other specialized agencies.

As of September 21, 1948, formal agreements had been concluded between ILO and FAO, ILO and UNESCO, ILO and WHO, and UNESCO and WHO. The Executive Board of UNESCO and the World Health Assembly, respectively, had approved formal agreements between FAO and UNESCO and between FAO and WHO, and the FAO Council had recommended them for approval to the fourth session of the FAO Conference convening in November 1948. These two agreements were to come into force with their approval by the FAO Conference.

In addition to these general agreements, a number of inter-agency agreements relating to special questions had been made, comparable to the agreement of November 22, 1947, between the United Nations and ILO defining their respective spheres of competence in migration.

b. LIAISON

Informal working arrangements between two or more specialized agencies and between agencies and the United Nations had evolved in order to avoid overlapping and assure adequate consultation on matters of common concern. The day-to-day secretariat consultations in the preparation and development of work programs had resulted in the allocation of specific tasks or in the co-ordinated handling of problems among the international organizations.

Most of the specialized agencies had made use,

up to September 1948, of their right to participate in the discussions of the General Assembly and the Economic and Social Council and its commissions on matters of interest to them.

Similarly, the United Nations had been represented at the main conferences and committee meetings of the agencies. Exchange arrangements had been put into effect whereby principal documents and technical materials issued by the United Nations and the agencies are made reciprocally available to their secretariats.

Permanent liaison officers were being maintained as of September 1948 at the United Nations by ILO, UNESCO and WHO, each of which had small liaison offices in the New York area. As of the same date, FAO, the Bank and the Fund, which are located in Washington, and ICAO, located in Montreal, had not considered it necessary to assign permanent liaison personnel at the United Nations headquarters.

The Secretary-General had undertaken to assure special liaison with the agencies located in Europe through officers concerned with Social Affairs and Trusteeship attached to the Geneva office.

c. CO-ORDINATION MACHINERY

In addition, formal machinery exists for inter-secretariat collaboration on broad policy matters. The Administrative Committee on Co-ordination (formerly known as the "Co-ordination Committee"), established in pursuance of a resolution (13(III)) of the Economic and Social Council at its third session, consists of the Secretary-General and the corresponding officers of the specialized agencies brought into relationship with the United Nations. Other agencies with which agreements are contemplated may send observers to the meetings of the Administrative Committee. The Administrative Committee held four sessions during the period under review: its second, from October 1 to 3, 1947; its third, from January 15 to 17, 1948, its fourth, from May 27 to 29; and its fifth, on July 15.

Further progress was made during the period under review in consolidating the machinery for co-ordination between the United Nations and the specialized agencies. A Preparatory Committee, composed of representatives of the chief administrative officers of the agencies, was established in February 1948 for the purpose of relieving the chief administrative officers of lesser matters of co-ordination, so that the latter could devote more

¹⁰²See General Assembly, pp. 113-18.

¹⁰³See pp. 677-78.

attention to questions of higher policy. Subsidiary groups reporting to the Administrative Committee included, as of September 21, 1948, consultative committees on administrative questions, statistical matters, and public information, the United Nations Film Board and the Inter-Library Committee. Two regional bodies, the Geneva Consultative Committee on Administrative Matters and the Paris Central Administrative Services Unit, were also responsible to the Administrative Committee, as well as four *ad hoc* technical working groups, on fellowship programs, housing and town and country planning, migration and publications. Pursuant to a resolution of the General Assembly (13 (I)), the Committee, at its fourth session, agreed that an International Civil Service Advisory Board should be established at an early date "to contribute to the improvement of recruitment and related phases of personnel administration in all of the international organizations" (E/846), and decided on the terms of reference of the Board.

d. CO-OPERATION ON SUBSTANTIVE MATTERS

(1) *Resolutions of Organs of the United Nations*

Various decisions involving co-operative action by the United Nations and the specialized agencies have been taken by the General Assembly, the Economic and Social Council and its commissions. For example, during the period under review the General Assembly requested (resolution 128 (II)) ILO to pursue its study of the practical application of machinery to ensure trade union rights and freedom of association.¹⁶⁴ The Assembly requested (136 (II)) the Secretary-General, in collaboration with IRO, to report to the seventh session of the Council on the progress and prospect of repatriation, resettlement and immigration of refugees and displaced persons. The report was accordingly prepared (E/816 and Add.1) and considered at the Council's seventh session.¹⁶⁵ UNESCO was invited by the Assembly (137 (II)) to assist Members of the United Nations at their request in implementing a program of teaching the purposes and principles of the United Nations in schools of Member States. UNESCO, as requested, reported on this subject to the seventh session of the Economic and Social Council (E/823).¹⁶⁶

Similarly, the Economic and Social Council requested FAO (103 (VI)) to report on the measures taken by Member States, regional commissions and the specialized agencies to alleviate the world food crisis, and to recommend further action which might be taken to improve the situation.¹⁶⁷

In dealing with the question of prevention of discrimination and the protection of minorities, the Council made a number of requests (116 (VI) B) to UNESCO in connection with programs of education, disseminating scientific facts designed to remove racial prejudice, and other measures to combat intolerance or hostility between nations and groups.¹⁶⁸

(2) *Submission of Questions by Agencies*

A number of specialized agencies have also submitted problems to the Council or its commissions.

The Preparatory Committee of the United Nations Conference on Trade and Employment suggested that a committee be set up to keep informed of and facilitate inter-governmental consultation and action on commodity problems. This recommendation was seconded by the FAO Preparatory Commission on World Food Proposals. The Interim Co-ordinating Committee for International Commodity Arrangements, set up pursuant to resolution 30 (IV) of the Economic and Social Council, is composed of a representative of the Interim Commission of ITO, a representative of FAO, and a representative chosen by the Secretary-General.

ITU in November 1947 requested (E/572/Rev. 1) the United Nations to draw the attention of its competent organs to the urgency of the problem of rehabilitating the telecommunication systems of Members of the Union devastated by the war.

The International Timber Conference held by FAO recommended the immediate establishment of a European Timber Committee within the framework of the Economic Commission for Europe. This recommendation was communicated to the United Nations in June 1947 (E/455).

ILO in February 1948 referred to the United Nations a resolution (E/781) of its Regional Meeting for the Near and Middle East concerning the economic policies necessary to raise the standard of living in the area. The resolution had been brought before the Administrative Committee on Co-ordination in January 1948, and it was decided to allocate work in this connection between the United Nations and the appropriate international agencies, including FAO and WHO.

In May 1948, UNESCO suggested (E/CN.9/26) to the Population Commission the desirability of calling a World Population Conference.

¹⁶⁴See pp. 132-33.

¹⁶⁵See pp. 128-29, 645-46.

¹⁶⁶See pp. 137, 651-52.

¹⁶⁷See p. 353.

¹⁶⁸See p. 382.

(3) *Collaboration on Economic and Social Questions*

The following are other examples of collaboration between the United Nations and the specialized agencies, and between the agencies themselves on economic and social questions.

In the preparation of the survey of world economic conditions and trends presented to the sixth session of the Council, ICAO, the Bank and the Fund rendered considerable assistance, and ILO and FAO contributed to the survey whole sections on world manpower problems and the world food situation.

ILO, FAO, UNESCO and WHO assisted the Secretary-General, as members of his Advisory Committee, in preparing for the United Nations Scientific Conference on the Conservation and Utilization of Resources.

The United Nations, ILO, ICAO, ITU and the International Meteorological Organization (the predecessor of the proposed World Meteorological Organization) co-operated in the field of transport and communications. The Joint Maritime Commission of ILO had, prior to the United Nations Maritime Conference, expressed the hope that there would be no overlapping between the work of ILO and IMCO and that there would be full co-operation between the two organizations on all matters of common interest. The Maritime Conference, after noting the maritime work of ILO, drafted the Convention establishing IMCO, and in particular IMCO's functions, in such a manner as to ensure the avoidance of duplication.

Representatives of ICAO, ITU, the International Meteorological Organization, and the Provisional Maritime Consultative Council composed the preparatory committee of experts which met prior to the Conference on Safety and Life at Sea. The preparatory committee prepared a report on existing measures for the co-ordination of activities in the fields of aviation, shipping and telecommunications.

In order to avoid unnecessary requests for statistics to governments and to promote a well co-ordinated program of statistics, procedures have been established for the exchange of draft statistical questionnaires in advance of issuance. Arrangements were made for the International Labour Office to provide the United Nations with statistics on employment, unemployment, cost-of-living, wage rates and similar matters within the labor field. The International Monetary Fund provides statistics on balances of payments, exchange rates, gold and foreign exchange reserves and other subjects of special concern to the Fund. ICAO provides all figures on civil aviation. Negotiations

with FAO were initiated to clarify responsibilities for the collection and publication of statistics on the production, consumption and distribution of agricultural products. Similar arrangements were made whereby the Statistical Office of the United Nations supplies to the specialized agencies statistics on population, national income, industrial production, trade and prices.

Other arrangements assure a close liaison in fiscal matters between the specialized agencies and the Fiscal Division of the United Nations both as regards planning of research on public finance and the exchange of available information and completed studies in this field. The International Labour Office informally offered to make available to the Fiscal Division factual information and analyses on aspects of social security systems that might be of use to the Division. On the other hand, it expressed a desire to obtain information on certain technical phases of taxation and methods of financing public works. FAO suggested the study of fiscal systems and policies as they affect purchasing, consumption, agriculture, economic development and social progress; material for use in such studies has been collected by the Fiscal Division in the course of its general work. Provision has been made between the Fiscal Division, the Fund, and the Bank for the exchange of studies relating to public finance, except insofar as certain studies by the Fund and the Bank contain confidential information.

Co-operative action at the regional level is illustrated by the combined efforts of the Economic Commission for Europe and FAO in the field of timber; FAO supplies the secretariat for the ECE Timber Committee, thereby ensuring the closest integration of policies. ECE was also assisted by FAO in dealing with problems of fertilizers and agriculture and by ILO with regard to European manpower problems. Decisions of the Economic Commission for Asia and the Far East also provided for close co-operation with specialized agencies, particularly with FAO in the field of agriculture, and with ILO in technical training. The Economic Commission for Latin America proposed a study, to be made jointly with the specialized agencies, of the relationship between the economic rehabilitation of non-American countries and the development of economic and commercial activities in Latin America.

A Directory of Economic and Statistical Projects, No. 1, published during 1947-48, served to reveal at the earliest possible stage any danger of overlapping in work projects. The *Directory*, by setting out the nature of projects in hand, provided

a continuous guide to the United Nations and the specialized agencies in avoiding duplication. The preliminary issue of the *Directory*, published in July 1947, contained information from FAO, ICAO, ILO, WHO, the Bank and Fund, as well as from the United Nations. The second issue, published in January 1948, contained information from the above agencies and from IRO, ITU, UNESCO, and UPU. To comply with the resolution (128(VI)) of the Council, the *Directory* was to be replaced by a *Catalogue of Economic and Social Studies*, to include studies in the social as well as the economic field. The *Catalogue* is to be published annually in June, the first issue to appear in 1949 (see above).

The assistance received by UNICEF, particularly from FAO and WHO, illustrates the co-operation between the United Nations and the specialized agencies in the social field. A survey of the milk supply position in different European countries was made by UNICEF and FAO in the summer of 1947. UNICEF has been assisted by an FAO nutrition consultant and a WHO liaison officer and pediatrician in carrying out its supplementary child-feeding programs. UNICEF has also been assisted to a considerable extent by WHO in developing programs for the control of tuberculosis, malaria and venereal diseases among children and nursing and expectant mothers.¹⁰⁹

Both FAO and WHO agreed to co-operate with UNESCO in the Haitian pilot project for fundamental education; FAO was to study and work toward improving agricultural methods in the area, while WHO was to advise on sanitary and health conditions. Likewise, these two agencies as well as the United Nations were participating in the UNESCO-sponsored research project in the Hylean Amazon region of Latin America.

UNESCO and WHO jointly arranged for the calling of a conference in early 1949 to establish a Permanent Council for co-ordination of International Congresses of the Medical Sciences.

All the interested specialized agencies participated with the Trusteeship Council in the development of a questionnaire on Trust Territories.

In connection with the work of the Commission on Human Rights on an International Bill of Rights, UNESCO transmitted to the United Nations the results of a study of the philosophical bases of a declaration of human rights. Material on human rights was also prepared by IRO.

In addition to the examples of co-operative action listed above, many activities and problems with which the United Nations and the specialized agencies were jointly concerned are described in

more detail in other sections of this volume. Among these are the following: the allocation of functions in the field of migration; co-ordinated action to meet the world food crisis; problems concerning refugees; narcotics control; the activities of the specialized agencies and subsidiary organs of the Council in the field of housing and town and country planning and the measures taken towards their co-ordination; the shortage of newsprint; equal pay for equal work; United Nations postal services; the question of establishing United Nations research laboratories; the co-ordination of cartographic services; and the co-ordination of the fellowship programs of the United Nations and the specialized agencies.¹⁷⁰

5. Membership in UNESCO

In accordance with Article 2 of the agreement between UNESCO and the United Nations, the Director-General of UNESCO forwarded for consideration by the Economic and Social Council an application from Hungary for admission to UNESCO (E/261/Add.1).

At its 86th plenary meeting on July 21, the Council decided by 10 votes to 1, with 7 abstentions, that UNESCO should be informed that the Council had no objection to the admission of Hungary to the Organization. The representative of Cuba explaining his negative vote stated that his delegation felt that the present government of Hungary, as distinct from the Hungarian population, was not democratic and should be treated on the same basis as Franco Spain.

The Council at its sixth session considered the application of the Principality of Monaco for membership in UNESCO, consideration of which had been postponed from the fifth session (E/568).

The matter was discussed at the 125th and 129th plenary meetings of the Council on February 3 and 5. Certain representatives, including those of the United States, Canada and New Zealand, thought that this raised the problem of the position of other small states from the point of view of their practical independence and importance, and considered that UNESCO should take into account what contribution Monaco could make in furthering the program of the Organization. The French representative supported the application of Monaco, stating (1) that it was a sovereign state and (2) that its standing in the cultural and scientific field, owing in particular to the activities of

¹⁰⁹See *United Nations International Children's Emergency Fund*, p. 622.

¹⁷⁰For details, see under appropriate headings.

its Oceanographic Institute, entitled it to a place in UNESCO.

The Council adopted a Canadian draft resolution as amended by France (resolution 137(VI)) in which it stated that it had no objection to the admission of Monaco to UNESCO, but recommended that in considering the request UNESCO take into account the contribution which Monaco could make in furthering the program of the Organization and also consider "the general problem of the admission of similar diminutive states".

6. Location of the World Health Organization Headquarters

The Council at its 181st plenary meeting on July 23, 1948, considered the report of the Committee on Negotiations with Inter-Governmental Agencies on the headquarters of the World Health Organization (E/C.1/39). The Committee had agreed that since consultations had taken place at the secretariat level (E/852) on questions arising out of the location of the headquarters of WHO and since the decision of the World Health Assembly on July 2 had been unanimous, no further formal consultations were necessary. A majority of the Committee had gone on record in declaring that this procedure should not be regarded as a precedent. The Committee recommended to the Council a draft resolution taking note of the decision of the World Health Assembly to make Geneva the headquarters of WHO, and stating that the Council considered the establishment of its headquarters there "at this time" in the best interests of the United Nations and WHO.

The Director-General of WHO pointed out to the Council that it had been necessary to make a provisional decision on headquarters pending formal consultation with the United Nations, in order that the World Health Assembly might consider budgeting and other problems. It was intended to hold a meeting of the Assembly on the following day to take the final decision. He also expressed the feeling that the words "at this time" in the draft resolution were unwise since they might be interpreted to mean that the location chosen was only temporary.

On the proposal of the U.S.S.R. representative the Council decided by 16 votes to 1 to amend the resolution by referring to the "permanent" headquarters of WHO. Certain representatives expressed some misgivings at the use of the word "permanent", and the Chinese representative opposed it on the grounds (1) that it had been laid down by the General Assembly that specialized agencies should take into consideration the ad-

vantages of concentrating their headquarters at the seat of the United Nations, and (2) that action by WHO was more badly needed in under-developed countries than in Europe, and, he therefore maintained, the decision should not be too rigid.

A French amendment to make clear that the decision of the World Health Assembly had been a provisional one was adopted by 14 votes to 3.

The amended resolution (168(VII)) was adopted by 13 votes to 0, with 4 abstentions, as follows:

"The Economic and Social Council,

"Having taken note of the provisional decision unanimously adopted by the World Health Assembly on 2 July 1948 that Geneva be made the permanent headquarters of the World Health Organization,

"Considers that the establishment of the headquarters of the World Health Organization at Geneva is in the best interests of the United Nations and of the World Health Organization."

7. Use of the Central Library at Geneva by the United Nations and Specialized Agencies

At its fifth session (88th meeting) on July 22, 1947, the Economic and Social Council considered a request from the Interim Commission of WHO for the transfer of certain assets of the League of Nations, in particular medical and health material in the League of Nations Library. The Council recommended a resolution to the General Assembly, the terms of which it adopted (129(II)) on November 17, 1947.¹⁷¹

It instructed the Secretary-General "to consider the different aspects of the problem of the transfer of the medical and health material of the League of Nations Library and to submit to the Economic and Social Council a draft plan within the framework of a general policy relating to the use of the Central Library by the United Nations and by the specialized agencies".¹⁷¹

The Secretary-General therefore submitted to the Council at its seventh session a note (E/835) informing the Council that the general policy determining the future role of the Geneva Library was the subject of extensive informal consultations. In particular, it would be discussed at a meeting of an International Advisory Committee of Library Experts to which librarians of all the specialized agencies had been invited. The Secretary-General, therefore, suggested that the final decision on the question might be postponed.

The special requirements of WHO would be considered with the representatives of that agency.

¹⁷¹See *General Assembly*, pp. 119-20.

The guiding principle would be to make the Geneva Library as useful as possible to all the specialized agencies.

The Secretary-General also submitted to the Council a communication from WHO (E/958) calling attention to a resolution on the League of Nations Library adopted by the first World Health Assembly. The resolution requested the Council to arrange without delay for the transfer to WHO of title to the health documents, medical and health books and other materials in the League of Nations Library relating to the work of the League of Nations Health Organization.

The Council considered the question at the 198th plenary meeting on August 13. The French representative thought that a decision should be postponed until the general study of the use of the Library had been completed, since WHO in the meantime would be able to consult any documents it wished. His proposal to defer consideration of the question to the eighth session of the Council was rejected by 9 votes to 7.

The United States representative submitted a resolution (E/945) requesting the Secretary-General to formulate a draft plan for submission to the Council at its eighth session, bearing in mind that the operating requirements of WHO made it desirable to locate in WHO headquarters certain medical and health materials from the Geneva Library and that these requirements could be met by long-term loans without transfer of title.

The representative of the Secretary-General read to the Council the text of a telegram stating that the Committee of Library Experts which was then meeting had unanimously recommended that re-

quests for the transfer of specific portions of the League of Nations Library should not be granted and that the function of the Library would be seriously impaired if portions of it were detached.

The representative of WHO stated that his Organization had felt that the best way to secure access to the books it needed was by transfer of title but that it would be satisfied by a long-term loan. If transferred, the books would be readily available to the United Nations or any of the specialized agencies.

The representatives of New Zealand, Poland, and the United Kingdom supported the view that the Library should not be split up. The representative of New Zealand felt that the United States draft resolution did not specifically exclude this principle and therefore proposed to delete from this resolution the paragraphs referring the considerations to be borne in mind by the Secretary-General in formulating his plan.

The Council unanimously adopted the amended draft resolution (172(VII)) as follows:

"The Economic and Social Council,

"Considering General Assembly resolution 129(II) of 17 November 1947, the resolution of the first World Health Assembly of 17 July 1948, and the note by the Secretary-General on the use of United Nations library facilities at Geneva,

"Considering that the Geneva Library should be made as useful as possible to the United Nations and all the specialized agencies,

"Requests the Secretary-General promptly to formulate the draft plan, within the framework of a general policy relating to the use of the Central Library by the United Nations and the specialized agencies, as requested by the General Assembly, for submission to the Council if possible at its eighth session."

J. NON-GOVERNMENTAL ORGANIZATIONS

1. Granting of Consultative Status

a. ORGANIZATIONS ADMITTED AT THE FIFTH AND SIXTH SESSIONS OF THE COUNCIL

The Committee on Arrangements for Consultation with Non-Governmental Organizations (Council NGO Committee), established by the Council on June 21, 1946, to review and make recommendations on applications for consultative status submitted by non-governmental organizations, met on July 18, 24, 28 and 29, 1947, to consider the applications received up to the meeting of the NGO Working Party on June 2, 1947. The Committee's report (E/500) was considered

by the Council's fifth session at the 107th, 114th and 115th plenary meetings on August 6 and 13, 1947, and by a meeting of the Council's Committee of the Whole on August 7. The Council decided (resolution 94(V)12) to admit 21 international organizations and, on the recommendation of the Members of the United Nations concerned, it also decided (95(V)11) to admit four national non-governmental organizations to consultative status in category B.¹⁷²

¹⁷²For list of organizations with consultative status, see p. 694. Certain organizations were admitted at the fifth session subject to the exclusion of their Spanish affiliates, and as the condition was not fulfilled, they are not included in the list.

At its sixth session the Council considered at its 161st, 162nd and 164th plenary meetings on March 3, 4 and 5 the reports of the Council NGO Committee (E/706) and, on the basis of the report, decided at its 161st plenary meeting on March 3 to admit seven organizations to consultative status in category B and two in category C.

b. RECLASSIFICATION OF ORGANIZATIONS

The Council NGO Committee had recommended to the fifth session of the Council (E/500) that the request of the following organizations in category B to be placed in category A should not be granted: Inter-American Council of Commerce and Production, International Organization of Industrial Employers, Women's International Democratic Federation, World Federation of Democratic Youth. In the case of the International Organization of Industrial Employers it had recommended that consideration of the request should be postponed for one year.

The Council decided at its 114th plenary meeting on August 13, by 14 votes to 1, with 3 abstentions (resolution 95(V)I.1), to place the International Organization of Industrial Employers in category A. It, however, rejected by 7 votes to 3, with 8 abstentions, a U.S.S.R. proposal to reclassify the Women's International Democratic Federation and the World Federation of Democratic Youth.

At its sixth session the Council decided on the basis of the Council NGO Committee's report (E/706), in resolution 133(VI)A, that the World Federation of United Nations Associations formerly placed in category B should be placed in category A. At its 164th plenary meeting on March 5 it adopted by 14 votes to 1, with 2 abstentions, the recommendation of the Committee that the Women's International Democratic Federation and the World Federation of Democratic Youth, which had requested to be placed in category A, should remain in category B. A Polish proposal, supported by the U.S.S.R. representative, that they should be placed in category A was rejected by 12 votes to 2, with 2 abstentions.

c. POSTPONEMENT OF GRANT OF STATUS

On the recommendation of the Council NGO Committee the Council at its sixth session passed, without discussion, resolution 133(VI)A, which provided, *inter alia*, that the Council,

"2. Considering that the Council NGO Committee feels unable to make recommendations concerning the

following organizations at the present time either because they have been recently organized or because further information is desired,

"Decides that the applications of the following organizations will be reconsidered at a later date:

"European Union of Federalists (postponed until organizations having a similar interest enter into sufficiently close relations with each other to permit joint representation)

"International Council of Christians and Jews (postponed for one year)

"International Institute of Public Law (postponed for one year)

"International Union of Socialist Youth (postponed for one year)

"*Pax Romana*—International Catholic Movement for Intellectual and Cultural Affairs (postponed until information and clarification to be requested is received)

"*Pax Romana*—International Movement of Catholic Students (postponed until information and clarification to be requested is received)

"World Movement for World Federal Government (postponed until organizations having a similar interest enter into sufficiently close relations with each other to permit joint representation). . . ."

d. ORGANIZATIONS CONCERNED WITH TRANSPORT

At the Council's fifth session, acting on the recommendation of the Council NGO Committee, the Committee of the Whole recommended the following resolution to the Council (E/543):

"The Economic and Social Council

"Decides to request the Transport and Communications Commission to advise the Council on the applications of the organizations noted below, it being understood that the question of Spanish membership will be taken into consideration when the Council acts upon these applications, some of which appear to fall within the terms of the Council's resolution 57(IV) of 28 March 1947 providing that 'in the case of certain organizations consultative arrangements should not be made, since their work would appear to fall entirely within the field of activity of one of the specialized agencies or other inter-governmental organizations'; and

"Decides to request the Council NGO Committee to consider the report of the Transport and Communications Commission and forward its recommendations to the Council:

"Central Council of International Touring

"International Air Transport Association

"International Shipping Conference

"International Union of Public Transport

"International Union of Railways

"Permanent International Association of Navigation Congresses."

The Council discussed this draft resolution at its 114th and 115th plenary meetings on August 13. After a tie vote, the Council decided by 8 votes to 7, with 3 abstentions, on the proposal of the Venezuelan representative, to delete the

name of the International Shipping Conference from this list.

The reasons given by the Venezuelan representative for his proposal were: that the International Shipping Conference had affiliations in Franco Spain; that the Council already had relations with the Provisional Maritime Council, an inter-governmental organization dealing with the same questions as the International Shipping Conference, and it had been decided that if an inter-governmental organization was dealing with a subject, a non-governmental organization dealing with the same subject should not receive consultative status; that the International Shipping Conference indulged in unfair competitive practices the prevention of which was one of the aims of the proposed maritime conference.

The Venezuelan proposal was supported by the U.S.S.R. representative. It was opposed by the United Kingdom representative on the grounds that: the subjects dealt with by the International Shipping Conference and the Provisional Maritime Council were not identical; the question of participation of organizations which had Spanish affiliations should only be considered when the Council was called upon to take decisions regarding such applications; it was not for the Council to decide whether or not it was in agreement with the views of the organizations on which it conferred consultative status. The Norwegian representative thought that the Transport Commission should decide whether the International Shipping Conference covered exactly the same ground as the Provisional Maritime Council and proposed that, as in the case of other organizations which held a similar position with regard to the Spanish question, the International Shipping Conference could be invited on condition that its Spanish branches were excluded.

After some further discussion on a United Kingdom proposal that the other five organizations on the list should be accorded the same treatment as the International Shipping Conference if they had Spanish affiliations, and an Indian proposal that the Transport and Communications Commission should only consider the organizations which had severed all connection with Franco Spain before its next session, the Council decided at its 115th plenary meeting on August 13 without objections (resolution 95(V)II) to refer the paragraph in the report of its Committee of the Whole to the Council NGO Committee with the request that it reconsider the paragraph and report to the Council.

At its sixth session, on the basis of the Council NGO Committee's report (E/706) the Council in resolution 133(VI)A adopted the following provisions:

"The Economic and Social Council . . .

"Decides to request the Transport and Communications Commission to advise the Council on the applications of the organizations noted below, it being understood that the question of Spanish membership is not referred to the Commission but will be taken into consideration when the Council acts upon these applications, and

"Requests the Council NGO Committee to consider the report of the Transport and Communications Commission and forward its recommendations to the Council regarding:

"Central Council of International Touring

"International Air Transport Association

"International Shipping Federation

"International Union of Railways

"Permanent International Association of Navigation Congresses."

e. ORGANIZATIONS WITH SPANISH AFFILIATES

In its resolution 95(V) of August 13, 1947, the Council had granted consultative status to the International Organization for Standardization (on condition that the Spanish affiliate be expelled from the International Electro-technical Commission which had become a part of it), and also the International Automobile Federation and the International Touring Alliance (to be jointly represented), the International Bar Association and the International Federation for Housing and Town Planning subject to the exclusion of their Spanish affiliates.

The Council NGO Committee and the Council noted that the Spanish affiliate of the International Organization for Standardization had resigned and that this Organization, having met the Council's requirements, therefore had consultative status in category B.

With regard to the other organizations the Council NGO Committee suggested that the other four organizations should be given a period of twelve months in which to comply with the Council's condition regarding the exclusion of their Spanish affiliates.

At the sixth session of the Council (162nd plenary meeting on March 4) certain representatives expressed the view that the extension of twelve months granted to the four organizations was unjustified. Others felt that a distinction should be drawn between the International Automobile Federation and the International Touring Alliance, which had taken certain steps to comply with the Council's decision, and the International Bar Association and the International Federation for Housing and Town Planning, which appeared to

have taken no action. A U.S.S.R. proposal providing that the part of the Economic and Social Council's resolution of August 13, 1947, referring to the two latter organizations should be revoked since they had not complied with the conditions laid down by the Council, was rejected at the same meeting by a vote of 6 to 3, with 7 abstentions.

The Council at its 162nd plenary meeting adopted, by 11 votes to 0, with 5 abstentions, resolution 133(VI)B, stating that the International Automobile Federation and the International Touring Alliance should be given twelve months in which to comply with the Council's decisions concerning the exclusion of their Spanish affiliates, and that the International Bar Association and the International Federation for Housing and Town Planning should not be granted consultative status with the Council unless the required action was taken by the Council's next session.

At the suggestion of the Council NGO Committee, the Council at its 164th plenary meeting on March 5 unanimously requested (133(VI)F) the Committee to study the Council's resolution (57(IV)) on international non-governmental organizations having members in Spain, which the Committee had thought required clarification.

f. RECONSIDERATION OF APPLICATIONS

At its sixth session, at the 162nd plenary meeting on March 4, the Council by 10 votes to 3, with 2 abstentions, adopted in a slightly amended form a resolution proposed by the Council NGO Committee concerning the reconsideration of the Council's decisions on non-governmental organizations. The U.S.S.R. representative was against a general ruling on this matter and felt that, when there was a question of revising decisions concerning applications from non-governmental organizations, each case should be treated on its merits. The United States and Chinese representatives thought that a limitation was advisable in order to save time and ensure efficiency. The resolution adopted by the Council (133(VI)C.1) reads as follows:

"The Economic and Social Council,

"Considering that several non-governmental organizations, whose applications for consultative status under Article 71 or for reclassification were not granted by the Council, immediately re-applied, and

"Considering that paragraph 2 of section III of the Council's resolution of 21 June 1946, states, in part, that It should also be recognized as a basic principle that the arrangements should not be such as to overburden the Council, . . ."

"Decides that any re-application for consultative status or requests for reclassification should be considered by the Council NGO Committee, for recommendation to the Council, at earliest eighteen months after the last occasion

on which such applications or requests were considered by the Council, unless otherwise decided at the time of such consideration."

2. Arrangements for Consultative Status

4. REQUEST OF THE WORLD FEDERATION OF TRADE UNIONS FOR ADDITIONAL PRIVILEGES

The General Assembly adopted on December 15, 1946, a resolution (49(I)B and C)¹⁷⁹ recommending that the Council give the World Federation of Trade Unions the right to submit items for insertion on the Council's provisional agenda in accordance with the procedure applicable to specialized agencies, and expressed agreement with the general principle that all organizations in category A should receive equal treatment in respect of consultative arrangements with the Council. The Council accordingly at its fourth session in March 1947 provided that organizations in category A might submit items for the Council's provisional agenda, set up an Agenda Committee to consider and make recommendations on the provisional agenda; provided that category A organizations could present their views at any meeting of the Agenda Committee at which the inclusion of items submitted by them was discussed.¹⁷⁴

The World Federation of Trade Unions, by a letter (E/C.2/48) dated July 3, 1947, addressed to the Secretary-General of the United Nations, requested that the Council should give it:

"1. The right to request the convocation of the Council in special session under the same conditions as those provided in Rule 4 of the rules of procedure of the Economic and Social Council for specialized agencies;

"2. The right to participate, in conformity with the procedure at present applied to specialized agencies, in the Council's deliberations concerning:

"(a) the adoption of the agenda whenever the removal from or retention on the agenda of a question proposed by the World Federation of Trade Unions is discussed,

"(b) the examination of all questions placed on the agenda on the proposal of the World Federation of Trade Unions."

At the same time it submitted a resolution, laying down that the Council,

"to fulfil entirely its task of co-ordination and direction, should, prior to any reference of a question to a commission or a specialized agency, give directives to the body concerned on the sense and scope of the studies to be undertaken and the solution to be worked out."

¹⁷⁹See *Yearbook of the United Nations, 1946-47, p. 150.*

¹⁷⁴See *Yearbook of the United Nations, 1946-47, p. 553.*

The Federation requested that its note should be brought to the attention of the General Assembly at its next session.

The Council NGO Committee, which met concurrently with the fifth session of the Economic and Social Council, considered the question on August 16 and submitted a report (E/566) containing two resolutions which were considered and adopted by the Council at its 121st plenary meeting on August 16. By 8 votes to 7, with 3 abstentions, the Council voted to hear a representative of the WFTU, who explained, *inter alia*, that if the Agenda Committee of the Council decided against putting an item proposed by the WFTU on the Council's agenda, the WFTU wished to be permitted to state its views on that item to the full Council, and stated that proposals made by the WFTU to the Council should be considered by that body and not referred to an organ outside the Council.

The U.S.S.R. representative supported the WFTU views and criticized the report of the NGO Committee as mechanically placing all non-governmental organizations in the same category. The United Kingdom, United States and French representatives felt that the distinction between specialized agencies and non-governmental organizations should be maintained and that the NGO Committee's report provided adequate machinery for fruitful collaboration.

The first of the two resolutions (95(V)III.1) adopted by the Council at its 121st plenary meeting on August 16 by 14 votes to 3, with 1 abstention, reads as follows:

"1. The Economic and Social Council Decides,

"With a view to the further implementation of the General Assembly resolution of 15 December 1946 and the Council resolutions of 21 June 1946 and of 28 March 1947,

"That whenever the Council discusses the substance of an item proposed by a non-governmental organization in category A and included on the agenda of the Council, such an organization shall be entitled to present orally to the Council an introductory statement of an expository nature,

"That such an organization may be invited by the President of the Council, with the consent of the Council, to make, in the course of the discussion of the item before the Council, an additional statement for purposes of clarification,

"That non-governmental organizations in category A will be expected to follow the procedure already established, of presenting their views, in the first instance, to the Council NGO Committee on all items which they have not proposed, it being understood that the Committee may recommend that the Council invite the organization to present an oral statement to it, and

"That any request on the part of non-governmental organizations in category A, referred to in paragraph 2,

to be heard by the Council on any item of the agenda of the Council should be made to the Council NGO Committee not later than forty-eight hours after the adoption of the agenda by the Council."

The Council voted separately on the three paragraphs of the second resolution and adopted them by varying votes. The resolution as a whole was adopted at the same meeting by 14 votes to 3, with 1 abstention.

In this resolution (95(V)III.2) the Council stated that considering the differences established in the Charter between specialized agencies and non-governmental organizations and the arrangements worked out for giving effect to the Assembly's resolution, it could not "accede to the request that non-governmental organizations be granted the right to demand the convocation of special sessions of the Council". On the question of the right to participate in Council discussions it believed that the separate resolution adopted (see above) was adequate to ensure close co-operation between the Council and non-governmental organizations in category A. On the question of the proposed resolution submitted by the WFTU it pointed out that the way in which the Council dealt with any question on its agenda was in each case entirely within its competence.

b. ALTERATIONS IN PROCEDURAL ARRANGEMENTS

The Council at its sixth session unanimously decided at its 164th plenary meeting on March 5 (resolution 133(VI)D) to draw the attention of the Economic Commission for Asia and the Far East to the arrangements approved by the Council for consultation with non-governmental organizations and to request the Commission to consider the formulation of rules of procedure providing for consultation with non-governmental organizations. A similar recommendation had been suggested by the Council NGO Committee with regard to the Economic Commission for Latin America (E/706), but in view of a proposal made by the President (E/735) to change the wording of the rules of this Commission to meet the point in question, the Council decided not to cover it specifically. In this connection the U.S.S.R. representative put forward the view that the regional economic commissions should consult only with regional non-governmental organizations.

The Council also decided unanimously at its 164th plenary meeting (133(VI)E) to amend rules 5 and 44 of the rules of procedure of its functional commissions to provide that the provisional agenda of each session of the commis-

sions and, as far as possible, the text of all reports, resolutions, recommendations and other formal decisions adopted by the commissions and their subsidiary bodies should be communicated to the non-governmental organizations in category A and to appropriate non-governmental organizations in categories B and C.

At its 159th plenary meeting on March 2, 1948, the Council discussed a United States proposal (E/692) to amend the final paragraph of its resolution 95(V) III.1. This paragraph (see above) provided that a request of a non-governmental organization in category A "referred to in paragraph 2" to speak on an item of the agenda of the Council should be made not later than 48 hours after the adoption of the agenda. Paragraph 2 referred to additional statements by the organizations on items proposed by them for inclusion in the agenda. The United States maintained that this reference was in error, since the Council had obviously intended that the 48-hour limit should apply to organizations wishing to make statements on items they had not proposed for inclusion in the agenda (i.e., paragraph 4 of resolution 95(V) III.1). The Council adopted the United States proposal (resolution 133(VI)G) that the reference in question should be made to "the preceding paragraph".

In view of this misunderstanding, the Council, after some discussion, decided at the same meeting by 13 votes to 3, with 2 abstentions, on the recommendation of the NGO Committee, to hear a representative of the American Federation of Labor on the question of equal pay for equal work, despite the fact that the request of the Federation had not been submitted within 48 hours after the Council had adopted its agenda.

3. *Communication from the World Jewish Congress*

The Council at its sixth session (174th plenary meeting on March 11) on a point of order raised by the Polish representative discussed the question of a report of the Council NGO Committee (E/710) on the memoranda of the World Jewish Congress in regard to the situation of the Jewish populations in Arab countries. This report had been placed before the Council at the same time as the report of the Council NGO Committee (E/706) and the Polish representative alleged that an informal agreement had been reached among the five Great Powers not to discuss document E/710 on the ground that it would unduly prolong the Council's deliberations. The U.S.S.R.

and French representatives denied that there had been any such agreement. The French representative explained that different members of the Council had suggested various ways of handling the question. He thought that a number of members had not realized that the document was before the Council for discussion and that it might appear that the Council had refused to examine the question. The United States representative stated that the matter had been referred to the Council without recommendation by the Council NGO Committee and would only be discussed by the Council on the specific request of a member of the Council. The Polish representative, however, felt that the item on the agenda was "Reports of the Council NGO Committee", and one of these reports was document E/710; the Council had simply overlooked the document in question. He asked for a review of the whole question from the procedural point of view.

The Council adopted a resolution (133(VI)H) proposed by the representative of France transmitting the record of its discussion to the Council NGO Committee and requesting that Committee to submit to the Council at its next session "whatever recommendations it may deem useful".

The Council NGO Committee—which had originally heard a representative of the World Jewish Congress on February 16, 1948—held meetings on June 21 and 22, 1948, at which representatives of Egypt, Pakistan, Syria and Turkey were heard on the question, as well as the representative of the World Jewish Congress. The Committee reported to the Council at the seventh session (E/940).

The report by the NGO Committee was deferred with other items until the eighth session. In connection with the above question, the NGO Committee concluded that, with regard to consultation with non-governmental organizations in categories B and C, it should not make specific recommendations regarding the substance of the consultation unless specifically requested by the Council. At the same time the Committee agreed that its reports should be sufficiently detailed and explicit to permit the members of the Council to form their own judgments regarding the importance of the subject under consideration and any action to be taken thereon.

4. *Items Submitted by Non-Governmental Organizations in Category A*

During the period under review, the following items were submitted by non-governmental organi-

zations in category A to the Economic and Social Council for consideration:

1. Principle of equal pay for equal work for men and women workers. (Item proposed by the World Federation of Trade Unions.)

2. Trade Union Rights (freedom of association). (Item proposed by the World Federation of Trade Unions.)

3. Infringement of Trade Union Rights. (Item proposed by the World Federation of Trade Unions.)

4. Protection of migrant and immigrant labor. (Item proposed by the American Federation of Labor.)

5. Survey of forced labor and measures for its abolition. (Item proposed by the American Federation of Labor.)

6. International control of oil resources. (Item proposed by the International Co-operative Alliance.)

5. Communications from Consultative Non-Governmental Organizations

In the period covered by this *Yearbook*, 83 communications were received from 22 consultative non-governmental organizations (E/C.2/46-E/C.2/125, excluding documents E/C.2/56, 87, 97, 98, 119/Rev.1, 120 and 121). These communications, though sometimes directed primarily to Commissions of the Economic and Social Council (in particular the Human Rights, Social, Status of Women and the Transport and Communications Commissions), and sometimes calling particular matters to the attention of the members of the Council, were generally related to items on the Council's agenda.

During the seventh session of the Council, the question of the listing of documents received from organizations in relation to the Council's agenda was considered by the NGO Committee. The Committee requested the Secretary-General to prepare for the current and each future session of the Council, for distribution immediately after the adoption of the agenda, a list by categories A, B and C of communications from non-governmental organizations received since the previous list was issued, indicating their titles and document numbers and which of them are specifically addressed to items on the agenda as adopted by the Council (E/940/Add.1).

6. Hearings of Non-Governmental Organizations

The following organizations were heard by the Economic and Social Council in plenary meetings at the fifth session:

<i>Name of Organization</i>	<i>Subject</i>
American Federation of Labor	Trade Union rights Protection of migrant and immigrant labor
International Co-operative Alliance	International control of oil resources
International Federation of Christian Trade Unions	Trade Union rights
World Federation of Trade Unions	Trade Union rights

The following organizations were heard by the Economic and Social Council in plenary meetings at the sixth session:

<i>Name of Organization</i>	<i>Subject</i>
American Federation of Labor	Equal pay for equal work for men and women workers
World Federation of Trade Unions	Equal pay for equal work for men and women workers

The following organizations were heard by the NGO Committee during the seventh session:

<i>Name of Organization</i>	<i>Subject</i>
American Federation of Labor	Report of the Secretary-General on progress and prospects of repatriation, resettlement, and immigration of refugees and displaced persons Report of the third session of the Commission on Human Rights Final Act of the United Nations Conference on Freedom of Information Report of the Special Committee on the United Nations Appeal for Children
International Co-operative Alliance	Report of the Special Committee on UNAC Report of the Secretary-General, and of UNESCO, on the teaching of the purposes and of the principles, structures and activities of the United Nations in the schools of Member States Reports of the FAO on the progress in co-ordination of studies of suitable measures to bring about an increase of food production
International Federation of Christian Trade Unions	Report of the third session of the Commission on Human Rights
International Organization of Industrial Employers	Report of the third session of the Social Commission Report of the Special Committee on UNAC
World Federation of United Nations Associations	Report of the Special Committee on UNAC Draft Convention on the Prevention and the Repression of the Crime of Genocide

<i>Name of Organization</i>	<i>Subject</i>
World Federation of Trade Unions	Machinery of hearings by the Council and listing of documents submitted by non governmental organizations
International Council of Women	Report of the third session of the Commission on Human Rights

In addition, a number of non-governmental organizations were heard by the Commissions of the Council, in particular by the Commissions on Human Rights and the Status of Women, and the Social, Transport and Communications and Statistical Commissions.

7. List of Non-Governmental Organizations with Consultative Status (as of September 1948)

CATEGORY A

American Federation of Labor (United States)
International Chamber of Commerce
International Co-operative Alliance
International Federation of Agricultural Producers
International Federation of Christian Trade Unions
International Organization of Industrial Employers (transferred from category B at the fifth session)
Inter-Parliamentary Union
World Federation of Trade Unions
World Federation of United Nations Associations (transferred from category B at the sixth session)*

CATEGORY B

Agudas Israel World Organization†
All-India Women's Conference (India)*
Associated Country Women of the World
Boy Scouts' International Bureau*
Carnegie Endowment for International Peace (United States)*
Catholic International Union for Social Service*
Commission of the Churches on International Affairs*
Consultative Council of Jewish Organizations
Co-ordinating Board of Jewish Organizations for Consultation with the Economic and Social Council of the United Nations*
Econometric Society
Friends World Committee for Consultation†
Howard League for Penal Reform (United Kingdom)*
Inter-American Council of Commerce and Production
International Abolitionist Federation*
International African Institute
International Alliance of Women—Equal Rights, Equal Responsibilities
International Association of Democratic Lawyers*
International Association of Penal Law†
International Bureau for the Suppression of Traffic in Women and Children*
International Bureau for the Unification of Penal Law†
International Committee of the Red Cross

International Committee of Schools for Social Work
International Conference of Social Work*
International Co-operative Women's Guild*
International Council of Women
International Federation of Business and Professional Women

International Federation of Friends of Young Women
International Federation of University Women
International Institute of Administrative Sciences*
International Law Association
International League for the Rights of Man
International Organization for Standardization*
International Organization of Journalists
International Social Service
International Statistical Institute*
International Student Service
International Transport Workers' Federation
International Union for Child Welfare
International Union of Catholic Women's Leagues*
International Union of Family Organizations†
International Union of Local Authorities*
International Union of Official Travel Organizations†
International Union of Producers and Distributors of Electric Power*
International Voluntary Service for Peace*
Liaison Committee of Women's International Organizations
National Association of Manufacturers (United States)*
Salvation Army
Women's International Democratic Federation
Women's International League for Peace and Freedom†
World Association of Girl Guides and Girl Scouts*
World Federation of Democratic Youth
World Jewish Congress
World Power Conference
World Women's Christian Temperance Union
World Young Women's Christian Association
World's Alliance of Young Men's Christian Associations

CATEGORY C¹⁷⁵

International Association of Lions Clubs
International Federation of Secondary Teachers†
Rotary International
World Organization of the Teaching Profession†

The total number of organizations listed above is 69; of these, nine are in category A, 56 in category B and four in category C. All of these organizations are international organizations, except the four organizations that are followed by the name of a state.

*Admitted to consultative status at the Council's fifth session.

†Admitted to consultative status at the Council's sixth session.

¹⁷⁵The World Alliance for International Friendship through the Churches also had consultative status in category C but ceased to function on June 30, 1948.

ANNEX I

DELEGATIONS TO THE ECONOMIC AND
SOCIAL COUNCIL

A. Fifth Session

MEMBERS OF THE COUNCIL

BYELORUSSIAN S.S.R.:

Representative L. Kaminsky

CANADA:

Representative Paul Martin
Alternate George F. Davidson

CHILE:

Representative Hernan Santa Cruz
Alternate Joaquin Larrain

CHINA:

Representative P. C. Chang

CUBA:

Representative Guillermo Belt
Alternate Enrique Perez-Cisneros

CZECHOSLOVAKIA:

Representative Jan Papanek
Alternate Ladislav Radumsky

FRANCE:

Representative Pierre Mendès-France
Alternate Georges Boris

INDIA:

Representative Sir A. Ramaswami Mudaliar
Alternates P. P. Pillai
R. K. Nehru

LEBANON:

Representative Charles Malik
Alternate Georges Hakim

NETHERLANDS:

Representative J. W. Beyen
Alternate J. W. M. Snouck Hurgronje

NEW ZEALAND:

Representative James Thorne
Alternate A. R. Perry

NORWAY:

Representative Finn Moe
Alternate Ole Colbjørnsen

PERU:

Representative Juvenal Monge
Alternate Carlos Holguin de Laval

TURKEY:

Representative Ali Rana Tarhan
Alternate Bulent Yazici

U.S.S.R.:

Representative Alexander P. Morozov

UNITED KINGDOM:

Representative Hector McNeil
Alternate H. M. Phillips

UNITED STATES:

Representative Willard L. Thorp
Alternate Leroy D. Stinebower

VENEZUELA:

Representative Carlos A. D'Ascoli
Alternates Victor M. Perez Petoze
Carlos Rodriguez JimenezOTHER MEMBERS OF THE UNITED NATIONS¹⁰

BELGIUM:

Observers Roland Lebeau
Jules Woulbroun

BRAZIL:

Observer Roberto de Oliveira Campos

SPECIALIZED AGENCIES AND INTER-GOVERNMENTAL
ORGANIZATIONSINTERNATIONAL LABOUR ORGANISATION
(ILO):Representatives David A. Morse
Léon Jouhaux
Substitute: Paul Finet
H. W. MacDonnell
Substitute: James David Zellerbach
Jef Rens
Substitute: E. J. RichesFOOD AND AGRICULTURE ORGANIZATION OF
THE UNITED NATIONS (FAO):Representatives F. L. McDougall
Karl OlsenUNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION (UNESCO):Representatives Solomon V. Arnaldo
Gerald Carnes
Joan MaassINTERNATIONAL CIVIL AVIATION
ORGANIZATION (ICAO):

Representative Albert Roper

INTERNATIONAL BANK FOR RECONSTRUCTION
AND DEVELOPMENT:Observers John J. McCloy
Enrique Lopez-Herrarte
Richard H. Demuth

INTERNATIONAL MONETARY FUND:

Observers Camille Gutt
Robert J. Roila
Gordon Williams

UNIVERSAL POSTAL UNION (UPU):

Observer John J. Gillen

INTERIM COMMISSION OF THE WORLD HEALTH
ORGANIZATION (WHO-IC):Observers Frank A. Calderone
William P. Forrest
Miss Kathryn FennNON-GOVERNMENTAL ORGANIZATIONS—
CATEGORY AWORLD FEDERATION OF TRADE UNIONS
(WFTU):Consultants Frank Rosenblum
Elmer F. Cope
Georges Fischer
Michael Ross
Miss Lena Spiegel

AMERICAN FEDERATION OF LABOR:

Consultants Matthew Woll
David Dubinsky
Miss Toni Sender¹⁰In accordance with the Charter, the Council invites any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

INTERNATIONAL CHAMBER OF COMMERCE (ICC):

Consultants John R. Minter
R. P. Meiklejohn
Miss E. Sansom

B. Sixth Session

MEMBERS OF THE COUNCIL

AUSTRALIA:

Representatives John Johnstone Dedman
Norman J. O. Makin
*Alternates and
Advisers* John Douglas Lloyd Hood.
William Douglass Forsyth
Arthur Harold Tange
Eric John Richard Heyward
Ralph Lindsay Harry
Gordon Albert Jockel

BRAZIL:

Representative João Carlos Muniz
Alternate Henrique de Souza Gomes

BYELORUSSIAN S S R:

Representative L. Kaminsky

CANADA:

Representative Paul Martin
Alternates George F. Davidson
R. G. Riddell

CHILE:

Representative Hernan Santa Cruz
Alternate Joaquín Larraín

CHINA:

Representative P. C. Chang
Alternate C. Hsiao

DENMARK:

Representative William Borberg
Alternates Jorgen S. Dich
Carl L. Iversen

FRANCE:

Representative Pierre Mendès-France
Alternates Georges Boris
Albert Lamarle
Louis Bugnard

LEBANON:

Representative Charles Malik
Alternate Karim Azkoul

NETHERLANDS:

Representative H. C. J. Gelissen
Alternates J. W. M. Snouck Hurgronje
S. Binol

NEW ZEALAND:

Representative James Thorn
Alternate W. B. Sutth

PERU:

Representative Juvenal Monge
Alternate Rear-Admiral Enrique A. Labarthe

POLAND:

Representative Oscar Lange
Alternates Juliusz Katz-Suchy
Jacek Rudzinski

TURKEY:

Representative Selim Sarper
Alternates Kemal Suleyman Vaner
Bulent Yazici

U S S R:

Representative A. A. Arutunian
Alternate Alexander P. Morozov

UNITED KINGDOM:

Representative Maj. C. P. Mayhew
Alternate H. M. Phillips

UNITED STATES:

Representative Willard L. Thorp
Alternate Leroy D. Stinebower

VENEZUELA:

Representative Carlos Eduardo Stolk
Alternates Lorenzo Mendoza Fleury
Victor M. Perez Perozo
Carlos Rodriguez Jimenez

OTHER MEMBERS OF THE UNITED NATIONS¹⁰⁰

ARGENTINA:

Observer Guillermo R. Spangenberg

BELGIUM:

Observers Roland Lebeau
Luc Steyaert

CZECHOSLOVAKIA:

Observer Ladislav Radimsky

INDIA:

Observers P. P. Pillai
S. Sen

SYRIA:

Observers Rafik Asha
Zeki Djabi

SPECIALIZED AGENCIES AND INTER GOVERNMENTAL ORGANIZATIONS

INTERNATIONAL LABOUR ORGANISATION (ILO):

Representative C. Wilfred Jenks
Alternates E. J. Riches
Miss M. Fairchild
R. A. Metcalf

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO):

Representative F. L. McDougall
Alternates Paul Yates
Karl Olsen
David Lusher

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO):

Representative Jean Thomas
Alternate Solomon Arnaldo

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT:

Representatives: Richard H. Demuth
Enrique Lopez-Herrarte

INTERNATIONAL MONETARY FUND:

Representative Camille Gutt

INTERIM COMMISSION OF THE WORLD HEALTH ORGANIZATION (WHO-IC):

Observer C. K. Chu
Alternate George Hill

PREPARATORY COMMISSION FOR THE INTERNATIONAL REFUGEE ORGANIZATION (FCIRO):

Observer General Walter Hood
Alternate Miss Martha Biehle

¹⁰⁰ See footnote, p. 695.

NON-GOVERNMENTAL ORGANIZATIONS— CATEGORY A

WORLD FEDERATION OF TRADE UNIONS (WFTU):

Consultants Georges Fischer
Michael Ross
Miss Lena Spiegel

INTERNATIONAL CO-OPERATIVE ALLIANCE (ICA):

Consultants Thorsten Odhe
Murray Lincoln
Wallace J. Campbell

AMERICAN FEDERATION OF LABOR:

Consultants Miss Toni Sender
Peter Garvan

INTER-PARLIAMENTARY UNION:

Consultants Alben Barkley

INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS:

Consultants Andrew Cairns
Earl Benjamin

INTERNATIONAL ORGANIZATION OF INDUSTRIAL EMPLOYERS:

Consultant Charles E. Shaw

C. Seventh Session

MEMBERS OF THE COUNCIL

AUSTRALIA:

Representative Herbert V. Evatt
Alternates and
Advisers Lt.-Colonel W. R. Hodgson
E. R. Walker
Eric John Richard Heyward
J. Plimsoil
T. Swan
Gordon Albert Jockel
H. Gilchrist
S. Anyeo

BRAZIL:

Representative João Carlos Muniz
Alternate Gilberto Amado

BYELORUSSIAN S.S.R.:

Representative L. Kaminsky
Alternates Vasili P. Smoliar
V. P. Marytko

CANADA:

Representative L. D. Wilgress
Alternate George F. Davidson

CHILE:

Representative Hernan Santa Cruz
Alternates Osvaldo Sagues
Carlos Valenzuela
Fernando Maquieira

CHINA:

Representative P. C. Chang

DENMARK:

Representative William Borberg
Alternates Carl L. Iversen
Jorgen S. Dich

FRANCE:

Representative Pierre Mendès-France
Alternates Mrs. G. Peyrolles
René Cassin
Henri Ponsot
Georges Boris
Louis Bugnard
Albert Lamarle

LEBANON:

Representative Charles Malik
Alternates Charles Helou
Jamil Mikaoui

NETHERLANDS:

Representative H. C. J. Gelissen
Alternate C. L. Patijn

NEW ZEALAND:

Representative James Thorn
Alternates W. B. Sutcliffe
C. C. Aikman

PERU:

Representative Juvenal Monge
Alternate Carlos Mackchenie

POLAND:

Representative Oscar Lange
Alternates Juliusz Katz-Suchy
Jacek Rudzinski
Henryk Altman
Tadeusz Lychowski

TURKEY:

Representative Ali Rana Tarhan
Alternates Sait Rauf Sarper
Hassan Nurelgin
Nuri Eren

U.S.S.R.:

Representative A. A. Arutunian
Alternates A. P. Pavlov
A. H. Kulagenkov
Alexander P. Morozov

UNITED KINGDOM:

Representative Hector McNeil
Alternate H. M. Phillips

UNITED STATES:

Representative Willard L. Thorp
Alternates Leroy D. Stinebower
Walter M. Kotschnig

VENEZUELA:

Representative Carlos A. D'Ascoli
Alternates Victor M. Perez Perozo
José Coriat

OTHER MEMBERS OF THE UNITED NATIONS¹⁷⁸

ARGENTINA:

Observers Julio C. Rodriguez Arias
Cesar S. Mazzetti

BELGIUM:

Observer Baron Fernand de Kerchove
d'Exaerde

CZECHOSLOVAKIA:

Observers Zdenek Augenthaler
Mrs. Gertruda Sekaninova

EGYPT:

Observer Abdel Kerim Safwat

INDIA:

Observer D. B. Desai

¹⁷⁸See footnote, p. 695.

SPECIALIZED AGENCIES AND INTER-GOVERNMENTAL ORGANIZATIONS

INTERNATIONAL LABOUR ORGANISATION (ILO):

Representative Edward J. Phelan
Alternates Jol Rens
 Marins Viple
 C. Wilfred Jerks

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

Representative F. L. McDougall
Alternate Karl Olsen

UNITED NATIONS EDUCATIONAL SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)

Representatives Julian Huxley
 Walter H. C. Laves
 Andre de Bismay
 Norman Shalson
Alternates Walter R. Sharp
 René Maheu
 Jacques Haver
 H. M. Butler

INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

Representative L. R. Martin

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Representative Intique Lopez Herrarte

INTERNATIONAL MONETARY FUND

Representatives Ahmed Zakiy Saad
 Levin P. Harnet

UNIVERSAL POSTAL UNION (UPU)

Representative Ali el-Muti

WORLD HEALTH ORGANIZATION (WHO).

Representative Frank A. Calderone

INTERNATIONAL TELECOMMUNICATION UNION (ITU)

Officers E. v. Linder
 L. H. Linder

PREPARATORY COMMISSION FOR THE INTERNATIONAL REFUGEE ORGANIZATION (ICIRO)

Officers Thomas Hudson Tuck
 Ed. Anders Kvalset
 Myer C. Fox
 Pierre Ju. Laro
 P. N. M. Koster
 Maurice de Groot
 G. G. Koster
 A. de Groot

PREPARATORY COMMITTEE OF THE INTERNATIONAL MARITIME CONVENTIONAL ORGANIZATION (IMCO)

Chairman J. G. de Groot

PREPARATORY COMMISSION FOR THE INTERNATIONAL MARITIME CONVENTIONAL ORGANIZATION (IMCO)

Representatives J. G. de Groot
 J. G. de Groot

NON-GOVERNMENTAL ORGANIZATIONS—CATEGORY A

WORLD FEDERATION OF TRADE UNIONS (WFTU):

Consultants Louis Saillant
 Elmer F. Cepe
 Michel Taline
 Walter Schevenels
 Georges Fischer
 Miss Lena Spiegel

INTERNATIONAL CO-OPERATIVE ALLIANCE (ICA)

Consultants Max Weber
 Ch. Barbier
 W. Ruf
 Edgar Milhard
 Marcel Boson

AMERICAN FEDERATION OF LABOR

Consultants Irving J. Brown
 Nelson H. Cruikshank

INTERNATIONAL CHAMBER OF COMMERCE (ICC)

Consultants Arthur Guinness
 Pierre Vasseur
 Robert Julliard

INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS

Consultant Roger Savary

INTERNATIONAL FEDERATION OF CHRISTIAN TRADE UNIONS:

Consultant A. J. Vansten-lael

INTER-PARLIAMENTARY UNION:

Consultants Leopold Bostier
 Professor B. Murkine Gutwirth
 Adrien Robinet de Clery
 Georges Preiss

INTERNATIONAL ORGANIZATION OF INDUSTRIAL EMPLOYERS:

Consultants M. Dubois
 Charles Kuntzen
 Jules Leroy

WORLD FEDERATION OF UNITED NATIONS ASSOCIATIONS (WIUNA):

Consultants John A. F. Ennals
 Miss Edna Lewis
 Leonard St. Clair Flower
 William Van Vleet
 Martin A. F. Ennals
 Mrs. Winifred Quarrill

NON-GOVERNMENTAL ORGANIZATIONS—CATEGORY B

AGUDAS ISRAEL WORLD ORGANIZATION

Consultants H. A. Gershon
 A. Gershon

ASSOCIATED COUNTRY WOMEN OF THE WORLD

Consultant Mrs. Mary J. Walsh

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE:

Consultant Howard E. Wilson

CATHOLIC INTERNATIONAL UNION FOR SOCIAL SERVICE:

Consultant Miss E. de Romer

COMMISSION OF THE CHURCHES ON INTERNATIONAL AFFAIRS:

Consultants O. Frederick Nolde
Herbert W. Newell

CONSULTATIVE COUNCIL OF JEWISH ORGANIZATIONS:

Consultants Eugene Weill
Andre Chouraqui
Dr. Monneray
Norman Bentwich
Sefton Temkin
Joel Wolfsohn

CO-ORDINATING BOARD OF JEWISH ORGANIZATIONS:

Consultants A. G. Brotman
C. D. Rappaport

FRIENDS WORLD COMMITTEE FOR CONSULTATION:

Consultant Algie I. Newlin

INTERNATIONAL ABOLITIONIST FEDERATION:

Consultants Th. de Felice
Miss de Felice

INTERNATIONAL ALLIANCE OF WOMEN:

Consultants Mrs. M. Prince-Koire
Mrs. J. Karmin
Mrs. Legrand Falco

INTERNATIONAL ASSOCIATION OF PENAL LAW:

Consultant Max Habicht

INTERNATIONAL BUREAU FOR THE UNIFICATION OF PENAL LAW:

Consultant Jean Graven

INTERNATIONAL COMMITTEE OF THE RED CROSS:

Consultants J. P. Pradervand
Melchior Borsinger

INTERNATIONAL COUNCIL OF WOMEN:

Consultants Mrs. L. Dreyfus-Barney
Dr. Renée Girod

INTERNATIONAL FEDERATION OF FRIENDS OF YOUNG WOMEN:

Consultant Mrs. Paul Berthoud

INTERNATIONAL LEAGUE FOR THE RIGHTS OF MAN:

Consultants Basil J. Vlavianos
Mrs. Gertrude Baer

INTERNATIONAL UNION FOR CHILD WELFARE:

Consultants Georges Thelin
Miss Mary Dingman

INTERNATIONAL UNION OF CATHOLIC WOMEN'S LEAGUES:

Consultant Miss E. de Romer

LIAISON COMMITTEE OF WOMEN'S INTERNATIONAL ORGANIZATIONS:

Consultants Miss Marion Royce
Mrs. L. Dreyfus-Barney
Mrs. Elisabeth Abbott
Dame Rachel Crowdy

NATIONAL ASSOCIATION OF MANUFACTURERS:

Consultant Noel G. Sargent

WOMEN'S INTERNATIONAL DEMOCRATIC FEDERATION:

Consultant Mrs. Gabrielle Duchêne

WOMEN'S INTERNATIONAL LEAGUE FOR PEACE AND FREEDOM:

Consultants Mrs. Gertrude Baer
Mrs. Dorothy Medders Robinson

WORLD'S ALLIANCE OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS:

Consultants Wesley F. Rennie
J. J. Favre

WORLD JEWISH CONGRESS

Consultants A. L. Easternman
Gerhart M. Riegner
Jiri Liban
F. R. Bienenfeld

WORLD'S YOUNG WOMEN'S CHRISTIAN ASSOCIATION:

Consultants Miss Marion Royce
Mrs. C. Beresford Fox
Miss Winifred Galbraith

ANNEX II

MEMBERS OF THE SUBSIDIARY ORGANS OF THE COUNCIL

Economic and Employment Commission

AUSTRALIA:

Representative Roland Wilson (*Chairman*)

BELGIUM:

Representative Fernand van Langenhove
Alternates Ernest de Selliers
Jules Woulbroun

BRAZIL:

Representative José Nunez Guimarães
Alternate José Garrido Torres

BYELORUSSIAN S.S.R.:

Representative S. N. Malinine
Alternate V. A. Bakounov

CANADA:

Representative John Deutsch
Alternate Sidney Pollock

CHINA:

Representative Franklin L. Ho (*Second Vice-Chairman*)

CUBA:

Representatives Enrique Perez-Casneros (*resigned April 1, 1948*)
Nicasio Silverio

CZECHOSLOVAKIA:

Representative Rudolf Bystricky

FRANCE:

Representative Jacques Rueff
Alternate M. T. de Clermont-Tonnerre

INDIA:

Representative R. K. Nehru
Alternate D. P. Karmakar

NORWAY:

Representative Gunnar Bøe

POLAND:

Representative Jacek Rudzinski
Alternate George Lutostawski

U.S.S.R.:

Representative Alexander P. Morozov (*First Vice-Chairman*)

UNITED KINGDOM:

Representative Robert Lowe Hall
Alternates Marcus Fleming
 H. M. Phillips

UNITED STATES:

Representative Isador Lubin (*Rapporteur*)

SUB-COMMISSION ON EMPLOYMENT AND ECONOMIC STABILITY

J. Belin (France)
 Alexander Danilov (U.S.S.R.)
 Ragnar Frisch (Norway) (*Rapporteur*)
 R. F. Harrod (United Kingdom)
 Oscar Lange (Poland) (*Vice Chairman*)
 Leslie G. Melville (Australia) (*Chairman*)
 Winfield W. Riefler (United States)

SUB-COMMISSION ON ECONOMIC DEVELOPMENT

José Nunes Guimarães (Brazil)
 Manuel Braso Jaramero (Mexico) (*elected Vice Chairman and Rapporteur at second session*)
 D. K. Lieu (China)
 Alexander P. Morozov (U.S.S.R.)
 V. K. R. V. Rao (India) (*Chairman at first and second sessions*)
 Beardsley Ruml (United States)
 Emanuel Sierbitt (Czechoslovakia) (*Vice Chairman and Rapporteur at first session*)

Transport and Communications Commission

BRAZIL:

Representative Renato de Azevedo Feio

CHILE:

Representative Alfonso Grez
Alternate Carlos Valenzuela

CHINA:

Representative Chung yuen Hsiao

CZECHOSLOVAKIA:

Representative Pavel Burack-Jacquart
Alternate Vratoslav Trčka

EGYPT:

Representative Shoukry Alwan

FRANCE:

Representative J. Guinat

INDIA:

Representative N. M. Jinnah Chetty (*resigned on April 3, 1948*)
 V. K. R. Rao

NETHERLANDS:

Representative Jan J. Oortman (*Chairman*)

NORWAY:

Representative Fredrik Odffjell
Alternate Erling Foien

POLAND:

Representative Stanislaw Kutczowski

UNION OF SOUTH AFRICA:

Representative E. C. Smith

U.S.S.R.:

Representative N. Y. Bezrukov (*Vice-Chairman*)

UNITED KINGDOM:

Representative Brig.-Gen. Sir H. Osborne Mance

UNITED STATES:

Representative George P. Baker

YUGOSLAVIA:

Representative Slavko Pezelj
Alternate Nikodije Jovanovic

Statistical Commission

CANADA:

Representative Herbert Marshall (*Chairman*)

CHINA:

Representative D. K. Lieu

FRANCE:

Representative G. Darmon

INDIA:

Representative P. C. Mahalanobis (*Vice Chairman*)

MEXICO:

Representatives Josué Saenz (*resigned on April 30, 1948*)
 Gilberto Loyo
 A. Ochoa Mayo

NETHERLANDS:

Representative P. J. Idenburg

NORWAY:

Representative Gunnar Jahn
Alternate E. Pettersen

TURKEY:

Representatives Sefik Inan (*resigned on March 17, 1948*)
 Sefik Bilkur

UKRAINIAN S.S.R.:

Representative V. A. Rabichko

U.S.S.R.:

Representatives I. S. Malyshev
 Timon V. Riabushkin

UNITED KINGDOM:

Representatives R. G. D. Allen
 Harry Campion

UNITED STATES:

Representative Stuart A. Rice (*Rapporteur*)

SUB-COMMISSION ON STATISTICAL SAMPLING

G. Darmon (France)
 W. E. Deming (United States)
 P. C. Mahalanobis (India) (*Chairman*)
 I. Yates (United Kingdom)
 (5th vacant for the U.S.S.R.)

COMMITTEE ON STATISTICAL CLASSIFICATION

R. G. D. Allen (United Kingdom)
 G. Darmon (France)
 P. J. Idenburg (Netherlands)
 Gunnar Jahn (Norway)

D. K. Lieu (China)
 I. S. Malyshev (U.S.S.R.)
 Herbert Marshall (Canada) (*Chairman*)
 Stuart A. Rice (United States)

Commission on Human Rights

AUSTRALIA:

Representatives Lt.-Col. W. R. Hodgson (*resigned*
 on April 29, 1948)
 J. D. L. Hood

BELGIUM:

Representative Fernand Dehousse
Alternate R. Lebeau

BYELORUSSIAN

Representative S.S.R.:
 A. S. Stepanenko

CHILE:

Representative Hernan Santa Cruz
Alternate E. Cruz-Coke

CHINA:

Representative P. C. Chang (*Vice-Chairman*)
Alternate C. H. Wu

EGYPT:

Representative Omar Loutfi

FRANCE:

Representative René Cassin (*elected Second Vice-Chairman at third session*)

INDIA:

Representative Mrs. Hansa Mehta

IRAN:

Representative Abol-Ghassem Pourdevaly

LEBANON:

Representative Charles Malik (*Rapporteur*)

PANAMA:

Representative Ricardo J. Alfaro
Alternates M. Amado
 M. de J. Quijano

PHILIPPINES:

Representative Brig.-Gen. Carlos P. Romulo
Alternate Salvador López

UKRAINIAN S.S.R.:

Representative Michael Klekovkin

U.S.S.R.:

Representative Alexander E. Bogomolov
Alternate A. P. Pavlov

UNITED KINGDOM:

Representative Lord Dukeston
Alternate Geoffrey Wilson

UNITED STATES:

Representative Mrs. Franklin D. Roosevelt (*Chairman*)

URUGUAY:

Representative José A. Mora
Alternate Juan J. Carbajal Victorica

YUGOSLAVIA:

Representative Vladislav Ribnikar
Alternate Joza Vilfan

SUB-COMMISSION ON FREEDOM OF INFORMATION AND OF THE PRESS

Zechariah Chafee (United States)
 P. H. Chang (China) (*Rapporteur*)
 Christen A. R. Christensen (Norway)
 R. J. Cruikshank (United Kingdom)
 José Isaac Fabrega (Panama)

George V. Ferguson (Canada)

Roberto Fontaina (Uruguay)

André Geraud (France)

G. J. van Heuven Goedhart (Netherlands) (*Chairman*)

J. M. Lomakin (U.S.S.R.)

Salvador López (Philippines)

Lev Sychrava (Czechoslovakia) (*Vice-Chairman*)

SUB-COMMISSION ON THE PREVENTION OF DISCRIMINATION AND THE PROTECTION OF MINORITIES

A. P. Borisov (U.S.S.R.)

Chang Chung-fu (China)

Jonathan Daniels (United States)

Eric Einar Ekstrand (Sweden) (*Chairman*)

M. R. Masani (India)

W. M. J. McNamara (Australia)

Miss Elizabeth Monroe (United Kingdom)

Joseph Nisot (Belgium) (*Rapporteur*)

Arturo Meneses Pallares (Ecuador)

Herard Roy (Haiti) (*Vice-Chairman*)

Rezaadza Shafaz (Iran)

Samuel Spanien (France)

DRAFTING COMMITTEE ON THE BILL OF HUMAN RIGHTS

Representatives of Australia, Chile, China, France, Lebanon, U.S.S.R., United Kingdom and United States.

Social Commission

CANADA:

Representative George F. Davidson (*Rapporteur at second session*)

Alternate R. B. Cutry

CHINA:

Representative Yang Yung-Ching (*Vice-Chairman at second session and elected First Vice-Chairman at third session*)

Alternate T. Y. Wu

COLOMBIA:

Representative Diego Mejia

Alternate J. Ortiz-Rodriguez

CZECHOSLOVAKIA:

Representative Frantisek Kraus (*Chairman at first and second sessions*)

DENMARK:

Representative Miss Alice Bruun

ECUADOR:

Representative José Antonio Correa

Alternate Valencia Vascónez

FRANCE:

Representative Henry Hauck (*Rapporteur at first session*)

Alternate G. Pernot

GREECE:

Representatives C. J. Christides

A. Kyrou

Alternate B. Theodoropoulos

IRAQ:

Representative Awni Khalidi

NETHERLANDS:

Representative Johannes Cornelis van Heuven
 (*elected Rapporteur at third session*)

NEW ZEALAND:

Representatives J. Thorn (replaced D. Wilson as Vice-Chairman at first session)
W. B. Satch (elected Chairman at third session)

PERU:

Representative Ismael Buclich
Alternate F. Schwalb

POLAND:

Representatives Henryk Altman
J. Katz-Suchy
Alternate Jerzy Panski

UNION OF SOUTH AFRICA:

Representative Major Louis van Schalkwijk

U.S.S.R.:

Representative Alexander P. Borisov

UNITED KINGDOM:

Representative O. C. Allen

UNITED STATES:

Representative Arthur J. Altmeyer

YUGOSLAVIA:

Representative Mrs. Krista Djordjevic (elected Second Vice-Chairman at third session)

Commission on the Status of Women

AUSTRALIA:

Representative Mrs. Jessie Mary Grey Street

BYELORUSSIAN S.S.R.:

Representative Mrs. Evdokia Uralova

CHINA:

Representative Miss Cecilia Sieu-ling Zung

COSTA RICA:

Representative Mrs. Graciela Morales F. de Echavertia

DENMARK:

Representative Mrs. Bodil Begtrup

FRANCE:

Representative Mrs. Marie Hélène Lefaucheux (Chairman)

GUATEMALA:

Representative Mrs. Sara B. de Monzon

INDIA:

Representative Begum Shereefah Hamid Ali

MEXICO:

Representative Mrs. Amalia C. de Castillo Ledon (First Vice-Chairman)

SYRIA:

Representative Mrs. Alice Kandallt Coma (Rapporteur)

TURKEY:

Representative Mrs. Mihri Pektaş

U.S.S.R.:

Representative Mrs. Elizaveta Alekseyevna Popova (Second Vice-Chairman)

UNITED KINGDOM:

Representative Miss Mary Sutherland

UNITED STATES:

Representative Miss Dorothy Keopua

VENEZUELA:

Representative Mrs. Isabel de Urdaneta

Commission on Narcotic Drugs

CANADA:

Representative Colonel C. H. L. Sharman (Chairman at first and second sessions)

CHINA:

Representatives C. L. Hsia (elected Vice-Chairman at third session)
Szeming Sze (Rapporteur at first and second sessions)
Ernest P. J. Tu

EGYPT:

Representatives Mahmoud Labib
Mohamed Amin Zaky

FRANCE:

Representative Gaston Bourgois
Alternate Gabriel Stern

INDIA:

Representatives A. Sattanathan
M. Gopala Menon
H. N. Tandon

IRAN:

Representatives Abbas Gholi Ardalan
A. G. Panahy

MEXICO:

Representatives Secundino Ramos y Ramos
Saturino Guzman, Jr.

NETHERLANDS:

Representatives J. H. Delgorte
A. Kruijsse (elected Rapporteur at third session)¹⁷

PERU:

Representative Jorge A. Lazarte (elected Rapporteur at third session)¹⁷
Alternate Albert Soto de la Jara

POLAND:

Representatives Stanislaw Tubiasz (Vice-Chairman at first and second sessions)
J. Katz Suchy
Joseph A. Stawski

TURKEY:

Representative Cemal Kiper
Alternate Fuat Eren

U.S.S.R.:

Representatives V. V. Zakusov
Ivan Kamenov

UNITED KINGDOM:

Representatives Major W. H. Coles
T. Hutson

UNITED STATES:

Representative Harry J. Anslinger

YUGOSLAVIA:

Representative Stane Krasovec (elected Chairman at third session)

Fiscal Commission

BELGIUM:

Representative Rodolphe Putman (Chairman)

CHINA:

Representative S. K. Fong

COLOMBIA:

Representative Valerio Baez
Alternate Jorge Ortiz Rodríguez (Vice-Chairman)

¹⁷ Jorge A. Lazarte was first elected Rapporteur at the third session, but as he was unable to attend the meetings of the Commission during the first week of the session, the Commission elected A. Kruijsse in his place.

CUBA:

Representative José M. Perez Cubillas

CZECHOSLOVAKIA:

Representative Karel Czesany

FRANCE:

Representative Jacques Certeux

INDIA:

Representative N. Sundaresan

LEBANON:

Representative Georges Hakim

Alternate Edouard Ghorra

NEW ZEALAND:

Representative A. R. F. Mackay (*Rapporteur*)

POLAND:

Representative S. Trampczynski

Alternate Jan Drewnowski

UKRAINIAN S.S.R.:

Representative I. Tolikhunov

U.S.S.R.:

Representative Pavel M. Chernyshev (*Vice-Chairman*)

UNITED KINGDOM:

Representative R. G. Hawcuty

UNITED STATES:

Representative Edward F. Bartelt

Population Commission

AUSTRALIA:

Representative William Douglass Forsyth

BRAZIL:

Representative Germano Jardim

CANADA:

Representative J. T. Marshall

Alternate H. Luken Robinson

CHINA:

Representative Franklin L. Ho

FRANCE:

Representative Alfred Sauvy

NETHERLANDS:

Representative N. L. J. van Buttingha Wichers

PERU:

Representative Alberto Arca Parró (*Chairman*)

UKRAINIAN S.S.R.:

Representative V. A. Rabichko (*Vice-Chairman*)

U.S.S.R.:

Representatives I. S. Malyshev

Timon V. Riabushkin

UNITED KINGDOM:

Representative David V. Glass (*Rapporteur*)

UNITED STATES:

Representative Philip M. Hauser

YUGOSLAVIA:

Representative Dolfe Vogelnik

Economic Commission for Europe

BELGIUM:

Representatives Baron F. X. van der Straten-Waillet

Max Suetens

Alternate R. van de Kerchove

BYELORUSSIAN S.S.R.:

Representatives Alexandre Chizhov

Alexandre A. Tchiov

Alternate Ivan Beresine

CZECHOSLOVAKIA:

Representative Zdenek Augenthaler

Alternates Josef Deyl

Antonin Kratochville

Joseph Fuxa

Francis Hendl

DENMARK:

Representative E. Waernum (*Chairman at second session*)

Alternates

Antho Vestbirk

M. K. Skat-Rordam

Mrs. Karen Bech

M. O. Preben Winge

M. E. Bartels

FRANCE:

Representative André Philip

Alternates Hervé Alphan

Georges Boris

Gaston Cusin

GREECE:

Representative Alexandre Verdelis

ICELAND:

Representatives J. Gudmundsson

M. B. Groendal

Peter Eggerz

LUXEMBOURG:

Representative Lambert Schaus

Alternate Jean-Pierre Kremer

NETHERLANDS:

Representatives H. M. Hirschfeld

A. B. Speckenbrink

NORWAY:

Representatives R. I. B. Skylstad

Anders Frihagen (*electd Chairman at third session*)

Alternate Knut Getz Wold

POLAND:

Representatives J. Rudzinski (*Vice-Chairman*)

Tadeusz Lychowski

SWEDEN:

Representative Mrs. Karin Kock

Alternates Stig Sahlin

Richard Sterner

TURKEY:

Representatives Faik Hozar

Y. K. Karaosmanoglu

Alternate F. R. Zorlu

UKRAINIAN S.S.R.:

Representative Vasily Garbusov

U.S.S.R.:

Representatives Valerian Zorin

Vladimir Gerashchenko

Anatoly Koulazhenkov

Sergey Pozharsky

A. A. Arutunian

UNITED KINGDOM:

Representative Hector McNeil

Alternate Sir David Waley

UNITED STATES:

Representatives W. L. Clayton

Henry Labouisse

Alternate Paul R. Porter

YUGOSLAVIA:

Representative Miro Anastasov

Economic Commission for Asia and the Far East

- AUSTRALIA:**
Representatives D. B. Copland
 E. E. Ward
Alternate A. Tayson
- BURMA:**
Representative Sao Hkum Hkio (*elected Vice-Chairman at third session*)
Alternate U Tin
- CHINA:**
Representatives T. F. Tsiang (*Chairman at first and second sessions*)
 C. M. Li
 Kan Lee
Alternate
- FRANCE:**
Representative H. C. Maux
Alternate F. Rosenfeld
- INDIA:**
Representatives R. R. Saksena
 J. Marthai (*elected Chairman at third session*)
Alternates Syama Prasad Mukerjee
 H. S. Reddy
- NETHERLANDS:**
Representative H. C. J. H. Gelissen
Alternates J. Tahya
 Wisaksono Wirjoedihardjo
- NEW ZEALAND:**
Representative Brigadier F. L. Hunt
Alternate R. R. Cunningham
- PAKISTAN:**
Representatives Major Ibne Hassan
 L. K. Hyder
Alternate H. S. M. Ishaque
- PHILIPPINES:**
Representative Miguel Cuaderno (*Vice-Chairman at first and second sessions*)
Alternates José Yulo
 L. Virata
 A. V. Castillo
- SIAM:**
Representative Phra Nararaj-Chamnong
Alternate Boonma Wongswan
- U.S.S.R.:**
Representatives Alexander Stetsenko
 K. V. Novikov
 Leon Semenas
Alternate
- UNITED KINGDOM:**
Representatives P. J. Stent
 Sir Andrew Clow
 Lt.-Colonel K. C. Christofas
Alternate
- UNITED STATES:**
Representatives Monnett Davis
 H. F. Grady
 R. R. Ely
Alternates S. H. Day

ASSOCIATE MEMBERS OF ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST

- BURMA** (*Associate Member second session*):
Representative U Ka Si
- CAMBODIA:**
Representatives Son Sann
 Sonn Voeunsai
Alternate Thonn Ouk

CEYLON:

- Representatives* H. Amarasuriya
 K. Vaithianathan
 B. B. Das Gupta
Alternate

HONGKONG:

- Representatives* M. K. Lo
 S. N. Chau
Alternate I. M. Lightbody

LAOS:

- Representatives* Outhong Souvannavong
 Bong Souvannavong
 Kou Voravong
Alternate

MALAYA AND BRITISH BORNEO:

- Representative* Haji Mohamed Eusoff
Alternate F. C. Benham

Economic Commission for Latin America

ARGENTINA:

- Representative* Coronel Julio Argentino Lopez Muniz
Alternates Ovidio Schioppetto
 Bernardo Mayantz
 Ismael F. Alchourron
 Angel E. Hernandez Ferreira
 Julio M. Juncosa Sere
 Juan Carlos Dardalla
 Eusebio Campos

BOLIVIA:

- Representative* Julio Alvarado
Alternates Gustavo Medeiros Q.
 René Candia N.

BRAZIL:

- Representative* Carlos Celso de Ouro Preto
Alternate Octavio Gouvêa de Bulhões

CHILE:

- Representatives* Alberto Baltra Cortes (*Chairman*)
 Angel Faivovich H.
Alternates Walter Muller H.
 Hernan Santa Cruz

COLOMBIA:

- Representative* Luis Guillermo Echeverry
Alternate José Restrepo Restrepo

COSTA RICA:

- Representative* Alejandro Oreamuno
Alternate Alejandro Oreamuno, Jr.

CUBA:

- Representative* Antonio Valdes Rodriguez
Alternate Ramiro Hernández Portela

DOMINICAN REPUBLIC:

- Representative* Tulio M. Cestero
Alternates Alfredo Fernandez Simó
 Mrs. Luz Matia Castillo de Bosch
 Pearson

ECUADOR:

- Representative* Teodoro Alvarado Olea
Alternates Benjamin Carrion
 Francisco Yllescas Barreiro
 Angel F. Rojas

EL SALVADOR:

- Representative* José Avilés
Alternate Luis Irigoyen

FRANCE:

- Representative* Pierre Denis
Alternate Thierry de Clermont-Tonnerte

GUATEMALA:

Representative Julio Gómez Robles (*Vice-Chairman*)

HAITI:

Representative Pierre L. Hudicourt

HONDURAS:

Representative Alejandro Rivera Hernandez

MEXICO:

Representative Gilberto Loyo
Alternates Octavio Barrera
 Raul Ortiz Mena
 Gabriel Lucio

NETHERLANDS:

Representative A. Methofer
Alternates P. F. G. H. Van der Brugh
 S. A. Senior
 J. G. de Castro
 J. R. Huijsa
 T. A. Meurs

NICARAGUA:

Representative Max Romero

PANAMA:

Representative Pablo Abad
Alternates Miguel Angel Brandao
 Gilberto Orillac

PARAGUAY:

Representative Natalio Pangrazio Ciancio

PERU:

Representative Juvenal Monge (*Rapporteur*)
Alternates Germán Morales Macedo
 Emilio G. Barreto

UNITED KINGDOM:

Representative H. M. Phillips
Alternates James Cutrie
 Charles W. Arning

UNITED STATES:

Representative Claude G. Bowers
Alternate William A. Fowler

URUGUAY:

Representative Ariosto D. González
Alternate Juan F. Yriart

VENEZUELA:

Representative Carlos A. D'Ascoli (*Vice-Chairman*)
Alternate Luis Miguel Tamayo

Committee on Negotiations with Inter-Governmental Agencies

This Committee was appointed at the first session of the Council. At its sixth session the Council decided to add Denmark, Netherlands, Poland and Venezuela to its membership. For 1948, the Committee consisted, therefore, of Canada, Chile, China, Denmark, France, Netherlands, Poland, U.S.S.R., United Kingdom, United States and Venezuela and the President of the Council.

Committee on Arrangements for Consultation with Non-Governmental Organizations

This Committee, under the Chairmanship of the President of the Council, is composed of representatives from the following countries elected by the Council for an indeterminate period: China, France, the U.S.S.R., the United Kingdom and the United States.

Agenda Committee

The Agenda Committee is composed of the President, the two Vice-Presidents, and two other members elected

at each session of the Council to hold office until replaced at the next session.

At the fifth session the two other members were Canada and Norway; at the sixth session, the Byelorussian S.S.R. and Canada; at the seventh session, New Zealand and the Netherlands.

Interim Committee on Programme of Meetings

The Council at its fifth session established an Interim Committee on Programme of Meetings. The Committee is composed of the following members: China, France, the U.S.S.R., the United Kingdom and the United States.

Permanent Central Opium Board

Pedro Pernambuco Filho (Brazil)
 Hans Fischer (Switzerland)
 Sir Harry Greenfield (United Kingdom)
 Herbert L. May (United States) (*President*)
 Paul Reuter (France)
 Milan Ristic (Yugoslavia)
 Sedat Tavakoli (Turkey)
 Y. N. Yang (China)

Supervisory Body

Sir Malcolm Delevingne (United Kingdom) (*President*)
 Herbert L. May (United States)
 J. Bougault (France)
 G. Timbal (Belgium)

United Nations International Children's Emergency Fund

The Executive Board of UNICEF is composed of representatives of Argentina, Australia, Brazil, Byelorussian S.S.R., Canada, China, Colombia, Czechoslovakia, Denmark, Ecuador, France, Greece, Iraq, Netherlands, New Zealand, Norway, Peru, Poland, Sweden, Switzerland, Ukrainian S.S.R., Union of South Africa, U.S.S.R., United Kingdom, United States and Yugoslavia.

Special Committee on United Nations Appeal for Children

The Council at its fifth session established a Special Committee on the United Nations Appeal for Children to assist the Secretary-General between sessions of the Council in the practical application of the policies relating to the United Nations Appeal for Children.

The members were: Canada, Chile, China, France, New Zealand, Poland and United States.

Ad hoc Committee to Study the Factors bearing upon the Establishment of an Economic Commission for the Middle East

This Committee was established at the sixth session with the following membership: China, France, Lebanon, Turkey, U.S.S.R., United Kingdom, United States and Venezuela.

Egypt, Iran and Iraq were also invited by the Council to participate as full members of the *ad hoc* Committee.

Ad hoc Committee on Genocide

The Council at its sixth session established an *ad hoc* Committee on Genocide composed of the following members of the Council: China, France, Lebanon, Poland, U.S.S.R., United States and Venezuela.

Interim Co-ordinating Committee for International Commodity Arrangements

J. R. C. Helmore (United Kingdom) (*Chairman*)
 L. A. Wheeler (United States)
 G. Peter (France)

*Preparatory Committee of the United Nations
Scientific Conference on the Conservation and
Utilization of Resources⁷⁸*

Carter Goodrich (Chairman)	Herbert Greene
Karim Azkoul	J. D. B. Harrison
Daniel Camejo	P. C. Mahalanobis
Joseph D. Coppock	Fairfield Osborn
Axel Ekwall	Stephen Raushenbush
William P. Forrest	E. J. Riches
René Garnett Lehmann	Fernando Salas
Arthur E. Goldschmidt	R. M. Tychanowicz
	F. N. Woodward

ANNEX III

MODIFICATION OF CERTAIN RULES OF PROCEDURE OF THE COUNCIL⁷⁹

*Amended rules adopted at the Council's fifth session
on August 12, 1947 (resolution 99(V)):*

Rule 10

The provisional agenda shall include all items proposed by:

- The Council at a previous session;
- The General Assembly, the Security Council, or the Trusteeship Council;
- Members of the United Nations, specialized agencies, and non-governmental organizations in category A, if submitted in sufficient time to reach the Secretary-General not less than twenty-eight days before the first meeting of each session.

Rule 14

The Agenda Committee shall prior to each session consider items submitted (under rule 10) for the provisional agenda and make recommendations thereon to the Council at the first meeting of the session, including suggestions as to the inclusion or deferment of items and the order in which they shall be considered.

A Member of the United Nations, a specialized agency, or a non-governmental organization in category A, which has requested the inclusion of an item in the provisional agenda, shall be entitled to present its views through its representative at any meeting of the Agenda Committee at which the question of the inclusion of the item is discussed.

If, owing to the urgency of the subject, an item is proposed for inclusion on the provisional agenda under rule 10(c) less than twenty-eight days before the first meeting of the session, it shall be accompanied by a

statement of the urgency, including the reasons which precluded its submission under rule 10(c), which the Secretary-General shall transmit to the Agenda Committee. The Agenda Committee shall include in its report to the Council a recommendation with regard to the inclusion on the grounds of urgency of any such item.

Rule 65

Each commission shall elect its own officers

Rule 66

The rules of procedure of the commissions, as approved by the Council and amended from time to time by the Council, shall apply to the proceedings of the commissions and the subsidiary bodies unless otherwise decided by the Council.

Amended rules adopted at the Council's seventh session on August 28, 1948 (E/1068):

Rule 13

The Council shall set up an Agenda Committee composed of the President, the two Vice-Presidents and two other members who shall be elected at each session of the Council to hold office until replaced at the next session. The President shall be the Chairman of the Agenda Committee subject to the provisions of rules 20 and 21.

Rule 30

(a) A summary estimate of the financial implications of all proposals coming before the Council shall be prepared by the Secretary-General and circulated to members as soon as possible after the issue of the provisional agenda. This summary estimate shall be revised as necessary during the session in the light of the Council's discussions and a final summary shall be considered by the Council in plenary meeting before the close of each session.

(b) Before a proposal which involves expenditure from United Nations funds is approved by the Council or by any of its committees, the Secretary-General shall prepare and circulate to members, as early as possible, a separate estimate of the cost involved in each proposal. It shall be the duty of the President of the Council and chairmen of committees to draw this estimate to the attention of members and invite discussions on it when the proposal is considered by the Council or by a committee.

⁷⁸Appointed by the Secretary-General under authority of the Council.

⁷⁹For complete text of rules of procedure before these amendments, see *Yearbook of the United Nations*, 1946-47, pp. 564-68.

V. Non-Self-Governing Territories

A. DECLARATION ON NON-SELF-GOVERNING TERRITORIES

Chapter XI of the Charter contains a Declaration on Non-Self-Governing Territories. In this Declaration, Members of the United Nations which are responsible for the administration of territories whose peoples have not yet attained a full measure of self-government recognize that the interests of the inhabitants of these territories are paramount and accept as a sacred trust the obligation to promote their welfare to the utmost.

They therefore undertake the following obligations:

To ensure, with due respect for the culture of the peoples concerned, their political, economic, social and educational advancement, their just treatment and their protection against abuses;

To develop self-government, to take account of the political aspirations of the peoples and to assist them in the progressive development of their free political institutions according to the particular circumstances of each territory and the varying stages of development of the peoples;

To further international peace and security;

To promote constructive measures of development, to encourage research and to co-operate with one another and, where appropriate, with specialized international bodies so as to achieve the social, economic and scientific purposes set forth in the Article;

To transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social and educational conditions in those Non-Self-Governing Territories which are not placed under the International Trusteeship System.

Members of the United Nations also agree that their policy with respect to these Non-Self-Governing Territories, equally with that concerning their Metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world in social, economic and commercial matters.¹

B. INFORMATION ON NON-SELF-GOVERNING TERRITORIES

On February 9, 1946, the General Assembly adopted a resolution requesting the Secretary-General to include in his annual report on the work of the organization a statement summarizing such information as may have been transmitted to him under Article 73 e of the Charter.²

On December 14, 1946, the General Assembly (resolution 66(I)) invited Members transmitting information to send to the Secretary-General by June 30 of each year the most recent information at their disposal. The information was to be summarized, analyzed and classified by the Secretary-General and included in his report to the General Assembly so that the Assembly might decide whether any procedure would be desirable for dealing with such information in future years.³

1. *Ad hoc Committee on Information Transmitted under Article 73 e*

The Assembly at the same time established an *ad hoc* committee, composed in equal numbers of representatives of Members transmitting information and of the representatives elected by the Assembly on the basis of equitable geographical distribution, "to examine the Secretary-General's summary and analysis of the information transmitted under Article 73 e with a view to aiding

¹These provisions are contained in Chapter XI, Articles 73 and 74, of the Charter.

²See *Yearbook of the United Nations*, 1946-47, pp. 80-81.

³*Ibid.*, pp. 210-11.

the Assembly in its consideration of this information, and with a view to making recommendations to the General Assembly regarding the procedures to be followed in the future and the means of ensuring that the advice, expert knowledge and experience of the specialized agencies would be used to the best advantage".

The composition of the *ad hoc* Committee was as follows:

Members transmitting information under Article 73 e of the Charter:

Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, United States.

Members elected by the General Assembly:

Brazil, China, Cuba, Egypt, India, Philippines, U.S.S.R., Uruguay.

The *ad hoc* Committee met at Lake Success from August 28 to September 12, 1947.

Representatives of the following specialized agencies were invited to attend its meetings in an advisory capacity:

Food and Agriculture Organization, International Labour Organisation, United Nations Educational, Scientific and Cultural Organization, World Health Organization.

Information concerning the following territories was transmitted by the Powers (in *static* type) responsible for their administration and was summarized by the Secretary-General (A/319-26). The information was analyzed by the Secretary-General under the following headings: Labor, Public Health and Agriculture (A/327 and Add. 1-5).⁴

Australia:

Papua

Belgium:

Belgian Congo

Denmark:

Greenland

France:

French Equatorial Africa

French West Africa

French Somaliland

Morocco

Tunisia

Netherlands:

Surinam

Curacao

New Zealand:

Cook Islands

United Kingdom:

Aden

Basutoland

Bechuanaland

British Somaliland

Protectorate

Cyprus

Gambia

Gibraltar

Madagascar

French Establishments

in India

Indochina

New Hebrides

Netherlands Indies

Nigeria

Northern Rhodesia

Nyasaland Protectorate

St. Helena

Seychelles

Sierra Leone

Swaziland

Uganda

Gold Coast
Kenya Colony and
Protectorate

Malta

Mauritius

Hong Kong

Malayan Union

North Borneo

Sarawak

Singapore

British Solomon Islands

Protectorate

The Bahamas

Barbados

United States:

Alaska

American Samoa

Guam

Zanzibar Protectorate

Brunei

Fiji

Gilbert and Ellice Islands

Colony

Bermuda

British Guiana

British Honduras

Dominica

Falkland Islands

Jamaica

St. Lucia

St. Vincent

Trinidad and Tobago

Hawaii

Puerto Rico

Virgin Islands

2. Action Taken at the Second Session of the Assembly

At its second session, on November 3, 1947, the General Assembly adopted five resolutions concerning information from Non-Self-Governing Territories.⁵

In the first of these (resolution (142(II))) the Assembly adopted a Standard Form for the guidance of Members in the preparation of information to be transmitted under Article 73 e of the Charter.⁶

The second resolution (143(II)) authorized the Secretary-General in his summaries and analyses of information transmitted on Non-Self-Governing Territories to use information contained in official publications of the Members responsible for the administration of the territories which was transmitted or notified to him by such Members, provided the data used was limited to the subjects treated in the information required under Article 73 e of the Charter. He was also authorized to use, for purposes of comparison, similar information from inter-governmental or scientific bodies and, in agreement with the Member concerned, information prepared by the United Nations Secretariat.

In the third resolution (144(II)) the Assembly stated that it considered that the voluntary transmission of information on the development of self-

⁴For Secretary-General's summaries, see United Nations. *Non-Self-Governing Territories, Summaries and Analysis of Information transmitted to the Secretary-General during 1947*. United Nations Publications, Sales No.: 1948.VI.B.1. For account of the deliberations of the *ad hoc* Committee and the General Assembly, see *General Assembly*, pp. 148-55.

⁵For texts of these resolutions, see *General Assembly*, pp. 149, 151, 153 and 155.

⁶For text of the Standard Form, see Annex I, pp. 721-24.

governing institutions in the Non-Self-Governing Territories was in conformity with the Charter and should be noted and encouraged.

The fourth resolution (145(II)) provided for the collaboration of the specialized agencies.

In the fifth resolution (146(II)) the Assembly established a Special Committee to examine the information transmitted under Article 73 e of the Charter and the Secretary-General's summaries and analyses of this information, and to report to the General Assembly.

3. *Special Committee on Information Transmitted under Article 73 e*

The members of the Special Committee, which was composed in equal numbers of Members transmitting information and of other Members elected by the Fourth Committee of the General Assembly on the Assembly's behalf on as wide a geographical basis as possible, were as follows:

Members transmitting information under Article 73 e of the Charter:

Australia, Belgium, Denmark, France, Netherlands, New Zealand, United Kingdom, United States.

Members elected by the Fourth Committee on behalf of the General Assembly:

China, Colombia, Cuba, Egypt, Nicaragua, Sweden, U.S.S.R.*

The Special Committee was authorized to avail itself of the assistance of the specialized agencies, to establish liaison with the Economic and Social Council and to invite Members to provide such supplemental information as "may be desired within the terms of Article 73 e". It was to make what procedural recommendations it thought fit and what substantive recommendations it thought desirable relating to functional fields generally but not with respect to individual territories.

The Special Committee met in Geneva from September 2 to 17 and in Paris on September 23 and 29, 1948, holding in all 21 meetings. It submitted its report (A/593) to the General Assembly on October 1, 1948.⁸ The report was adopted by a vote of 13 to 1, the negative vote having been cast by the representative of the U.S.S.R.

The Special Committee elected Cheng Paonan (China) Chairman, E. Gutierrez (Colombia) Vice-Chairman and M. Lannung (Denmark) Rapporteur.

Representatives of the following specialized agencies, invited in accordance with the General Assembly's resolution 145(II), attended the meetings of the Special Committee and participated in the discussions affecting the work of their organizations: World Health Organization (WHO),

International Labour Organisation (ILO) and United Nations Educational, Scientific and Cultural Organization (UNESCO).

4. *Information Considered by the Special Committee*

Information was transmitted on the following territories⁹ by the Powers (in *italic type*) responsible for their administration, and was summarized by the Secretary-General in the documents noted:

Australia:

Papua (A/573)

Belgium:

Belgian Congo (A/569 and Corr.1)

Denmark:

Greenland (A/570)

France:

(A/568):

French Equatorial Africa	Morocco
The Archipelago of the Comoro Islands	New Hebrides
	Tunisia

(A/568/Add.1):

French West Africa	French Somaliland
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Netherlands:

(A/571):

Curacao	Surinam
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(A/571/Add.1):

Netherlands Indies (Indonesia)

New Zealand:

(A/572):

Cook Islands	Niue Island
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United Kingdom:

(A/566):

British Guiana	Nigeria
British Somaliland Protectorate	Northern Rhodesia
Cyprus	Nyasaland Protectorate
Falkland Islands	Sarawak
Fiji*	Seychelles
Gibraltar	Sierra Leone
	Zanzibar Protectorate

*Receipt of information on Fiji noted in this document but not summarized. See footnote 9.

⁹For list of representatives to the Special Committee, see Annex II, p. 724.

⁸The present *Yearbook* covers the period up to the opening of the third regular session of the General Assembly, i.e., September 21, 1948. Although the report of the Special Committee was not finally adopted until after the close of this period, it is included in this *Yearbook* inasmuch as the discussions which it covers were held for the most part within the period covered.

⁹Additional information was subsequently received from France on Madagascar, from New Zealand on the Tokelau Islands, and from the United Kingdom on Hong Kong and the Leeward Islands, but the information was received too late for inclusion in the Secretary-General's summaries and analyses. For summaries and analyses of all information transmitted during 1948, see United Nations. *Non-Self-Governing Territories, Summaries and Analyses of Information transmitted to the Secretary-General during 1948*. United Nations Publications, Sales No.: 1949 VI.B.1.

(A/566/Add.1):

Aden Colony and Protectorate	Grenada
British Solomon Islands Protectorate	Kenya Colony and Protectorate
Dominica	New Hebrides
Gilbert and Ellice Islands Colony	St. Helena Colony
Gold Coast	St. Lucia
	St. Vincent
	Uganda Protectorate

(A/566/Add.2):

Bahamas	Jamaica
Barbados	Malaya
Basutoland	Mauritius
Bechuanaland	North Borneo
Bermuda	Singapore
British Honduras	Swaziland
Brunei	Trinidad and Tobago
Gambia	

United States:

(A/567):

Alaska	Guam
American Samoa	Puerto Rico

(A/567/Add.1):

Hawaii	Virgin Islands
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In addition to the information transmitted by the administering Powers on conditions in the Non-Self-Governing Territories under their administration and the summaries of it by the Secretary-General, the Special Committee had before it the analyses prepared by the Secretary-General. These analyses dealt with functional aspects of the data and, aside from a general introduction (A/587), analyzed the agricultural conditions (A/588), economic conditions (A/589 and Corr.1), educational conditions (A/590), labor conditions (A/591 and Add.1) and public health (A/592) in the Non-Self-Governing Territories concerned.

5. Report of the Special Committee

The report of the Special Committee (A/593) dealt with the Committee's discussions on the territories enumerated; the Secretary-General's summaries and analyses of information in general and under the headings of information on economic, health, labor, social welfare and educational conditions; information voluntarily transmitted regarding the development of Non-Self-Governing Territories; collaboration with specialized agencies; and recommendations to the General Assembly.

a. TERRITORIES ENUMERATED

The representative of the U.S.S.R. called attention to the inclusion in the summaries and analyses prepared by the Secretary-General of information relating to the Republic of Indonesia transmitted

by the Netherlands Government. He proposed that the information should not be considered by the Committee inasmuch as the Republic of Indonesia had been established as an independent state by the will of its people.

It was stated on behalf of the Secretariat that under the terms of the General Assembly resolutions, the Secretary-General had no option but to summarize and analyze any information transmitted under Article 73 e by Members of the United Nations in relation to economic, social and educational conditions.

The Netherlands representative said that according to the so-called Renville Agreement, the sovereignty throughout the whole of the Netherlands Indies, in which the Republic of Indonesia was included, was and would remain with the Netherlands until it was transferred to the United States of Indonesia which would be formed.

Various members contended that it was beyond the competence of the Committee, as a result of its terms of reference, to exclude from consideration by the Committee any information which had in fact been transmitted under Article 73 e and which was in fact before it in the documents circulated by the Secretary-General. It was further contended by a number of members that in any case the Committee had no power to decide upon the territories in respect of which information should be transmitted. Some members believed that the question of the territories in respect of which information should be transmitted was a matter for the consideration of the General Assembly, and the view was also expressed that it was a matter on which the International Court of Justice might be asked for an opinion. The United Kingdom representative said that in the view of his Government, the determination of such territories for the purposes of Article 73 e lay exclusively with each Metropolitan Power in the light of its constitutional relationships with the territories for whose international relations it was responsible. Any suggestion that the General Assembly should define the territories within the scope of Article 73 e would involve a decision on constitutional relationships within the domestic jurisdiction of the Metropolitan Power concerned which his Government could not accept. Nor could the United Kingdom Government agree that for the purposes of Article 73 e this question should be referred to the International Court of Justice. Certain other members could not accept the view that the determination of such territories lay exclusively with the Metropolitan Power. The representative of India, in particular, pointed out the obligatory character of the responsibilities of

the Metropolitan Power under Article 73 e in respect of any territory inhabited by a people of a different race, culture and language, whose international relations and representation were under the direction of the Metropolitan country and which did not enjoy the same basis of self-government as the Metropolitan Government, particularly in respect of electoral qualifications and conditions of representation in the Metropolitan legislature.

The representative of the United States considered that the proposal of the representative of the U.S.S.R. raised such far-reaching questions of principle that members should be given time to consider it; and on procedural grounds, with which the representatives of Denmark and New Zealand concurred, the United States would vote against the proposal of the U.S.S.R. representative if it were put immediately. The representative of India, affirming that his country's sympathies were entirely with Indonesia, also concurred, entirely on procedural grounds. The representative of China took the same view.

The U.S.S.R. representative proposed a draft resolution (A/AC.17/W.11) to withdraw from the agenda the discussion of information transmitted by the Government of the Netherlands in respect of the Republic of Indonesia, the latter being independent by the will of its people.

The representative of the Netherlands moved that this resolution was out of order on the grounds that it was outside the competence of the Committee.

The Chairman, by application of the rules of procedure, gave priority to the Netherlands motion and the Committee decided by 8 votes for, 1 against, and 4 abstentions, that the U.S.S.R. proposal was beyond the competence of the Committee.

The representative of the U.S.S.R. stated that his proposal was in full compliance with the rules of procedure, the functions of this Committee, the terms of Article 73 of the Charter and the resolutions of the General Assembly. In his opinion, the decision taken by the Committee ruling his proposal out of order was without legal foundation.

In another form the question of the territories in respect of which information should be transmitted under Article 73 e of the Charter was raised by the representative of India, after the representative of France had stated that he would welcome an examination of this subject. In a working paper introduced by the representative of India (A/593, Appendix B), it was suggested that steps should be taken to clarify the position so that an administering Power might recognize the obligatory character of its responsibilities under Article

73 e in respect of territories, the non-self-governing status of which might be determined by the consideration of certain factors which were enumerated in the working paper. These were that the territory should be

"inhabited by a people of a different race, culture, and language from its own in the Metropolitan country, whose international relations and representation are under the control and direction of such Metropolitan country and which does not enjoy the same basis of self-government as the Metropolitan Government, particularly in respect of electoral qualifications and conditions of representation in the Metropolitan legislature".

b. THE SECRETARY-GENERAL'S SUMMARIES AND ANALYSES OF INFORMATION

General observations on the summaries and analyses were made prior to the debate on the respective functional fields.

The representative of India observed that the information elicited by the Standard Form should be presented in two parts:

(a) Information on the permanent features of territories;

(b) Information on the changing features.

Topics of considerable importance, such as land tenure, agricultural indebtedness, training facilities for agricultural personnel and livestock problems, should be treated more fully in the analyses. The specialized agencies could be used to conduct sample surveys in selected areas, with the assistance and co-operation of the administering Powers to determine the coefficient of error in the statistics.

The representative of Denmark suggested that all restrictions should be removed from the use by the Secretary-General of relevant official statistical data for purposes of evaluation and comparison. This would help to place the information against its proper background, to set up standards for progress and to enable the Non-Self-Governing Territories to learn of the nature of developments in neighboring countries.

The representative of China supported the views of the representatives of Denmark and India, and envisaged improvement in future years in the collection of the information, which in turn would result in the transmission of more satisfactory information. He was impressed by the many plans of the administering Powers to overcome problems in the territories. There should be regular reports showing the success or failure of these plans. The work of the Special Committee would be of great importance in this matter.

The representative of the U.S.S.R. stated that Article 73 and the resolutions of the General Assembly concerning information from Non-Self-Governing Territories had laid down the principles underlying the policy of the United Nations with regard to Non-Self-Governing Territories, and that the transmission of information should be considered as one of the means of carrying out this policy. The Committee, in his opinion, should examine the information in substance and prepare appropriate recommendations for the General Assembly. He objected to attempts to limit the scope of the Committee to procedural questions. The information concerning Non-Self-Governing Territories was incomplete; it did not give a complete picture of the situation and in particular did not throw light on the question of the progress of the participation of the local populations in local organs of self-government. The Secretary-General should have the right to supplement the information received from official sources by information from private persons and local groups or organizations, and also by sending annually to the Non-Self-Governing Territories representatives of the United Nations to study the situation on the spot.

(1) *Analysis of Information on Economic Conditions*

The representative of the U.S.S.R. held that economic and other information transmitted should be examined in relation to the question of the development of self-government, which was the responsibility Members administering Non-Self-Governing Territories had assumed under the Charter. Examination of the analyses showed no evidence of any such progress. The information was incomplete, was not presented in such form as to show progress in self-government, was more concerned with future plans and did not present a clear picture of existing conditions. The policies of the administering Powers showed a tendency to control the economy of the territories for the benefit of the Metropolitan countries. There was insufficient training of native personnel, and available training was so little that the territories would never reach the stage where they could take control of their own affairs and become independent. The objective of colonial policy seemed to be to increase the export of foodstuffs and perpetuate the backward, one-sided economy of Non-Self-Governing Territories. Mechanization of agriculture had been confined to the European plantations; they owned the best land, while the natives had been driven into reservations which more appropriately might be called ghettos. Compulsory labor flourished in spite of international conventions against it. In West

Africa natives were compelled to grow certain crops. There was no evidence of intention on the part of the colonial Powers to develop native industries. A characteristic feature of the Non-Self-Governing Territories was the preservation of a system of cheap labor and the acquisition of large profits by foreign capitalists. The problem of industrialization should be solved by the mobilization and utilization of the resources of the Non-Self-Governing Territories themselves as well as by assistance from states that were more developed industrially. Such assistance should not be accompanied by demands which might hinder the achievement of independence on the part of Non-Self-Governing Territories and should be realized within the framework of the United Nations.

Representatives of the administering Powers stated that the Special Committee was not competent to supervise their activities in the administration of Non-Self-Governing Territories. They contended that there were no grounds for the allegations of the representative of the U.S.S.R. and they contrasted his remarks with the objective and constructive comments of the representative of India.

The representative of the United Kingdom denied charges of labor compulsion or that no industries had been set up in Africa. The general shortage of manufactured goods had developed an interest in the industrialization of colonial territories. A speedy advance had been prevented by the shortage of capital, capital goods and skilled labor. He referred to the territories where new industries had been established. The objectives of colonial food policy were first to increase production for home consumption, and second to increase production of export crops; and in the economic development schemes the corporations created were by law required to safeguard the interests of the indigenous populations.

The representative of Belgium pointed to 246,000 industrial workers in the Belgian Congo and to the development of power stations as sufficient proof of the existence of industrial development. In fact, the textile and cement industries had been established with the help of the Belgian Government in the face of opposition from Belgian industrialists. But the Congo had to export in order to pay for imports. This was a simple law of classic economics.

The representative of France said that the advance in agriculture and nutrition in the French Non-Self-Governing Territories had been remarkable, taking account of conditions which prevailed on the assumption of French administration. Mal-

nutrition, where it existed, was due to population increase, whereas under former conditions the population used to diminish. In both North and West Africa agricultural production had made gigantic strides. A population in misery when France acquired these territories was today relatively prosperous. Where mineral resources existed, rapid progress in industrialization had been made. Forced labor did not exist in the French Union. French capital had produced considerable results, and yet labor was protected from domination by monopolies. The flow of foreign capital to these territories was necessary for their development.

With reference to the analysis on agriculture, it was stated on behalf of the Secretariat that FAO was conducting a World Food Census during the coming year, and that FAO had declared that in certain respects information on agriculture transmitted under Article 73 e would provide the necessary data for the time being. In communicating the Standard Form the Secretary-General would indicate to the administering Powers the use which would be made of it by FAO. This would have the advantage of avoiding duplication and would enable the administering Powers to take account of the type of information desired by FAO.

(2) *Analysis of Information on Health Conditions*

Suggestions were made by the representative of India for the improvement of the information relating to public health. In particular, this needed improvement in regard to infant mortality. Experience in India had shown the necessity for three classifications: (1) infants under 1 year of age; (2) children between 1 and 5 years; and (3) those between 5 and 10 years. Statistics on maternal mortality and on expectancy of life would also be valuable. Information was also needed on the types of special hospitals. Experience in India had shown that a policy which emphasized preventive rather than curative medicine yielded greater results. The United Kingdom program for the training of indigenous medical personnel was noted with the hope that such programs would be extended in other Non-Self-Governing Territories. The representative of India emphasized the value of collaboration with the World Health Organization, which might be asked to undertake studies on the topics mentioned. He found it gratifying that WHO had already taken steps to make an expert study of the health section of the Standard Form.

The representative of Sweden emphasized the immense task which existed in the fields of child welfare, public health, nutrition and sanitation. He hoped that the resolutions recently passed by the United Nations International Children's Emer-

gency Fund extending the Fund's activities to several Non-Self-Governing Territories would be helpful, as well as the work of WHO.

The representative of the United States emphasized the importance of information on the training of medical staff. He suggested that a study be made of licensing practices with a view to permitting the use in Non-Self-Governing Territories of doctors then living in displaced persons camps, whose talents were being wasted in the face of wide need for further medical services in many parts of the world. The representative of the United States suggested that a comparative study of the methods used to train indigenous medical assistants might also be useful.

The representative of the U.S.S.R. said that the information on health was insufficient. It threw very little light on the existing situation, but contained much about future plans which might never be realized. He drew attention to statistics figuring in the information which, according to his view, showed deficiencies in respect of infant care and hospital facilities, staff and training. The U.S.S.R. representative found the per-capita expenditure on health insignificant and cited comparative figures for the Non-Self-Governing Territories and for the Metropolitan countries.

Representatives of the administering Powers gave details of positive achievements in health work in the Non-Self-Governing Territories, where, in many cases, the population had increased and much progress had been made in improving conditions of life. For example, there had been a marked decline in infant mortality in certain localities and successful steps had been taken against certain tropical diseases. They pointed out that comparisons between health conditions in the Non-Self-Governing Territories and conditions in countries where geographical and other factors were entirely different were unreasonable. It would be more just to consider the actual situations and to find out whether available resources were being used to the best advantage.

The representative of the United Kingdom pointed out that the figures of per-capita expenditure on medical and health services as given in the Secretary-General's summaries and analyses did not take into account the large sums provided in the Public Works Department Estimates for expenditure on services, nor the very large sums provided by the Government of the United Kingdom for medical research, etc.

(3) *Analysis of Information on Labor Conditions*

With regard to labor conditions, it was suggested that more ample data should be transmitted by

the Members concerned and included in the future analyses to be prepared by the Secretary-General.

Points for clarification which were stressed by the representative of India included such topics as the methods of computing wages, the periods of payment, the extent of payments in cash or in kind and the provision of housing and whether it was rent free. He inquired if employers supplied any social services for their workers such as schools, hospitals and guidance. Further information was also desirable on systems of contract employment, on the recruiting of labor and on regulations controlling these matters. As many Non-Self-Governing Territories were mainly agricultural, another problem of major interest was seasonal unemployment and under-employment and the relationships between owner and cultivator in share-cropping areas. He drew attention to differences in the trade union policies of certain of the administering Powers and regretted certain features in the Belgian policy such as that limiting the unions to Belgian advisers. In this respect he commended the policy of the United Kingdom. He also reviewed the situation in respect of international labor conventions and deplored the large degree of non-application.

The representative of the U.S.S.R. deplored the lack of information on wages, on social security, on labor legislation and on female and child labor. He asked how the trade union movement could develop in the territories when it was under the guidance of Europeans, as for instance in the Belgian Congo. The information dealt with the formal aspects, and not with actual labor conditions. There was no information on forced labor, recruitment and contracts, although these placed natives at a great disadvantage. There was exploitation of natives in the mines and an absence of protective social legislation. Wages were low and discriminatory. These conditions had led to serious strikes, and even to public disorder, as in the Gold Coast. He spoke of racial discrimination in the Non-Self-Governing Territories. He stated that the policy followed by the Metropolitan Governments in respect of labor was contrary to the principles of the Charter.

The representative of the International Labour Organisation cited the report of an expert committee which showed noteworthy progress in the application of ratified conventions to Non-Self-Governing Territories. This question of the application of conventions was being watched through the regular machinery of the Organisation. He drew attention to the work performed by I.L.O. in providing technical assistance on labor problems,

and expressed the hope that the administering Powers would make use of this assistance for the benefit of Non-Self-Governing Territories.

Information was provided by representatives of administering Powers in regard to labor developments and, in particular, in regard to trade union progress. The representative of the United Kingdom gave illustrations from Malaya, and mentioned the extension of wage-fixing machinery in territories where conditions were not conducive to trade union action. The representative of Belgium informed the Committee of certain details of new legislation introduced in the Congo and pointed to the absence of labor disputes since the introduction of this legislation. Similarly, the representative of France gave details of favorable trade union developments in French territories and the action taken in application of international labor conventions.

In reply to the statement made by the U.S.S.R. representative, the representative of France said that any charge of exploitation could not apply to French territories, where racial discrimination was unknown. There had been strikes in some territories. It was noteworthy, however, that these had been settled peacefully. The representative of the United Kingdom indicated that the legislation for proper trade union activities existed, that progress had been made, but that in some cases suitable leadership was lacking. Regarding the Gold Coast disturbances, he pointed out that the report of the Commission of Inquiry showed that the trade union movement in the Gold Coast had little complaint to make about wages and working conditions.

(4) *Analysis of Information on Social Welfare*

The Secretary-General had submitted as an analysis an account of penal administration in certain British African territories, and, as regards other aspects of social welfare, had limited himself to summaries of part of the information transmitted.

The representatives of India and the U.S.S.R. complained of the meagre character of the analysis of this information. The representative of the U.S.S.R. declared that the question of social welfare had not been prepared for discussion.

On behalf of the Secretariat, it was explained that the boundaries of social welfare were difficult to delimit and that, for this reason, the guidance of the Committee had been desired to determine the aspects to be covered. Furthermore, it had been necessary to wait until a suitable candidate could be discovered with expert knowledge in the field of social welfare in Non-Self-Governing Territories.

The chief point raised in the Committee related

to housing problems. The representative of India, in particular, asked for information on housing programs and suggested that an international exhibition of types of houses and of building materials suitable for tropical conditions would be most useful. The representative of the United States also pointed out that many interesting experiments were being conducted in this field and that this Committee might well sponsor further work on this subject.

The representative of Belgium pointed out that here was a subject in which the constitutional status of Non-Self-Governing Territories was irrelevant. He referred to the meeting on tropical housing which had been held at Caracas and said that these matters constituted a problem of human needs and not one of political status.

Following this discussion, it was pointed out, on behalf of the Secretariat, that the United Nations was already planning a detailed study of problems of tropical housing covering many of the points to which particular allusion had been made.¹⁰ The Committee would not wish to duplicate this work but it might well be of value if the interest shown in tropical housing by this Committee could be brought to the attention of those studying tropical housing as a whole and if information on housing conditions and experiments in Non-Self-Governing Territories could be used in conjunction with the general studies.

No formal decision was taken on the point.

Other points made in relation to housing included a statement by the representative of the United Kingdom referring to a report containing a summary of housing and town planning in respect of Non-Self-Governing Territories, and a statement by the representative of France on the progress of co-operative housing in Morocco and Tunisia.

Another point raised by the representative of India was the suggestion that UNESCO should undertake a study of the impact of Western civilization on non-Western peoples. Here again, it was pointed out that this was not a question limited to Non-Self-Governing Territories and that, in particular, it was a matter constantly under study by the International Institute of African Languages and Cultures.

A third point emphasized by the representative of India was the condition of women in the Non-Self-Governing Territories, with special reference to non-official women's organizations tackling social, economic and educational problems. The representative of the United Kingdom stated that the raising of the status of women was of special con-

cern to welfare workers in Non-Self-Governing Territories, while the representative of France pointed out that international labor conventions concerning the employment of women had been applied to all French territories.

The representative of Denmark referred to the criticisms levelled at the administering Powers. He said that social conditions in Greenland were, of course, not at the same level as in Denmark because of conditions in the Arctic. Promoting the welfare of the Greenlanders had been the main object of Danish policy, and Denmark had not only derived no economic advantage for more than 100 years but was contributing considerable subsidies every year. Far-reaching plans were in operation, the ultimate aim being to bring Greenland to a high social level and in general onto an equal footing with the rest of the Kingdom.

Summing up the discussion, the representative of China hoped that neither lack of staff nor budgetary considerations would be allowed to prevent the Secretariat from preparing adequate analyses of social conditions next year, and that where gaps existed in the information, the administering Powers would be able to supply more ample details.

(5) *Analysis of Information on Educational Conditions*

With regard to educational conditions also, suggestions were made as to points on which more information was desirable.

It was requested by the representative of India that capital expenditure for school buildings be shown separately from current educational expenditure. Experience in India had shown that capital expenditure was often wasted on the Western type of school buildings. Training of natives should be undertaken on a wider scale; it should not be confined to literary education but should be expanded to include professional training. It was encouraging to note the acceptance of the principle of native participation by the United Kingdom and the United States in their use of natives on advisory educational boards. It was not clear how far France and Belgium sought local advice. The wisdom of the French policy of prohibiting the use of native languages was questionable; likewise that of Belgium in leaving the educational field exclusively in the hands of the missions. In contrast, the United Kingdom policy in the British West Indies was noted.

The representative of New Zealand said that educational progress should be measured qualitatively, not quantitatively. The problem was one of adjusting two alien cultures. UNESCO could help

¹⁰See pp. 654-56.

in the study of this very important question. The experience of New Zealand had shown that building on the native culture yielded far greater results than the complete substitution of Western culture. The French policy of developing a native élite raised the question whether to concentrate on a select few, or to spread out on a broad though thin basis. This was another problem which UNESCO could study.

The representative of France explained that the use of French as the language of instruction had been emphasized in the particular case of French Equatorial Africa, where an educational system had to be constructed in an area with hundreds of widely different dialects. In some other French territories, teaching was both in French and in the native languages. On this subject the representative of the Netherlands was of the opinion that UNESCO should also study the problem of the language of instruction in education. The French representative also stated that the practical value of developing a native élite had been shown by their integration into the highest levels of French culture, in administration and in Parliament. He, together with the representative of Belgium, paid tribute to the work of the missionaries. By their devotion, education had been provided which otherwise the territories would have been unable to afford.

Other practical points raised were the importance of the film and radio in education (India, New Zealand, France) and the suggestion that future analyses might show the extent of free and of compulsory education and education in relation to age groups (United States).

The representative of the U.S.S.R. stated that the information showed that the natives were still largely ignorant and illiterate and without access to contemporary culture. Educational budgets formed a very small part of total territorial expenditure, and contributions from the Metropolitan Governments were negligible. There was racial discrimination in educational expenditure, with per-capita expenditure on natives extremely low. The literacy rate was to be deplored. Enrolment statistics in primary schools were discouraging, but even more depressing in the secondary schools; higher education was a luxury except for the élite in some cases. The number of teachers was inadequate. Most teachers were unqualified and teacher training was not receiving appropriate attention. In many territories, the administering Powers had abdicated in favor of the missions in respect of educational responsibilities. The main emphasis was on primary education, which pro-

duced good servants and workers. Neither the press nor radio nor films were being used for mass education. Educational standards had been kept low to assure the privileged position of the Metropolitan countries.

This comment led to further remarks by representatives of the administering Powers.

The representative of the United Kingdom deplored the lack of a single constructive suggestion in the remarks of the U.S.S.R. representative. His Government had done as well as, if not better than, others would have done in similar circumstances. Difficulties in educational progress were due not to political considerations but to multiplicity of languages, scattered populations and the nature of the terrain. Mass education campaigns were being carried on throughout United Kingdom territories in Africa with the active participation of Africans as organizers. There was continuing improvement in literacy. In the United Kingdom territories, many senior posts were held by inhabitants of the Non-Self-Governing Territories. Improvement in education depended on good staffing of the secondary schools and teacher training institutions. It was difficult to obtain European teachers for those purposes because his Government could only offer short-term contracts in view of the declared policy of his Government to fill as many posts as possible with suitably qualified indigenes. In reply to the charge of neglect of higher education, the United Kingdom representative referred to the large sums which were being spent on the universities in Africa, Asia and the West Indies, and also to the scholarship schemes for education in the United Kingdom.

Other comments were made by the representatives of France and of Belgium. It was stated that education in the French territories had not been neglected. Desert conditions and a nomadic population accounted for the low literary rate and the small number of schools in French Somaliland. In French Equatorial Africa, despite difficulties of dense forests and scattered population, great progress had been made. The representative of Belgium said that his Government considered that it had made the best use of available resources to provide education; the figures were there to show the considerable progress made.

The representative of the United States drew attention to the figures on educational expenditures in the American territories. There was really no disagreement between the U.S.S.R. and the administering Powers in respect of the objectives of education. There were weak spots, but the picture

was not as gloomy as painted by the U.S.S.R. representative.

The representative of UNESCO observed that his specialized agency could play an important part through education in preparing the Non-Self-Governing peoples to become self-governing. In connection with its clearing house on fundamental education, the report it had received some time ago on educational methods in the Soviet Union might be of value. The work of the Committee of Experts on literacy might also be useful, as well as the work of another committee on the use of native languages in education. He referred to the pilot project in Nyasaland (as well as the projects in the Member States of China and Haiti); to the UNESCO Mission to the war-devastated areas of the Far East, including Malaya, Singapore, Sarawak and North Borneo; and to the Amazon project.

The Committee took no formal decision on the question.

c. INFORMATION VOLUNTARILY TRANSMITTED REGARDING THE DEVELOPMENT OF SELF-GOVERNING INSTITUTIONS

Resolution 144(II), adopted by the General Assembly on November 3, 1947, noted that some Members responsible for the administration of Non-Self-Governing Territories had already voluntarily transmitted information on the development of self-governing institutions in the territories and considered that the voluntary transmission of such information and its summarizing by the Secretary-General were entirely in conformity with the spirit of Article 73 of the Charter and should therefore be duly noted and encouraged.

Provision for the transmission of information of this character was made in the optional category of the Standard Form. In the information transmitted in 1948, the optional category had been covered in the case of the information transmitted by Australia, Denmark, New Zealand, the Netherlands and the United States, and by France for Morocco and Tunisia. This information was included in the Secretary-General's summaries.

The representative of Colombia emphasized the interest of the American States in the problems of Non-Self-Governing Territories, as shown by the discussions at the Bogota Conference. This interest was both humanitarian and economic. It was important that the standard of living in the Non-Self-Governing Territories should be raised and this was the social background to the political problem.

The representative of the U.S.S.R. declared that Article 73 emphasized that the United Nations should ensure the political, as well as the social,

economic and educational advancement of the peoples of Non-Self-Governing Territories. The question of self-government had been given a special paragraph in the Article and the transmission of information on this subject was obligatory under Article 73. He criticized points in the structure of government in West Africa and the West Indies, with special reference to the representation of the local populations in the Legislative Councils.

In reply to a point of order, the Chairman read the terms of resolution 144(II) and considered that discussion on details of political institutions in the *Non-Self-Governing Territories* was irrelevant, although criticism in regard to the question of which Members had transmitted information under this resolution would be in order.

The representative of Australia agreed that the Committee was competent to express the hope that the administering Powers would transmit political information. He disagreed, however, with the contention that the administering Powers could be criticized for not transmitting such information.

The representatives of Belgium, France, the United Kingdom and the Netherlands emphasized that they were not prepared to discuss political or constitutional matters affecting the relations between the *Non-Self-Governing Territories* and the Metropolitan countries, either in the Committee or in any other organ of the United Nations, there being no obligation to transmit such information.

The representative of Egypt pointed out that his Government had considered that it was necessary to receive political information. This was a subject, however, which had been fully discussed last year and any further discussion should be within the terms of the General Assembly's resolution 144(II).

The representative of India considered that political information was necessary as showing the means by which the ends of economic, social and educational advancement could be achieved. He regretted that the information transmitted on political development was meagre or lacking, and also that a special paper had not been prepared by the Secretariat. He appealed to the United Kingdom representative to consider this question in the light of British tradition, by which formal arrangements were supplemented by the development of conventions.

During many points in the discussions of the Committee, the representative of the U.S.S.R. declared that Article 73 e should be interpreted as an integral part of Article 73 and that, therefore, questions of political advancement were within the competence of the Committee. On the other hand,

other representatives considered that the Committee's terms of reference limited it to Article 73 e and, therefore, to the consideration of statistical and other information of a technical nature relating to economic, social and educational conditions subject to such limitations as security and constitutional considerations might require. The representative of Australia emphasized that, just as Members administering Non-Self-Governing Territories had accepted the declaration of policy in Chapter XI, so the non-administering Members had undertaken to accept the obligation to respect the limitations of Article 73. In this he was supported by the representative of the United Kingdom. The representative of Australia further stated that, while the discussion of information transmitted under Article 73 e was within the competence of the General Assembly, Chapter XI recognized the full authority of the administering Powers and their ability and willingness to carry out the policies of Chapter XI without the need for supervision.

d. COLLABORATION WITH THE SPECIALIZED AGENCIES

The General Assembly in resolution 145(II) had invited the Secretary-General to enter into relations with the secretariats of the specialized agencies: to allow them to assist him with the preparation of the analyses of the information received, to make recommendations to the Assembly on the form and content of the information with a view to its meeting the informational needs of the agencies; and to bring to the Assembly's notice their conclusions and any supplemental information on conditions in the Non-Self-Governing Territories in their fields, particularly as to the services they might make available to the administering Powers with a view to improving conditions.¹¹

The Committee's discussion on collaboration with the specialized agencies was limited to a brief statement by the representative of the United States pointing out that this collaboration had been considered frequently in the course of other discussions. The Committee attached importance to the establishment of effective collaboration with the specialized agencies, and the representatives of the specialized agencies attending the meeting contributed to the discussions on the matters within their interests. This matter was later emphasized by the representative of India, who referred to documents before the Committee showing work being undertaken under the auspices of the Economic and Social Council or by the specialized agencies which was of great interest to Non-Self-Govern-

ing Territories. The work of a special committee would be particularly useful if, as a result, the needs of Non-Self-Governing Territories could receive full consideration in the elaboration of programs of economic and social progress, applicable without regard to the question of the status of the various territories and countries concerned.

e. RECOMMENDATIONS TO THE GENERAL ASSEMBLY

As the discussions proceeded, it became clear that, with the exception of the representative of the U.S.S.R., a measure of common agreement was being reached, particularly as regards the recommendations to be made to the General Assembly concerning methods for the transmission and consideration of information. A number of suggestions were embodied in two working papers, one presented by the representative of India and the other by the representative of the United States (A/593, Appendix B).

(1) *Establishment of Drafting Committee*

In a general discussion further points emerged, and a drafting sub-committee composed of representatives of Cuba, France, India, New Zealand, the U.S.S.R. and the United States was appointed to consider all suggestions and to incorporate them in resolutions likely to obtain the assent of the Committee.

The drafting sub-committee produced texts of four draft resolutions based on the following general considerations:

(a) A flexible but equal time limit for the transmission of information in relation to the expiration of the administrative year in the territory concerned;

(b) Annual information on the changing features in Non-Self-Governing Territories, such as statistics and progress in development programs;

(c) Removal of any restrictions on the Secretary-General in his use of such official statistical information for purposes of evaluation and comparison as had been communicated to the United Nations or to the specialized agencies;

(d) Full summaries and analyses every three years, with annual supplements in the intervening years;

(e) Taking account both of the improved character of the information transmitted and of suggestions for its further improvement, the Standard Form to be retained for another year, and to be revised with the advice of the specialized agencies;

(f) The Special Committee, having demonstrated its usefulness, to be continued in 1949 without any prejudice as to its future status;

(g) Relevant information transmitted under Article 73 e and supplemental information to be placed at the disposal of the Economic and Social Council.

¹¹For text of resolution, see *General Assembly*, p. 153.

(h) More active assistance by the specialized agencies in the preparation of and comments on the analyses.

The four resolutions had been adopted in the drafting sub-committee with the affirmative votes of all representatives, with one exception. The representative of the U.S.S.R. voted against the first draft resolution and abstained from voting on the other three draft resolutions.

In introducing the texts proposed by the drafting sub-committee, the Rapporteur noted the spirit of compromise which had been shown in the sub-committee and appealed to the Committee to discuss the sub-committee's proposals in this same spirit. The representatives of China, Egypt, New Zealand and Sweden, associating themselves with the Rapporteur's remarks, said that, although the texts proposed did not fully meet their own wishes on separate points, they would support them in the belief that they reflected a spirit of conciliation.

The representatives of Australia, Belgium, the Netherlands and the United Kingdom also paid tribute to the spirit in which the sub-committee had conducted its work. For their part they were anxious to support these proposals in the same spirit, but indicated that there were certain points on which they would have to move amendments or request a division of the vote so as to make their attitudes clear.

The representative of India stated that he had been a party to the compromises which were reflected in the draft resolutions. He wished to note, however, that he remained a strong advocate of the permanence of the Committee and disagreed with any suggestion that the Committee was concerned merely with questions of technique which could be rapidly liquidated. He had also not pressed his suggestions regarding a revision of the Standard Form since the points he had made would be brought to the attention of the administering Powers, which appeared ready to provide further information, including information on human rights.

The representative of the U.S.S.R. said that the draft resolutions interpreted Chapter XI and the functions of the Committee in a restrictive sense. In his opinion, the task of the Committee was to assist the administering Powers in fulfilling their obligations under the Charter. The first two resolutions excluded information regarding the development of self-government institutions and the participation of their people in the administration. The sources of information remained limited to official sources and no provision was made for the consideration of petitions or for the making of visits to Non-Self-Governing Territories. The time

limits for the submission of information were further prolonged. He said that the Committee was regarded as if it were a temporary organ whose duties would in fact terminate in 1949, although such a provision would be contrary to General Assembly resolution 146 (II), which in his opinion provided for the creation of a permanent organ. For the above reasons he could not support the draft resolutions.

The representative of Colombia expressed a vital interest in the permanent continuation of the Special Committee for the purpose of examining information, protecting the interests of the Non-Self-Governing Territories and promoting better standards of living in these territories, which had an influence on the economy of independent countries which were also producers of primary products.

(2) *Resolution on the Transmission of Information under Article 73 e of the Charter*

This draft resolution, submitted by the sub-committee, was approved by the Committee in paragraph by paragraph votes and the final resolution was approved by a vote of 14 to 1. The Committee rejected, by votes varying from 10 to 3, with 1 abstention, to 13 to 2, Soviet amendments designed to widen the obligations of Metropolitan Powers as regards the transmission of information on their respective Non-Self-Governing Territories and to widen the scope and powers of the Special Committee.

In the discussion of the draft resolution, the Netherlands representative placed on record his doubts as to the feasibility of the time limit of six months for the transmission of information in the case of the Netherlands. The United Kingdom representative explained that his Government was not prepared to submit any information under the optional part of the Standard Form.

The draft resolution submitted by the Committee to the Assembly was as follows:

"The General Assembly,

"Considering that, in the light of experience, resolution 66 (I) adopted by the General Assembly on 14 December 1946 and resolutions 142 (II) and 143 (II) adopted by the General Assembly on 3 November 1947 require adaptation and amplification,

"1. Invites the Members transmitting information under Article 73 e of the Charter to send to the Secretary-General the most recent information which is at their disposal, as early as possible and at the latest within a maximum period of six months following the expiration of the administrative year in the Non-Self-Governing Territories concerned;

"2. Recommends that the Members, in transmitting information on the basis of the Standard Form, should notify such changes in statistics and such other appre-

ciable changes, including the progress achieved in accordance with development programmes, as have occurred in the previous year and as affect the matters covered by Article 73 e of the Charter, bearing in mind that information already furnished on a previous occasion need not be repeated but that reference may be made to the appropriate sources;

"3. *Invites* the Secretary-General to extend the use of supplemental information in future years and considers that, in order to provide a means of assessing the information transmitted under Article 73 e, the Secretary-General should be authorized to include in his summaries and analyses, all relevant and comparable official statistical information within the categories referred to in Article 73 e of the Charter which has been communicated to the United Nations or to the specialized agencies;

"4. *Invites* the Secretary-General to prepare for the General Assembly, and for any special committee which the General Assembly may appoint:

"(a) Full summaries and analyses of the information transmitted during 1949 and thereafter at three-year intervals, showing the progress made over the three-year period in respect of economic, social and educational conditions;

"(b) In the intervening years annual supplements, showing such changes in statistics and such other appreciable changes, including information on the progress achieved in accordance with development programmes, as have occurred in the previous year, together with relevant statistics for the previous two years, as well as analyses of different aspects of economic, social and educational conditions to which attention may have been drawn in previous years;

"(c) Annual summaries of any material which the Members may have voluntarily transmitted under the optional category of the Standard Form;

"5. *Invites* the Secretary-General to distribute the documents referred to above as far as practicable in accordance with the attached schedule;

"6. *Decides* that the Standard Form for the guidance of Members in the preparation of information should be retained for the coming year, but that the Secretary-General in communicating this form to the Members concerned should inform them of the comments made in the Special Committee in connexion with the contents of this form and the information received, should endeavour as far as practicable to take account of these comments in the preparation of his summaries and analyses and should invite the Members concerned which have not hitherto provided general information forming the optional category of the Standard Form nevertheless to supply such information in relation to the geography, history, people of, and human rights in, the territories concerned."

(3) *Resolution concerning a Special Committee on Information Transmitted under Article 73 e of the Charter*

This draft resolution, submitted by the sub-committee, after having been approved in varying paragraph by paragraph votes, with a Nicaraguan amendment designed to make more precise the wording concerning the membership of countries transmitting information, was approved as a whole by a vote of 11 to 1, with 3 abstentions. The Committee rejected by 11 votes to 1, with 2 abstentions,

a Soviet amendment, the effect of which would have been to place the Special Committee on a permanent basis.

The United Kingdom representative in the discussions on the draft resolution stated that, while voting for the appointment of a Special Committee in 1949, his Government considered that the Committee should confine itself to the task of completing a technique for the collection and transmission of information under Article 73 e so that the appointment of a further Committee would be unnecessary.

The draft resolution submitted by the Committee to the Assembly was as follows:

"The General Assembly,

"Having considered the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947,

"1. Considers that, without prejudice as to the future, a special committee similar to that of this year should be constituted to meet in 1949, composed of all the Members of the United Nations which have hitherto transmitted information in accordance with Article 73 e and of an equal number of other Members elected by the Fourth Committee on behalf of the General Assembly, on as wide a geographical basis as possible;

"2. Invites this special committee to examine the summaries and analyses of information transmitted under Article 73 e on the economic, social and educational conditions in the Non-Self-Governing Territories, including any papers prepared by the specialized agencies, and to submit a report thereon for the consideration of the General Assembly with such procedural recommendations as it may deem fit and such substantive recommendations as it may deem desirable relating to functional fields generally but not with respect to individual territories;

"3. Considers that the Special Committee should meet in 1949, not later than three weeks before the opening of the regular session of the General Assembly, at a place to be determined by the Secretary-General, and should conclude its work not later than one week before the opening of the session;

"4. Invites the Fourth Committee to take the necessary action in accordance with this resolution, on behalf of the General Assembly."

(4) *Resolution concerning Liaison between the Economic and Social Council and the Special Committee*

This resolution, submitted by the drafting committee, after paragraph by paragraph votes, was approved as a whole by 14 votes to 0, with 1 abstention. It read as follows:

"The General Assembly,

"Having considered the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947, and which was authorized to establish liaison with the Economic and Social Council,

"1. Invites the Secretary-General to:

"(a) Inform any special committee which the Gen-

eral Assembly may appoint of decisions taken by the Economic and Social Council and of studies undertaken under its auspices which include within their scope economic and social conditions affecting Non-Self-Governing Territories;

"(b) Place at the disposal of the Economic and Social Council all relevant information transmitted under Article 73 e and all relevant supplemental information required for the work of the Economic and Social Council;

"2. *Draws the attention of the Governments responsible for the administration of Non-Self-Governing Territories to the schemes of technical assistance approved by the Economic and Social Council, and invites the Secretary-General to inform any special committee which the General Assembly may appoint of the extent and nature of any such technical assistance rendered to Non-Self-Governing Territories at the request of Administering Members.*"

(5) *Resolution on Co-operation with the Specialized Agencies*

After paragraph by paragraph votes (during which a new text, proposed by the United Kingdom, concerning the submission of information by specialized agencies to the General Assembly and any special committee it might appoint was approved by 14 votes to 1, and a French amendment to invite the "secretariats" of the specialized agencies to revise the Standard Form was rejected by 9 votes to 1, with 5 abstentions), the revised draft resolution was approved as a whole by 14 votes to 0, with 1 abstention.

The draft resolution submitted by the Committee to the General Assembly read as follows:

"The General Assembly,

"Having considered the report of the Special Committee on Information transmitted under Article 73 e of the Charter which was constituted by resolution 146 (II) adopted by the General Assembly on 3 November 1947, and which was authorized to avail itself of the counsel and assistance of the specialized agencies,

"1. Has noted the resolution adopted by the World Health Assembly and welcomes the measures being taken by the World Health Organization to examine the section of the Standard Form relating to public health and sanitation, and in other ways to provide technical assistance in the preparation and consideration of information transmitted under Article 73 e of the Charter.

"Has also noted the information supplied by the International Labour Office with particular reference to the ratification and application of international labour conventions concerning Non-Self-Governing Territories and to the study which is being undertaken in regard to migrant labour problems;

"Has also noted the explanations furnished by the representative of UNESCO on the services which UNESCO is providing in Non-Self-Governing Territories with the consent of the Members responsible for the administration of these territories;

"2. Invites the Secretary-General to keep in close touch with the secretariats of the specialized agencies with a view to seeking their counsel and assistance in preparation of his analyses of information transmitted under Article 73 e of the Charter;

"3. Invites the specialized agencies to examine the relevant sections of the Standard Form with which they are specially concerned with a view to the revision of this form;

"4. Invites the specialized agencies to inform any special committee which the General Assembly may appoint of the progress of any work undertaken by them which includes within its scope economic, social and educational conditions affecting Non-Self-Governing Territories.

"5. Further invites the appropriate specialized agencies to make such comments on the analyses prepared by the Secretary-General as they may feel will be helpful to the consideration of these analyses."

ANNEX I

I. STANDARD FORM FOR THE GUIDANCE OF MEMBERS IN THE PREPARATION OF INFORMATION TO BE TRANSMITTED UNDER ARTICLE 73 e OF THE CHARTER¹²

I. GENERAL INFORMATION (optional category)

A. Geography

1. Location.
2. Area and population—with density figures and principal centres of population.
3. Topography.
4. Climate.

B. History

C. People

1. Summary statement of national and ethnic composition of population (with breakdown by age and sex), population trends, any other ethnic data (historical or otherwise) of particular interest.
2. Cultural heritage (religion, languages, social customs, etc.).

D. Government

1. Status of Territory.
2. Constitution, legislative act or executive order providing for government.
3. Nationality status of inhabitants.
4. Relation of Territory to the government of the metropolitan country.
5. Brief statement of structure and powers of territorial government including reference to participation of local inhabitants:

(a) Basic structure of government, including local government, and organization of principal government departments;

(b) Composition and role of legislative or advisory bodies;

(c) Judiciary (structure, composition, etc.), description of penal administration;¹³

(d) The elective system: Elective offices, elections held, qualifications of voters.

(e) Extent of participation of indigenous and non-indigenous inhabitants in the administrative and judicial services of government and in legislative and advisory bodies.

¹²The Standard Form was annexed to resolution 142- (II), adopted by the General Assembly on November 3, 1947. For discussions and text of resolution, see *General Assembly*, pp. 147-49.

¹³This question is also dealt with under section II, G.

6. Any significant recent events or projected developments with respect to the above matters.

E. *Human rights*

Civil rights protected by law.

II. SOCIAL CONDITIONS

A. *Social problems of race and cultural relations*, including laws safeguarding the indigenous population from discrimination.

B. *Labour and employment conditions*

1. Labour policy, objectives and special problems.
2. Principal categories of wage-earners, average rates of wages and hours of work.

3. Occupational organization.

(a) Legal status of employers' and workers' organizations,

(b) Principal employers' and workers' organizations with size, nature of membership and system of organization of each

4. Methods of regulating employer-employee relations and of settling industrial disputes, data regarding labour disputes during the year.

5. Brief statement of principal laws and regulations in force in the Territory for the protection of workers, brief description of measures and institutions for the administration and enforcement of such laws and regulations.

6. Any available information on the situation as regards employment and the labour supply; prevalent forms of seasonal employment

7. *Migratory labour*

(a) If migratory labourers enter the Territory in appreciable numbers, indicate volume of such labour, source of origin, method of recruitment, provision for transport, distribution according to types of economic enterprise, and protection afforded to migrants with respect to length of contract, wages, remittances to dependents, hours of work, housing and social services;

(b) If workers leave the Territory in appreciable numbers for employment outside its boundaries, indicate: volume of such labour, territories of destination, and standards set by the territorial government of origin for the protection of this labour, problems to which the emigration of such workers give rise in their districts of origin,

(c) Similar information required, *mutatis mutandis*, in respect of any considerable migratory movement of workers from one part of the Territory to another.

C. *Public health and sanitation*

1. Brief statement of health problems and policies and the measures which are being taken to implement such policies.

2. Description of health organization of the Territory, including such items:

(a) The public health department, its administration and functions;

(b) Water supply system, and

(c) Sewage disposal system.

3. *Expenditures for public health:*

(a) The territorial budget for public health, exclusive of grants-in-aid from the metropolitan government,

(b) Grants-in-aid from the metropolitan government to the territorial government.

4. Medical facilities, including:

(a) Number of hospitals and hospital beds (private, public, etc.);

(b) Number of medical doctors, dentists, nurses, midwives and medical and veterinary practitioners.

5. Facilities for training doctors, dentists, nurses, midwives, medical practitioners and other medical personnel.

6. Vital statistics, morbidity and mortality data.

(a) Annual number of deaths from all causes and the corresponding death-rate per 1,000 population;

(b) Annual number of births and birth-rate per 1,000 population;

(c) Annual number of deaths under one year of age and infant mortality rate per 1,000 live births;

(d) Diseases causing high morbidity (annual number of cases for each disease);

(e) Diseases causing high mortality (annual number of deaths from each principal cause, and death-rate per 100,000 population).

7. State of nutrition of the population.

8. Special current problems and methods for handling them, including data on health education of the public.

D. *Housing conditions and programmes*

E. *Welfare and relief*

1. Social insurance and assistance programmes' summary information on coverage and administrative organization and statistics on beneficiaries and expenditures.

2. Other social welfare programmes including social services for people in their own homes; programmes for protection and care of children, the aged, the handicapped; summary information on administrative organization and statistics on expenditures.

F. *Crime statistics*

G. *Description of penal administration*¹⁴

H. *Information on development programmes*

III. EDUCATIONAL CONDITIONS

A. *Educational policy, objectives, and special problems*

B. *Organization of educational administration*, including information on the degree of participation of the inhabitants, amount and breakdown by headings of education budget, amount of aid from metropolitan government, and the role of missionary and philanthropic organizations.

C. *School buildings and other facilities*

D. *Curriculum and language or languages of instruction* including the place of indigenous culture in the curriculum

E. *Opportunities for higher education in the Territory and in the metropolitan country and abroad*

F. *Adult education*

G. *Vocational training and apprenticeship*

H. *Summary of educational statistics*

Literacy; school enrollment in proportion to population of school age, number of children enrolled respectively in primary and secondary schools and institutions of higher learning, number of teachers (local and non-local); qualifications of teachers and provision for training; pupil-teacher ratio; and per capita expenditure on education.

1. *Development of cultural institutions*, including the

¹⁴This question is also dealt with under section I, D5(c).

use of such cultural institutions as the Press, cinema, radio, museums, etc.

J. Specification of other information desirable:

- (a) Types of schools, from kindergarten upwards;
- (b) Text books, school libraries, canteens and hygiene;
- (c) Youth organizations;
- (d) Physical education;
- (e) School certificates;
- (f) School inspection;
- (g) Music and art in the schools;
- (h) Education of abnormals;
- (i) Scientific resources and research in the Territory;
- (j) Protection and development of indigenous art, literature and folk-lore in the Territory.

K. Information on development programmes

IV. ECONOMIC CONDITIONS

A. Natural resources

Brief statement of principal natural resources, developed and undeveloped (agricultural, forestry, mineral, power, etc.) indicating the relative importance of these various branches of economic activity.

B. Agriculture

1. Description of the agricultural administrative organization, including forestries, fisheries and animal husbandry, including such items as budgets, size of staff, functions.

2. Land utilization: the relative importance of arable land, pastures, meadows, forest, etc.

3. Crop production:

- (a) Areas in principal crops;
- (b) Production in principal crops;
- (c) Prices in the Territories concerned.

4. Livestock:

- (a) Numbers;
- (b) Production of principal livestock products (meat, dairy products, etc.).

5. Forestry: brief statement of types of forests, areas exploited, reserves, and production.

6. Fisheries: brief statement on fisheries resources and production.

7. Conservation practices and policies in respect to soil, forestries, and fisheries.

8. Study of agricultural techniques including:

- (a) Types of soil;
- (b) Water supply;
- (c) Irrigation and drainage systems;
- (d) Use of agricultural machinery;
- (e) Application of organic and inorganic fertilizers;

- (f) Animal and plant breeding and selection;
- (g) Control of plant and animal pests and diseases.

9. Agricultural education and research:

- (a) Types and numbers of agricultural schools;
- (b) Experiment and demonstration stations;
- (c) Organization of agricultural advisory services.

10. Land tenure:

- (a) Laws, regulations and policies affecting land tenure;
- (b) Types of tenure;
- (c) Statements of area and type of land held by indigenous inhabitants (individual or communal), the government, non-indigenous inhabitants (by country of origin).

11. Agricultural credit, organization and facilities, including types of credit (public, private or co-operative).

12. Agricultural marketing, organizations and facilities.

13. Agricultural development programmes and policies:

(a) Progress during the year of development programmes already in operation;

(b) Proposed plan for economic development, public and private;

(c) Method of financing development programmes.

C. Industry

1. Mining:

(a) Administrative organization of the department of mines, including the department of geology, staff, budget;

(b) Mining organization; regulations relating to prospecting licenses and to concessions,

(c) Production; mineral and petroleum products.

2. Power production (hydro-electric and other generating stations).

3. Refineries and manufactures:

(a) Food (sugar, distilleries, rice, oil, canning factories);

(b) Iron works (casting, steel, aluminum, etc.);

(c) Chemical factories;

(d) Textile factories;

(e) Manufactures and various other industries.

4. Handicrafts:

(a) Type of chief handicrafts, village industries,

(b) State Aid (grants, etc.); Credit Societies.

5. Development plans for mineral and industrial production; details of plans and their financing; annual progress of plans in process of execution.

D. Standard of living

1. Territorial income figures and, if possible, per capita income and statement of distribution of income.

2. Table of retail prices of principal items of consumption.

E. Communications and transport

Summary statement of existing facilities in the following categories: posts, telephone, telegraph and cable, radio, roads, bridlepaths and tracks; railroads, air transport, civil air fields, meteorological services, inland waterways, ports and shipping.

F. Public finance

1. Type of currency.

2. Government expenditures and revenues by category.

3. Taxation (including tax rates for individuals and corporations).

4. Public debt.

G. Banking and credit

Brief statement of banking and credit facilities available in the Territory and the bank rates.

H. International trade

1. Imports and exports by quantity and value.

2. Direction of trade.

3. Customs regulations and tariff structure.

4. Import and export restrictions.

5. Commercial agreements entered into during the year.

I. Development programmes

1. Progress, during the year, of development programmes already in operation.

2. Proposed plans for economic development.

3. Method of financing development programmes.

V. PICTORIAL MATERIAL (*if available*)

NOTES RELATING TO THE STANDARD FORM AS A WHOLE

1. In cases where, under the provisions of any general convention on any economic, social or educational subject, information is transmitted to a central international agency by Member States parties to such convention, the transmission of a copy of such information to the Secretary-General of the United Nations would be considered as applicable in discharge of the obligation under Article 73 c in respect of that subject. It is also to be hoped that international bodies requiring information on Non-Self-Governing Territories, including those to which reports are made under international conventions, will co-operate as may be necessary and desired in order that their informational needs may be satisfied through the information, including supplemental data, supplied under Article 73 c to the Secretary-General of the United Nations.

2. Wherever relevant information exists in published form, there would be no need for the Government to reproduce that information; a chapter and page reference to the publication in question (with communication of the publication itself, where necessary) would suffice.

3. Information already furnished on a previous occasion need not be repeated.

4. Whenever possible, statistics should be classified under indigenous and non-indigenous.

5. Whenever possible, information should be so classified as to show the manner in which the different elements of the population, indigenous and non-indigenous, are affected, and, in particular, whether, in law or administrative practice, there is any discrimination based on race, colour or religion.

ANNEX II

REPRESENTATIVES ON THE SPECIAL COMMITTEE TO EXAMINE INFORMATION TRANSMITTED UNDER ARTICLE 73 c OF THE CHARTER

MEMBERS TRANSMITTING INFORMATION

AUSTRALIA:

Representative W. D. Forsyth

BELGIUM:

Representative P. Ryckmans

DENMARK:

Representative H. Lannung (*Rapporteur*)

FRANCE:

Representative R. Garreau

NETHERLANDS:

Representative J. W. de Stoppelaar

NEW ZEALAND:

Representative J. S. Reid

UNITED KINGDOM:

Representative J. Fletcher-Cooke

UNITED STATES:

Representative Benjamin Gerig

ELECTED MEMBERS

CHINA:

Representative Cheng Paonan (*Chairman*)

COLOMBIA:

Representative B. Gutiérrez (*Vice-Chairman*)

CUBA:

Representative L. Valdes-Roig
G. Perez-Cisneros (*later*)

EGYPT:

Representative Taha el Sayed Nasr

INDIA:

Representative B. Shiva Rao

NICARAGUA:

Representative I. D. Lifschitz

SWEDEN:

Representative Sven Grafström

U.S.S.R.

Representative A. G. Kulagenkov

VI. *The International Trusteeship System*

A. CHARTER PROVISIONS¹ FOR THE INTERNATIONAL TRUSTEESHIP SYSTEM

The basic objectives of the International Trusteeship System are:

(a) to further international peace and security;
(b) to promote the political, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstance of each Territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each Trusteeship Agreement;

(c) to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion, and to encourage recognition of the interdependence of the peoples of the world; and

(d) to ensure equal treatment in social, economic and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives.

The Trusteeship System applies to such territories in the following categories as may be placed thereunder by means of individual Trusteeship Agreements:

- (a) Territories held under Mandate;
(b) Territories which may be detached from enemy states as a result of the Second World War; and
(c) Territories voluntarily placed under the system by states responsible for their administration.

The terms of Trusteeship for each territory to be placed under the Trusteeship System, including any alteration or amendment, are to be agreed upon by the states directly concerned, including the Mandatory Power in the case of territories held under Mandate by a Member of the United Nations. They must be approved by the General Assembly or, in the case of strategic areas, by the Security Council. Each Trusteeship Agreement includes the terms under which the Trust Territory is to be

administered and designates the authority which will exercise the administration of the Trust Territory. Such authority is called the Administering Authority and may be one or more states or the United Nations itself.

In any Trusteeship Agreement there may be designated a strategic area or areas which may include part or all of the Trust Territory to which the Agreement applies. All functions of the United Nations relating to strategic areas, including the approval of the terms of Trusteeship Agreements and of their alteration or amendment, are exercised by the Security Council. The objectives of the Trusteeship System apply equally to the peoples of strategic areas. In performing its functions relating to political, economic, social and educational matters in the strategic areas, the Security Council, it is provided by the Charter, is, subject to the conditions of the Trusteeship Agreements and without prejudice to security considerations, to avail itself of the assistance of the Trusteeship Council.

It is the duty of the Administering Authority to ensure that the Trust Territory plays its part in the maintenance of international peace and security. To this end the Administering Authority may make use of volunteer forces, facilities and assistance from the Trust Territory in carrying out its obligations towards the Security Council, as well as for local defence and the maintenance of law and order within the Trust Territory.

The functions of the United Nations with regard to Trusteeship Agreements for all areas not designated as strategic, including the approval of the terms of the Trusteeship Agreements and of their alteration or amendment, are exercised by the General Assembly. The Trusteeship Council, operating under the authority of the General Assembly, assists the General Assembly in carrying out these functions.

¹The main provisions are contained in Chapter XII, Articles 75-85, which establishes an International Trusteeship System; and Chapter XIII, Articles 86-91, which defines the composition, functions and powers, voting and procedure of the Trusteeship Council. Other provisions are to be found in Articles 7, 18, 98 and 101 of the Charter.

D. MEMBERSHIP, OFFICERS AND SESSIONS OF THE TRUSTEESHIP COUNCIL

1. Membership

The membership of the Trusteeship Council was increased by two (Costa Rica, Philippines) as a result of the entry into force, on July 18, 1947, of the Trusteeship Agreement for the Trust Territory of the Pacific Islands. In this Agreement, the United States of America was designated as the Administering Authority and, in consequence, its status in the Trusteeship Council changed from that of a non-administering member to that of an administering member. In order to preserve the equal representation of administering and non-administering members in the Trusteeship Council provided for in Article 86, paragraph 1 c, of the Charter, the General Assembly had to elect two additional members. The Assembly, at its 109th plenary meeting, on November 13, 1947, elected Costa Rica and the Philippines as members of the Council.

As a result, the composition of the Council during its second and third sessions was as follows:

Members administering Trust Territories:

Australia, Belgium, France, New Zealand, United Kingdom, and United States.

Members mentioned by name in Article 23 of the Charter (i.e., permanent members of the Security Council) and not administering Trust Territories:

China and the U.S.S.R.

Members elected by the General Assembly:

Costa Rica (until December 31, 1950), Iraq (until

December 31, 1949), Mexico (until December 31, 1949) and Philippines (until December 31, 1950).

2. Officers

Francis B. Sayre (United States) and Sir Carl August Berendsen (New Zealand) continued to serve as President and Vice-President, respectively, until the opening of the third session on June 16, 1948, when Liu Chieh (China) and Sir Alan Burns (United Kingdom) were elected President and Vice-President, respectively. The two last-mentioned were to continue in office until their respective successors were elected at the regular session due to be held in June 1949.

3. Sessions and Meetings⁵

The Council held the following meetings and sessions during the period covered by the present *Yearbook* (all of them at Lake Success):

Second Session

First Part (1st to 18th meetings) Nov. 20-Dec. 16, 1947

Second Part (19th to 35th meetings) Feb. 18-Mar. 10, 1948

Third Part (36th to 46th meetings) Apr. 21-May 5, 1948

Third Session

(1st to 43rd meetings) June 16-Aug. 5, 1948

E. ORGANIZATIONAL QUESTIONS

1. Changes in the Rules of Procedure

At the seventh meeting of the second session, on December 2, 1947, the Council considered the extent to which its rules of procedure might need modification as the result of its approval (during the fourth meeting of the second session (T/P.V.-31), of the report of the Joint Committee of the Economic and Social Council and the Trusteeship Council on arrangements for co-operation in dealing with matters of common concern. It was found that the report necessitated changes in only two rules: an amendment of rule 3 to provide for the

calling of a special session of the Trusteeship Council at the request of the Economic and Social Council, and an amendment to rule 8 to provide for the communication to the Economic and Social Council of the provisional agenda for each session of the Trusteeship Council.⁶

In addition to these two changes necessitated by

⁵A more detailed account than that in the following pages of the matters discussed by the Trusteeship Council during the period under review is to be found in the *United Nations Bulletin*, Vol. III, Nos. 2-25, Vol. IV, Nos. 1-12 and Vol. V, Nos. 1-7.

⁶See pp. 731-33; see also *Economic and Social Council*, pp. 510-12.

the acceptance of the report of the Joint Committee, the Trusteeship Council also modified the following of its rules of procedure during its second session:

(1) *Rule 85.* At the fourth meeting of the second session (T/P.V.31) the representative of Belgium stated, in connection with the consideration of petitions received by the Council, that he wished to draw the Council's attention to the danger that existed of receiving petitions too easily. The Council not only might find itself being swamped by inconsequential petitions, but the dignity and importance of the Council might be prejudiced by its examination of certain questions placed before it under the guise of petitions. He, therefore, supported by the representative of the United Kingdom, proposed that the Council's rules of procedure should be amended so as to give the Secretariat the power to exclude from the Council's agenda those petitions which were clearly outside the Council's competence. He also suggested that the Secretariat should be given the task of making a study of the constitutional practice of democracies on the question of petitions.

The representatives of Mexico, Iraq, China and Costa Rica, on the other hand, urged that it was the duty of the Council to examine petitions even though some of them might seem or prove to be irrelevant. The consideration of petitions, they considered, was a very important function of the Council which it could not delegate to another organ of the United Nations, such as the Secretariat, without violating the Charter. At the present stage of development of the Trusteeship System, it was urged, it was of the utmost importance to safeguard the integrity of the right of petition. The contents of these petitions were of secondary importance. A number of representatives also expressed the view that the Council had not yet been called upon to deal with an excessively large number of petitions, and the problem was therefore not yet one of great practical importance. The representative of France suggested that the Council might more appropriately entrust its *ad hoc* committee on petitions⁷ than the Secretariat with the task of screening petitions.

At the seventh meeting (T/P.V.34) the Council considered a proposal of the Secretariat to amend rule 85 of the rules of procedure so as to relieve the Secretary-General of the obligation of circulating to all the members of the Council petitions which were "manifestly inconsequential". The President pointed out that such a limitation was contained in rule 24 of the rules of procedure concerning communications not classed as petitions,

and that the Secretariat felt that a like provision in the case of petitions would be useful. After considerable discussion the Council agreed to a Mexican proposal that the Secretary-General should not be required to circulate petitions which were "manifestly inconsequential". A list of such petitions with a summary of their contents, should, however, be communicated to all the members and the original documents should be submitted to the Trusteeship Council for its final disposition. Rule 85 was amended accordingly.

(2) *Rule 80 bis.* At the seventh meeting, also, (T/P.V.34) the representative of the United States proposed a modification of the rules concerning the granting of oral hearings to petitioners. To wait to give a petitioner the right to present his case until after the Council had met, he stated, would often make it very difficult for the petitioner to make the necessary arrangements to appear before the Trusteeship Council. The representative of the United States therefore suggested that a standing committee of the Council, possibly including the President, should be authorized between sessions of the Council to decide whether the right to present his case orally should be granted to a petitioner.

The representative of Belgium, supported by the representative of the United Kingdom, proposed that the President, in agreement with the Administering Authority, should be authorized to inform a petitioner that the Council would grant him an oral hearing. The representative of Belgium suggested at the fourteenth meeting of the Council's second session (T/P.V.41) that the objections of the Administering Authority should be taken into account only if the latter considered that there were "substantial reasons" why a petitioner should not be informed, before the Council convened, that he could present his case orally.

On the basis of these suggestions, the Council by 7 votes to 0 adopted a new rule (80 bis) authorizing the President of the Trusteeship Council, through the Secretary-General, to inform a petitioner that the Council would grant him a hearing at such time and place as the President may name. Before communicating such information to the petitioner the President should inquire of the Administering Authority concerned whether there were substantial reasons why the matter should first be discussed by the Council. If the Administering Authority considered that such substantial reasons existed the matter would be left for the Council itself to decide.

⁷ See rule 90 of *Rules of Procedure of the Trusteeship Council* (T/1/Rev.1).

(3) *Rule 99.* The visiting mission to Western Samoa⁸ had experienced certain difficulties in determining the proper procedure and timing for the release and publication of its report. The Council at the fourteenth meeting of its second session (T/P.V.41) decided to revise rule 99 so as to provide more detailed guidance for future missions. After considerable discussion it was agreed unanimously that each visiting mission should submit to the Trusteeship Council a report on its visit, a copy of which should be promptly and, as a rule, simultaneously transmitted to the Administering Authority and to each other member of the Trusteeship Council. The mission, the revised rule provides further, may authorize the Secretary-General to release its report in such form and at such date as it may deem appropriate. The Council itself would subsequently determine whether and in what form and at what date the report should be published.⁹

2. Procedure for the Examination of Annual Reports

The Council, during its second session, considered the procedure to be followed in the examination of annual reports so as to discharge most effectively its obligation under Article 87 a of the Charter, dealing with consideration of annual reports submitted by the Administering Authorities.

The Council had before it a memorandum prepared by the Secretariat (T/94), in which it was proposed that small working groups should be formed from among the members of the Council who would become experts in certain lines of examination and would thereby assist the Council in the orderly examination of annual reports. A similar procedure had been followed by the Permanent Mandates Commission of the League of Nations.

In the course of the Council's discussion (T/P.V.-45, T/SR.57 and 58), the representatives of the United States, France, China, Mexico and the Philippines supported the suggestion that groups of representatives should be assigned to make a thorough study of certain particular sections of reports. They stressed that the appointment of such groups would in no way prevent all members of the Trusteeship Council from requesting information and presenting comments on any subject in which they were interested.

The representatives of Australia, Belgium and the United Kingdom, on the other hand, did not think it advisable to establish specialized committees within the Trusteeship Council. Unlike the

Permanent Mandates Commission of the League of Nations, it was stated, the members of the Trusteeship Council were not experts, but representatives of states bound by instructions from their governments. The procedure followed by the Permanent Mandates Commission was therefore not likely to prove profitable in the case of the Trusteeship Council. It was also stated that certain questions could not be isolated from the reports as a whole; such questions could only be studied profitably in the light of the general conditions prevailing in a particular territory. If some degree of specialization were desired, it would be preferable to assign working groups to consider reports from certain territories. In any event, each report should be examined as a whole.

At the 31st meeting of its second session on March 5, 1948 (T/SR.58), the Trusteeship Council considered a draft resolution submitted by the representative of the United States, which, with certain amendments proposed by the representatives of China and the Philippines, was adopted by a vote of 5 to 0, with the representatives of Australia, Belgium, the United Kingdom and New Zealand abstaining from voting.

The resolution adopted by the Council (31(II)) provided, *inter alia*, that a general discussion of each report as a whole should precede a more detailed examination of the report. It also provided that small groups of members should be specially assigned to study, in particular detail, one or more of the four broad fields (political, economic, social and educational advancement) indicated in Article 76 b of the Charter. Such small working groups, in addition to invoking the aid of the Secretariat, might also avail themselves of the assistance of specialized agencies and of such other information as might be available to the Council through petitions, reports of visiting missions, results of special investigations or inquiries, and previous reports to the Permanent Mandates Commission (of the League of Nations) and to the Council.

The following groups were accordingly assigned by the President during the second session to serve during the Council's consideration of annual reports at the third session:

Political Advancement:

China, France and New Zealand.

Economic Advancement:

Belgium, Costa Rica and the United Kingdom.

Social Advancement:

Australia, Iraq and Mexico.

Educational Advancement:

The Philippines, the United Kingdom and the United States.

⁸See pp. 761-63.

⁹For text of revised rules, see pp. 787-88.

At the opening of its third session (T/SR.75) it was agreed that the Council should not resolve itself into separate groups for the consideration of the annual reports. There was no need, it was agreed, even for the groups to meet informally; it would be sufficient for the individual members of each group to undertake individual studies of the field assigned to the group, while the reports would be examined in full session.

As the representative of the U.S.S.R. had not been present during the Council's second session when the assignments had been made, the President asked him whether he would like to be associated with any particular group. The representative of the U.S.S.R. replied that his delegation considered that a division of the Council into small groups would only delay the Council's work. It would be simpler and wiser for all representatives to study all aspects of every report in detail.

3. *Relations with the Security Council*

A Trusteeship Agreement for the Territory of the Pacific Islands—a strategic area under the administration of the United States—was approved by the Security Council on April 2, 1947, and it entered into force on July 18, 1947.

In view of the terms of Article 13 of this Agreement¹⁰ the Trusteeship Council, at the eighteenth meeting of its second session (T/P.V.45), considered the question of its responsibilities under Article 83, paragraph 3, of the Charter in respect of strategic areas under Trusteeship. The representative of Australia presented a draft resolution that the President of the Trusteeship Council should be requested to consult with the President of the Security Council with a view to assuring that, before the Security Council makes a final decision on the arrangements to be made concerning the functions of the Trusteeship Council in respect of strategic areas under Trusteeship in relation to the political, social, economic and educational advancement of the inhabitants, the responsibilities of the Trusteeship Council be fully taken into account.

The representative of New Zealand, supported by the representative of the Philippines, expressed the view that it was not appropriate to take such a step. He considered that under Article 83 of the Charter the Trusteeship Council had no responsibility whatever for taking any initiative in regard to strategic areas under Trusteeship. The whole of that responsibility rested with the Security Council, although there was a duty incumbent upon the Security Council to avail itself of the assistance of

the Trusteeship Council in certain matters. The initiative, however, he asserted, must come from the Security Council.

The representative of Australia, France, Belgium, the United States and Iraq, on the other hand, expressed the view that the Trusteeship Council had certain definite responsibilities in relation to strategic areas under Trusteeship. The Trusteeship Council, it was stated, fulfilled the same functions as regards strategic territories and non-strategic territories, the difference being only that in one case the Trusteeship Council informed the General Assembly and in the other the Security Council, and that it might be forbidden to visit certain parts of strategic areas. If the Trusteeship Council, moreover, had no responsibilities as regards strategic areas, it was pointed out, there would be no reason why the United States should be represented on the Council as an Administrative Authority.

At the suggestion of the representative of Iraq the representative of Australia amended his proposal so as to provide for the appointment of a committee of three, to be composed of the President and two other members of the Council. The amended resolution was then adopted by a vote of 9 to 0, with 1 abstention (resolution 10(II)).

In the meantime, the Security Council referred the matter to its Committee of Experts, which presented a preliminary report to the Security Council on January 12, 1948.

A majority of the Committee of Experts recommended the adoption by the Security Council of a draft resolution by which in essence the Trusteeship Council would be requested. (1) to perform in accordance with its own procedures, on behalf of the Security Council, the functions specified in Articles 87 and 88 of the Charter relating to the political, economic, social and educational advancement of the inhabitants of strategic areas, subject to the terms of the relevant Trusteeship Agreements and to considerations of security; (2) to send to the Security Council, one month before forwarding it to the Administering Authority concerned, a copy of the questionnaire formulated in respect of a strategic area and of any amendments thereof; (3) to examine and report to the Security Council on all reports and petitions received in respect of strategic areas; and (4) to submit to the Security Council its reports and recommendations on political, economic, social and educational matters affecting strategic areas.¹¹

Preliminary consideration was given to the report of the Committee of Experts by the Security

¹⁰For text of Agreement, see *Yearbook of the United Nations*, 1946-47, pp. 398-400.

¹¹See *Security Council*, pp. 490-92.

Council on June 18, 1948, when it was decided to appoint a committee, consisting of the President and the representatives of Belgium and the Ukrainian S.S.R., to confer with the committee established by the Trusteeship Council. On receipt of the invitation, the President of the Trusteeship Council appointed the representatives of Mexico and New Zealand to the committee of the Trusteeship Council (see T/SR.77). A joint meeting of the two committees was held on June 22, 1948, and, after an exchange of views on the responsibilities of the Trusteeship Council in connection with the political, economic, social and educational advancement of the inhabitants of Trust Territories, the President of the Security Council invited the President of the Trusteeship Council to ascertain the views of the Trusteeship Council in regard to the draft resolution recommended by the Committee of Experts.

The matter was taken up by the Trusteeship Council at the ninth and tenth meetings of its third session, on June 25 and 28, 1948. The majority of the Council's members thought the arrangements envisaged in the draft resolution recommended by the Committee of Experts to be generally satisfactory. The representative of the U.S.S.R., however, expressed the view that the resolution establishing a committee of the Trusteeship Council to confer with a committee of the Security Council was contrary to Articles 83 and 85 of the Charter. The Trusteeship Council, in his opinion, had no right to discuss the whole question until it had been settled by the Security Council.

As regards the draft resolution recommended by the Security Council's Committee of Experts, the representative of the U.S.S.R. stated that it was unacceptable because it was contrary to the Charter. He considered that it was the right and duty of the Security Council to carry out in respect of strategic areas the functions exercised by the General Assembly and the Trusteeship Council in respect of non-strategic areas. The Security Council therefore could not delegate to the Trusteeship Council the functions specified in Articles 87 and 88 of the Charter but could only avail itself of the assistance of the Trusteeship Council in certain specific instances. As regards the questionnaire, in particular, the representative of the U.S.S.R. expressed the view that the Security Council itself should draw up a questionnaire for strategic areas. The views of the majority and of the minority were communicated to the committee of the Security Council at a second joint meeting of the two committees held on July 22, 1948.

4. Relations with the Economic and Social Council and with Specialized Agencies

In accordance with a resolution adopted by the Trusteeship Council at its first session,¹² a committee consisting of the representatives of France, Iraq and the United States had been appointed to confer with a similar committee of the Economic and Social Council to discuss arrangements for co-operation in dealing with matters of common concern.

The committee joined with the committee of the Economic and Social Council, which consisted of its President and the representatives of India and Venezuela. The joint committee held two meetings during August 1947, and submitted a report (E&T/C.1/2/Rev.1) to both Councils containing a number of detailed recommendations regarding methods of co-operation between the two Councils. The committee recommended among other things that the Economic and Social Council, while fully empowered to make recommendations or studies of general application on economic and social problems, should not single out Trust Territories for special recommendations, except with the concurrence of the Trusteeship Council, and, secondly, that all petitions to organs of the United Nations (such as petitions on human rights or the status of women) emanating from or relating to Trust Territories should be dealt with in the first instance by the Trusteeship Council, which should subsequently seek the assistance of the appropriate commission of the Economic and Social Council regarding those parts of such petitions which concerned them.

The Committee also recommended that the President of either Council be specially informed of the date and place of the first meeting of each session held by the other Council and that he should likewise be informed of the provisional agenda for each session. The President of either Council—or his representative—should be given the privilege of participating in the discussion by the other of matters of special concern to his Council. The President of either Council should also be sent copies of all general documents emanating from the other Council. As regards the calling of special sessions, the Economic and Social Council's rules accord to the Trusteeship Council the privilege of calling a special session of the former Council, with the agreement of its President. The Committee recommended that the Trusteeship Council extend

¹²See *Yearbook of the United Nations, 1946-47*, pp. 580-81.

a similar privilege to the Economic and Social Council.

The report of the joint committee was to come into effect when it had been approved by both Councils. It was approved by the Trusteeship Council without discussion at the fourth meeting of its second session, on November 26, 1947 (T/P.V.31).

In accordance with a resolution adopted by the Trusteeship Council at its first session, a committee consisting of the representatives of Australia and Mexico had been appointed to join, with respect to clauses concerning the Trusteeship Council, the representatives of the Economic and Social Council in any future negotiations with inter-governmental organizations to be brought into relationship with the United Nations. This committee participated in the negotiations which led to the conclusion of agreements between the United Nations and, respectively, the World Health Organization, the International Telecommunication Union, the International Bank for Reconstruction and Development and the International Monetary Fund.

The committee's report (T/50) on its participation in the negotiations was approved by the Trusteeship Council at the fourth meeting of its second session on November 25, 1947 (T/P.V.31).

At the 34th meeting of its third session on July 28, 1948 (T/SR.107), the President appointed the representatives of France and Iraq to the committee for a further period of one year.

During its sixth session in March 1948 the Economic and Social Council adopted resolution 122-(VI)C calling upon the Secretary-General to initiate studies, and to collect and disseminate information and reports, concerning social welfare administration, social services in relation to rural welfare, training of social welfare personnel, and child welfare in under-developed areas and territories. In so far as such studies might be carried out in relation to conditions in Trust Territories, the Secretary-General was enjoined by the resolution to consult with and obtain the concurrence of the Trusteeship Council.¹³

The resolution was considered by the Trusteeship Council at the eighteenth and nineteenth meetings of its third session, on July 7 and 8 (T/SR.91, 92).

The representative of Iraq proposed a draft resolution (see T/SR.91, p. 9) which provided that the Trusteeship Council (1) note the Economic and Social Council's resolution, (2) welcome the efforts to promote in Trust Territories the social amelioration of the inhabitants, (3) note that the information required might be available in the annual reports on Trust Territories from the Administering Authorities and in other official documents,

and (4) invite the Secretary-General, if such information be insufficient for the purposes of the Economic and Social Council's resolution, to submit for the consideration of the Trusteeship Council such additional questions as might seem to be desirable in the Council's annual questionnaire.

The representatives of France, China and Mexico thought this resolution acceptable. The representatives of the United Kingdom, the United States and Australia, however, expressed the view that the Economic and Social Council's resolution was difficult to interpret, as it had not yet been implemented. For the time being the Trusteeship Council should therefore merely note the Economic and Social Council's resolution and take no further action. To this end the representative of the United States proposed to amend the Iraqi resolution by deleting all but the first paragraph.

The representative of the Philippines, considering that the Council should adopt a more positive attitude than merely noting the Economic and Social Council's resolution, proposed to amend the last two paragraphs of the Iraqi resolution (see T/SR.92, p. 8) to the effect that the Trusteeship Council assure the Economic and Social Council of its full co-operation in every possible way in the promotion of the implementation of the objectives of the Economic and Social Council's resolution and invite the Secretary-General to act as envisaged in that resolution.

The representative of the U.S.S.R., supported by the representative of Costa Rica, expressed the view that it was the obligation of the Trusteeship Council to co-operate in every possible way with the Economic and Social Council to ameliorate the economic and social conditions of all peoples. He therefore proposed an amendment to the Iraqi resolution providing that the Trusteeship Council ask the Economic and Social Council to include in its program of work studies of the living conditions of the population of the Trust Territories. Explaining his proposal, the representative of the U.S.S.R. stated that the Trusteeship Council had neither the time nor the funds to undertake studies of specific conditions in Trust Territories. The Economic and Social Council, on the other hand, had a number of commissions entrusted with the investigation of conditions in various underdeveloped areas. The Trusteeship Council therefore would be failing in its responsibilities if it did not assist and encourage the work already undertaken by the Economic and Social Council and its commissions.

The representative of New Zealand was of the opinion that under the U.S.S.R. proposal the Trust-

¹³See *Economic and Social Council*, p. 619.

reeship Council would be abdicating its duties in relation to Trust Territories by transferring them to another United Nations organ. He suggested that such studies as those proposed should be considered by a joint committee of both Councils.

At the close of the discussion, the United States amendment to the Iraqi resolution was rejected by a vote of 6 to 4, with 2 abstentions. The U.S.S.R. amendment was next rejected by a vote of 8 to 4. The Council then adopted the Philippine amendment by a vote of 8 to 1, with 3 abstentions. The amended resolution as a whole (resolution 35-(III)), which was adopted by a vote of 9 to 0, with 3 abstentions, therefore provides that the Trusteeship Council welcomes the effort envisaged in the resolution of the Economic and Social Council to promote the social amelioration of the inhabitants of Trust Territories, assures the Economic and Social Council of its full co-operation, in every way within its competence, in the promotion or implementation of the objectives set forth in the aforesaid resolution and invites the Secretary-General to act as provided therein.

5. *Consideration of the Action Taken by the General Assembly on the Report by the Trusteeship Council Covering Its First Session*

By its resolution 139(II) of November 1, 1947, on the report of the Council covering its first session, the General Assembly transmitted to the Council for its consideration during its future work comments made by members on the report (A/421). These comments consisted almost entirely of suggestions for the revision of certain rules of procedure of the Council and of certain questions contained in the provisional questionnaire.¹⁴

At the fourteenth meeting of the second session on December 11, 1947 (T/P.V.41), consideration of these suggested changes was postponed to the third session. At the 34th meeting of its third session on July 28, 1948 (T/SR.107), the Council decided again to postpone such consideration until the fourth session, when, it was expected, the Council would undertake a revision of its provisional questionnaire and would re-examine its rules of procedure.

6. *Provision of Information concerning the United Nations and Trusteeship to the Peoples of Trust Territories*

The vital importance of providing the peoples of the world with information on the aims and

activities of the United Nations was recognized by the General Assembly in the resolution adopted at its 31st plenary meeting on February 13, 1946.¹⁵ The question of the dissemination of such information to the inhabitants of Trust Territories was taken up by the Council at the eighteenth and nineteenth meetings of its third session on July 7 and 8 (T/SR.91 and 92). The Council had before it a memorandum prepared by the Secretariat (T/127) and a draft resolution submitted by the representative of China (see T/SR.91, p. 10), who redrafted two paragraphs of the resolution to take account of suggestions made by Australia, Mexico and the U.S.S.R. The resolution (see T/SR.92, p. 14) provided that the Council invite the Administering Authorities to furnish lists of the names and addresses of officials in Trust Territories to whom could be sent, for information, records of the Council's activities and other suitable documents, and suggestions as to appropriate channels (e.g., press, radio, non-governmental organizations, trade unions and other public organizations, educational and religious institutions, teachers, missionaries, etc.) through which information concerning the aims and activities of the United Nations might be communicated to the general public. The draft resolution also requested the Secretary-General and the Administering Authorities to co-operate in ensuring an adequate flow of suitable information concerning the aims and activities of the United Nations to the inhabitants of the Trust Territories.

The representative of the U.S.S.R. submitted an amendment to the revised Chinese draft resolution (see T/SR.92, p. 15). He proposed that the addresses of officials in Trust Territories which the Council should request the Administering Authorities to furnish should include "natives who occupied administrative posts in the central administration as well as in the local native administration". In the list of possible channels for the dissemination of information to the general public the representative of the U.S.S.R. wished to include, in addition to those mentioned in the Chinese draft resolution, "libraries, native notables, teachers and representatives of other strata of native intelligentsia". Furthermore the representative of the U.S.S.R. proposed to add the following paragraphs to the Chinese draft resolution:

"(a) Taking into account the almost complete illiteracy of the native population of the Trust Territories, the Trusteeship Council requests the Secretary-General to work out the most effective methods and forms for the dissemination of information, including

¹⁴See General Assembly, p. 138.

¹⁵See Yearbook of the United Nations, 1946-47, pp. 83-85.

oral information, in the native languages in the form of lectures, conferences, etc.

"(b) [The Trusteeship Council] Requests the Secretary-General to send to Trust Territories regularly (and not less than twice a year) brief surveys, set out in popular form, reflecting the basic problems and aims of the Trusteeship System and the proceedings of each session of the Trusteeship Council.

"Requests the Secretary-General, in consultation with the Administering Authorities, to arrange for the publication of those surveys in the Trust Territories in the native languages.

"(c) The Trusteeship Council deems it most important that the school curriculums in Trust Territories should include popular information in regard to the aims and objectives of the Trusteeship System and the United Nations as a whole. With this end in view, the Council requests the Secretary-General, in consultation with the Administering Authorities, to make all necessary arrangements.

"Requests the Economic and Social Council, the Secretary-General and the Administering Authorities to co-operate in ensuring an adequate flow of suitable information concerning the aims and activities of the United Nations to the indigenous population of the Trust Territories and to inform the Trusteeship Council periodically of the steps taken in pursuance of this resolution."

The Council rejected the U.S.S.R. amendment by a vote of 6 to 5, with 1 abstention. It then adopted the Chinese resolution as cited above by a vote of 11 to 0, with 1 abstention.

F. PROVISIONAL QUESTIONNAIRE

1. Revision of the Provisional Questionnaire Postponed

During its first session, the Trusteeship Council had adopted a provisional questionnaire (T/44) listing a total of 247 questions to form the basis for the annual reports to be submitted by the authorities administering Trust Territories.¹⁷ The Council had invited the comments of the Administering Authorities concerned as well as those of the Economic and Social Council and the specialized agencies, with a view to revising the provisional questionnaire during the second session in the light of such comments and observations.

The question of the revision of the provisional questionnaire was considered at the seventh meeting of the Council's second session on December 2, 1947 (T/P.V.34), and during the ninth meeting of the third session on June 25, 1948 (T/SR.82).

7. Records of the Council

By reason of the provisions of the budgetary resolution 166(II) adopted by the General Assembly on November 20, 1947,¹⁸ the Council was not provided with verbatim records during the second and third parts of its second session and during its third session.

The Council discussed this situation at the 35th meeting of its second session on March 10, 1948 (T/SR.62), and adopted a resolution 30(II) by which it requested the Secretary-General to provide accurate and sufficiently detailed summary records within 24 hours of the close of meetings to which they referred, and to submit a report containing further suggestions for the improvement of the Council's records.

The matter was discussed again at the 34th meeting of the third session on July 28, 1948 (T/SR.107), when the Council examined estimates submitted by the Secretariat (T/196) of the cost of various forms of records. The Council adopted a resolution (44(III)) in which it expressed its opinion that its work was considerably impeded by the absence of verbatim records, particularly as regards the examination of reports and petitions, and requested the General Assembly to make regular budgetary appropriations to provide it with facilities for verbatim records in mimeographed form, as well as printed summary records.

On each occasion it was decided to postpone consideration of the matter until all the Administering Authorities, the Economic and Social Council and the specialized agencies might have had sufficient time to present suggestions to the Trusteeship Council, i.e., until the fourth session of the Council.

2. Provisional Questionnaire Transmitted to Australia with regard to the Trust Territory of Nauru

When the Council decided, during its first session, to forward the provisional questionnaire to all authorities administering Trust Territories, there had been no Trusteeship Agreement for the Pacific Island of Nauru. The Nauru Agreement (T/Agree-

¹⁷See pp. 159-60.

¹⁸See Yearbook of the United Nations, 1946-47, p. 578.

ment/9) was approved by the General Assembly during its second session, on November 1, 1947.¹⁸ At the seventh meeting of the Trusteeship Council's second session, on December 2, 1947 (T/P.V.-

41), the Council resolved (11(II)) to transmit the provisional questionnaire (T/44) to the Government of Australia, as the Government responsible for administering the Trust Territory of Nauru.

G. ANNUAL REPORTS

1. *Cameroons under British Administration*

The report on the administration of the Territory for the year 1947 was received by the Secretary-General on June 18, 1948, and transmitted by him to members of the Council on the same day. At the sixth meeting of its third session (T/SR.79), the Council decided that the report should, in accordance with rule 72, paragraph 2, of its rules of procedure, be examined at the fourth session.

2. *Cameroons under French Administration*

The report on the administration of the Territory for the year 1947 had not been received by the Secretary-General in sufficient numbers to permit its distribution to members of the Council during the third session.

3. *Togoland under British Administration*

The report on the administration of the Territory for the year 1947 was received by the Secretary-General on June 21, 1948, and was at once transmitted to members of the Council. At the sixth meeting of its third session (T/SR.79), the Council decided that, in accordance with rule 72, paragraph 2, of its rules of procedure, the examination of the report should be deferred until the fourth session.

4. *Togoland under French Administration*

The report on the administration of the Territory for the year 1947 had not been received by the Secretary-General in sufficient numbers to permit its distribution to members of the Council during the third session.

5. *Western Samoa*

The Secretary-General on November 28, 1947 transmitted to members of the Council with a covering note (T/65) the annual report on the administration of the Territory of Western Samoa for the year ended March 31, 1947, previously transmitted to him by the Government of New Zealand. In a communication dated November 14, 1947, the New Zealand Government stated that the report had been sent in order that the Trusteeship Council might have the latest available information concerning Western Samoa, pending settlement of the form of the annual questionnaire.

As the report referred in greater part to a period prior to the entry into force of the Trusteeship Agreement, and as in any case the report of the United Nations Mission to Western Samoa covered more recent developments, the Council considered the annual report in connection with the report of the Mission.¹⁹

6. *Ruanda-Urundi*

The report on the administration of Ruanda-Urundi for the year 1947 was received by the Secretary-General on May 6, 1948, and was transmitted to members of the Council on May 14, 1948.

At the second meeting of its third session (T/SR.75), the Council decided that the report, which had been received one day later than required by rule 72, paragraph 2, of its rules of procedure, should nevertheless be examined at the third session.

During the fourth, fifth and sixth meetings (T/SR.76, 77, 78) Maurice Simon, Governor of Ruanda-Urundi, who had been appointed as the special representative of the Administering Authority, answered questions on the report and on the administration of the Territory.

During the twentieth and twenty-first meetings (T/SR.93 and 94) the Council held a general

¹⁸See p. 140.

¹⁹For examination of the report, see pp. 761-63.

discussion with a view to formulating conclusions and recommendations relating to the report and to the Territory, and appointed a drafting committee consisting of the representatives of France, Iraq, New Zealand and the Philippines to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft report (T/197) prepared by the drafting committee was considered by the Council at the 31st, 32nd and 33rd meetings of its third session (T/SR.104, 105, 106) and, at the 33rd meeting, the Council adopted the committee's report with some modifications by a vote of 9 to 1, with 2 abstentions. The representative of the U.S.S.R., who cast the negative vote, stated that his delegation could not accept the report, chiefly because it did not contain any recommendation relating to the abolition of the existing administrative union between Ruanda-Urundi and the Belgian Congo and the establishment of a separate administration for the Trust Territory. He therefore asked that in accordance with rule 64 of the rules of procedure a statement of his delegation's views be appended to the report. At its 43rd meeting (T/SR.116) the Council agreed to the inclusion of the statement of minority views submitted by the representative of the U.S.S.R. Following is the text of the report adopted by the Council and of the U.S.S.R. statement (A/603, pp. 5-10 and pp. 46-47):

4. REPORT ADOPTED BY THE COUNCIL

PART I. *Review of Conditions, Based on the Report of the Administering Authority*

A. GENERAL

The Trust Territory of Ruanda-Urundi lies in Central Africa, approximately equidistant from both the Atlantic and the Indian Oceans. Its area of 54,172 square kilometres includes large mountainous areas, and the estimated population of 3,718,545 Africans makes it the most densely populated Territory in Africa.

B. POLITICAL

Previously occupied by Germany, the Territory was entrusted by Mandate of the League of Nations to Belgium in 1924. Under the Belgian law of 21 August 1925, the Territory is united administratively with the Belgian Congo, legislative authority being delegated through the Governor General of the Congo to the Governor of Ruanda-Urundi, with the Territory maintaining its own separate budget.

Local administration of the indigenous population is carried out by the existing indigenous authorities under the control of the Belgian administration officials; the division of the Territory into the separate native states of Ruanda and Urundi, each headed by a hereditary *Mwami*, is maintained. Local administration is carried

out by chiefs and sub-chiefs, and both the *Bami* (plural of *Mwami*) and the chiefs are assisted by indigenous councils. All appointments of chiefs and sub-chiefs are subject to the approval of the Administering Authority, which maintains a special school for candidates for appointment to the positions of chiefs and sub-chiefs. The indigenous authorities maintain budgets and administer indigenous courts of justice.

All senior administrative posts are held by Europeans, the subordinate positions being filled by Africans, of whom 2,964 were employed in 1947, apart from those in the defence and police forces and temporary workers.

C. ECONOMIC

The economic basis of the Territory is agriculture and stock-raising. Industrial crops for export, such as coffee, cotton, pyrethrum and quinine, palm oil and castor oil, are cultivated as a result of encouragement by the Administering Authority.

In 1947, the indigenous inhabitants occupied about 36,000 square kilometres of land, the Government 470 square kilometres and non-indigenous inhabitants 205 square kilometres. European colonists numbered 101.

In order to provide against famine, the last outbreak of which occurred in 1943-44, the Administering Authority has imposed measures including the compulsory cultivation of crops, and further measures are being taken for the provision of food reserves.

The chief indigenous industries are pottery, basket-making, dairy farming and production of hides. Among mining and agricultural industries, three out of 331 in 1947 were indigenous, and among manufacturing industries 207 out of 558 were indigenous.

Government revenue is derived principally from income tax, customs duties, fees and poll tax, the latter being the principal tax imposed on the indigenous population, and varying from 35 to 115 francs per head per year.

D. SOCIAL

Approximately 52,000 indigenous inhabitants were employed on a permanent basis in European undertakings in 1947, and in addition there is an outward movement of seasonal labour into the Belgian Congo and the neighbouring British territories. The conditions of employment of indigenous workers are governed by a law setting out the requirements of contract terms, rations, lodging, medical care and other matters.

The Administering Authority maintains a medical service which includes eight State and seven rural hospitals, ten subsidized mission hospitals and five others maintained by mining companies. In addition, there are 72 separate dispensaries, maintained partly by the Government, partly by indigenous authorities and partly by the missions. The total number of medical practitioners at the end of 1947 was 35 and the number of indigenous medical workers in the Government service was 530, of whom 63 possessed diplomas.

E. EDUCATIONAL

Education is undertaken entirely by religious missions, with the exception of one school in Astrida maintained by the Administering Authority. In 1947 the Administration subsidized 1,429 mission primary schools serving some 112,000 pupils; in addition there were 2,687 "bush" schools, with some 211,000 pupils, which did not attain the standard required to earn a subsidy.

The total amount specifically provided for education in the 1947 budget represented 7.34 per cent of the total budget.

Four libraries were established by the Government in 1947.

PART II. Observations

A. POLITICAL ADVANCEMENT

1. The Trusteeship Agreement

The Council noted that the legislation approving the Trusteeship Agreement for Ruanda-Urundi had not yet been passed by the Belgian Parliament. At the same time, however, it noted the assurance of the representative of Belgium that the reason for this delay had been the slowness of parliamentary procedure, and that the fact that the Trusteeship Agreement had not yet been ratified in no way implied that it was not fully in effect.

The Council expressed the hope that ratification of the Agreement would take place in the near future.

2. Administrative union

The Council observed that the Territory had been united administratively with the Belgian Congo since 1925, but took note of the assurance of the Administering Authority that its separate juridical personality had been preserved.

The hope was expressed that, in view of the fact that Ruanda-Urundi was now a Trust Territory, its separate political entity would continue to be preserved, either by a revision of the Law of 21 August 1925 or by some other suitable measure.

3. Promotion of political advancement

The Council noted that, even making allowances for their primitive conditions of life, the progress so far made by the indigenous inhabitants in the practice of democratic processes was disappointing.

The Council observed in particular that the way of political progress must be by educational progress, and that an obligation rested with the Administering Authority to provide an educational basis sufficient for political advancement.

The Council was of the opinion that the Administering Authority should give particular attention to devising practical measures aimed at promoting the political advancement of the inhabitants and their progressive development towards self-government or independence. Such measures should include a revision of the constitution of both the central and local administrative organs, and preliminary steps should be taken towards the ultimate establishment of representative government based on some form of electoral system.

The Council observed further that it would be desirable that the Administering Authority should supply information as to the steps which it was prepared to take towards furthering the political advancement of the inhabitants.

4. General administration

The Council noted that the newly-constituted Council of the Vice-Government-General acted in an advisory capacity and was composed exclusively of Europeans and that, although the interests of the indigenous inhabitants were represented therein, they were represented indirectly through European representatives.

The Council further observed that the Governor, the heads of departments and services, the residents, administrators, assistant administrators and agents, were also exclusively European.

The Council was of the opinion that the Administering Authority might wish to consider granting to the indigenous population some form of direct participation in the higher administration of the Territory. In particular, the Council considered, the Administering Authority might find it possible to give them direct representation in the Council of the Vice-Government-General and increased training to enable them to fill positions in the administration, to extend the curriculum in the school for chiefs and sub-chiefs, and to increase the number of persons trained there.

5. Indigenous political structure

The Council noted that the Administering Authority had preserved the indigenous tribal and political organization of the Territory, particularly the institutions of hereditary chieftainships, sub-chieftainships and their local and regional councils.

The Council expressed doubt as to whether these institutions offered sufficient opportunity for the development of a sense of political responsibility among the indigenous inhabitants as a whole, and observed that it would look forward with great interest to any improvements in the whole system which might be effected in the future.

The Council was of the opinion that the political, economic, social, and educational advancement of the indigenous population could be better furthered through progressive modification of the tribal system by the creation of local organs of self-government.

The Council noted that the indigenous population was governed by two forms of administration: the European administration and the indigenous administration. The Council felt that the Administering Authority might consider whether it would not be advisable and feasible progressively to establish one system of government in which both Europeans and indigenous inhabitants would participate, and in which eventually the indigenous inhabitants would assume the principal functions and responsibilities.

B. ECONOMIC ADVANCEMENT

1. General

The section of the report dealing with economic matters occasioned the Council much concern. While some strong views on the unfavourable economic conditions were expressed by some members, and while such criticisms must be read in the light of geographical and economic limitations in the Territory, the Council, as a whole, was of the opinion that economic conditions, including the system of taxation, required improvement, that economic benefits were not sufficiently directed to the interests of the indigenous population and that much remained to be done in this respect.

2. Public debt

The Council noted the statement of the special representative of the Administering Authority that the public debt of the Territory, which in 1944 stood at 175.4 million francs, had been reduced to 20.8 million francs, and that the final closing of the accounts might reveal it to have been liquidated entirely.

The Council also noted the explanation of the representative of the Administering Authority that this rapid reduction in the debt had resulted from the unavailability of supplies and the absence of personnel necessary to maintain services at a normal level during the war.

The Council felt, nevertheless, that it might have been advisable not to repay this public debt in such a short period of time. In view of the limited revenues of the

Territory, for such essential territorial services as social welfare and education, it might have been desirable had the Administering Authority retained at least a part of the funds, devoted to liquidating the debt, to improve the economic, social and educational advancement of the inhabitants.

3. *The problem of famine*

The Council noted that large-scale famines had occurred from time to time in the Territory. The Council was informed that, after a serious food shortage in 1928-29 the Administering Authority—then the Mandatory Power—took precautions which led it to believe that, except under extremely abnormal circumstances, all further danger would be averted; nevertheless another severe famine took place in 1943-44.

The Council expressed its concern lest famine conditions should recur and expressed the opinion that every possible measure should be taken to prevent such a disaster in the future.

C. SOCIAL ADVANCEMENT

1. *Labour conditions*

The Council noted that although children are employed in the Territory on a casual basis in certain light agricultural work, no legislation existed which relates specifically to conditions of child labour.

The Council was of the opinion that the Administering Authority should pass special legislation to control, and should maintain a careful watch on, the position of child labour to ensure its proper control and protection, especially since the inadequacy of educational facilities might tend to encourage children to take up employment prematurely.

2. *Exaction of labour in default of payment of taxes*

The Council noted the existence of the practice by which labour may be exacted in default of the payment of taxes.

Concern was expressed by some members of the Council at this practice; the Council felt that, although it was necessary to conserve the revenue, every effort should be made to guard against any abuse of such a system.

3. *Medical services*

The Council noted the state of the medical services of the Territory and felt that the number of 35 European medical practitioners to meet the requirements of nearly four million inhabitants was insufficient.

The Council expressed the hope that the number of physicians would be increased so far as was practicable, and that the Administering Authority might devise measures for training indigenous inhabitants as physicians and increasing the numbers trained as other medical personnel.

The Council also expressed the hope that more funds might be allocated to provide for the medical needs of the indigenous population.

D. EDUCATIONAL ADVANCEMENT

The Council noted that the schools in the Territory might be grouped into three categories: namely, Government schools, private schools subsidized by the Government and private schools not subsidized by the Government. There was only one Government primary school, divided into a part for boys and a part for girls, in Astrida. The rest of the primary schools were mission schools. The allocation for education was only 7.34 per cent of the total budget.

The Council took into consideration both the present

state of education and achievements of the Administering Authority, having regard to the limitations under which it laboured. It was of the opinion that education was of the most vital importance in the advancement of the Territory. Although the Administering Authority had done much towards that end and had made progress, the fact remained that much was left to be desired.

The Council noted that the lack of educational enlightenment was not conducive to stability, political, economic or social advancement in general. Illiteracy was prevalent, schools insufficient in number, and advanced education practically unknown, and considerably increased expenditure on education would be essential for many years to come in order to meet this situation.

The fact that education was almost entirely left to the missions revealed the inadequacy of the initiative both of the Administering Authority and the indigenous population—who could hardly be expected to take the lead in that respect. The help of the missions was welcome, but not sufficient alone, and totally non-existent beyond the primary education stage.

There were insufficient public libraries and no government scholarships—either in the Territory or in the Congo or in Belgium itself—whereby the indigenous population might obtain the benefit of higher and professional education, which would ultimately be of immense help to the political, economic and social conditions of the Territory.

PART III *Conclusions and Recommendations*

The Council, in presenting to the General Assembly the conclusions and recommendations arising from its examination of the annual report on the administration of the Trust Territory of Ruanda-Urundi for the year 1947,

(a) States its firm opinion that the political, economic, social and educational advancement of the Territory are inter-dependent one on the other;

(b) Recognizes that in its efforts to promote the political, economic, social and educational advancement of the Territory the Administering Authority has been confronted with the difficulties inherent in a country densely populated by a people who have only in comparatively recent years felt the impact of more modern civilization;

(c) Commends the Administering Authority for the positive achievements it has made in furthering the well-being and progress of the inhabitants; and

(d) Makes the following conclusions and recommendations designed to promote the interests of the inhabitants and their progressive development towards the ultimate objective of self-government or independence, in accordance with Chapters XII and XIII of the Charter and the relevant Trusteeship Agreement.

A. POLITICAL ADVANCEMENT

1. *The Trusteeship Agreement*

The Council welcomes the assurance given by the Administering Authority that the Trusteeship Agreement has been put fully into effect, and expresses the hope that it will be formally ratified by the Belgian Parliament at an early date.

2. *Administrative union*

The Council expresses its conviction that, in view of the fact that Ruanda-Urundi is now a Trust Territory, its separate political entity will continue to be preserved.

3. Promotion of political advancement

The Council firmly believes that increased facilities for general and specialized education are an essential prerequisite of any marked progress towards political advancement. The Council is of the opinion that the way of progress in political matters must be by way of education. In this connexion, the Council draws particular attention to its conclusions and recommendations on educational advancement.

The Council, noting that no real progress has yet been made towards developing in the indigenous population the understanding and practice of democratic processes, recommends that the Administering Authority should review both the central and local administrative organs of government in such a way that the new administrative structure would be in complete accordance with the objective of developing the indigenous inhabitants politically towards eventual self-government or independence. In particular, the Council recommends that the Administering Authority should introduce, in at least a preliminary way, some form of electoral system.

The Council invites the Administering Authority to keep it informed on the steps which it takes, and contemplates taking, in this respect.

4. General administration

The Council recommends that the Administering Authority, in order to grant the indigenous inhabitants a progressively important share in the conduct of their own affairs and those of the Territory as a whole, should provide increased facilities for training indigenous inhabitants to fill responsible posts in the administration, and should study the possibility of granting them, at the earliest possible moment, direct representation in the higher administrative organs.

5. Indigenous political structure

The Council, noting that the Administering Authority has preserved the indigenous political and tribal structure of the Territory, commends the Administering Authority for not forcibly uprooting the indigenous institutions and customs, but suggests that the present system does not offer sufficient opportunity for the development of a sense of political responsibility among the indigenous inhabitants as a whole, and that their political, economic, social and educational advancement could better be promoted by the progressive establishment of local organs of self-government. The Council invites the Administering Authority to study the desirability and feasibility of gradually establishing one system of government in which both Europeans and indigenous inhabitants would participate, and in which the indigenous inhabitants would assume eventually the principal functions and responsibilities.

B. ECONOMIC ADVANCEMENT

1. General

The Council suggests that the Administering Authority should review from time to time the system and incidence of taxation as it applies to the indigenous inhabitants, with a view to eliminating any possible sources of undue hardship.

2. Famine

The Council, noting the recent recurrence of serious famines in the Territory, and noting the measures which have been adopted so far in order to alleviate this cause of economic and social distress, urges the Administering Authority without delay to put into effect the new pro-

gramme on a large scale, and suggests that it should avail itself of the assistance in this respect of the Food and Agriculture Organization of the United Nations.

The Council moreover invites the Administering Authority to inform it in the next annual report on the Territory of the measures taken, or contemplated to be taken, in this respect.

3. European colonization

The Council, noting the increased number of European colonists in the Territory, requests the Administering Authority to furnish it with more information in the next annual report on the Territory on the European colonization policy pursued there.

C. SOCIAL ADVANCEMENT

1. Medical services

The Council recommends that the number of physicians be increased so far as is practicable, and that the Administering Authority devise measures for training indigenous inhabitants as physicians and for increasing the numbers trained as other medical personnel. The Council recommends also that the Administering Authority take all further steps necessary to provide for the medical needs of the indigenous population.

2. Social rehabilitation of prisoners

The Council recommends that the Administering Authority introduce a system of payments for labour performed by long-term prisoners to enable them to start a new life on discharge from prison.

3. Vital statistics

The Council recommends that a more adequate system of vital statistics should be introduced in the Territory.

D. EDUCATIONAL ADVANCEMENT

1. Educational facilities

The Council expresses concern at the inadequacy of educational facilities in the Territory. It considers that there is need for increasing the existing educational facilities in order to combat illiteracy, which is still prevalent, and to promote self-government.

The Council further considers that the number of schools and teachers should be increased so as to provide adequate primary and secondary education.

The Council recommends that a complete programme embodying the construction of school buildings and the provision of adequate equipment, including libraries should be established.

The Council considers that the Administering Authority should assume responsibility for ensuring that adequate facilities for elementary education are made available to children of school age throughout the Territory, and should make every effort to adopt and maintain standards of instruction applicable to all schools of the Territory.

2. Budgetary appropriations

The Council considers that the budgetary appropriations allocated to education by the Administering Authority should be progressively increased in order to establish as wide as possible a system of primary and higher education.

3. Scholarships and higher education

The Council recommends that scholarships should be granted to qualified students in the Territory to enable them to proceed to higher institutions of learning, either in Africa or overseas.

4. General

The Council requests the Administering Authority to include in future annual reports on the Territory an account of the steps taken, or contemplated to be taken, to the foregoing ends, together with statistical data showing the degree of illiteracy among the various age levels of the indigenous inhabitants.

E. MISCELLANEOUS

The Council considers that future annual reports:

Should be in the form of answers to the Questionnaire approved by the Council;

Should include photographic illustrations of the people of the Territory and their conditions of life, anti-erosion measures, schools, hospitals, etc. and also a map of the Territory; and

Should include statistics, especially those concerning financial matters, which cover the entire calendar year for which the report is made.

b. MINORITY VIEWS OF THE REPRESENTATIVE OF THE U.S.S.R.

The Soviet representative

1. Considers that the union of the Trust Territory of Ruanda-Urundi with the Belgian colony of Congo, and the subordination of Ruanda-Urundi to the laws and administration of the Belgian Congo would lead to the maintenance of the political, economic, social and cultural backwardness of the Territory of Ruanda-Urundi, that the economic subordination of the Belgian Congo would mean a source of cheap labour for the Congo and other neighbouring Territories. Such a union would prevent the population of the Trust Territory of Ruanda-Urundi from advancement in the political, economic, social and educational fields; it would retard the development of the indigenous population on its path towards self-government and independence, and it would be in contradiction with the basic objectives of the trusteeship system laid down in Article 76 b of the Charter.

The union of Ruanda-Urundi with the Belgian Congo would lead to the loss by Ruanda-Urundi of its international status as a Trust Territory and would result in such a firm fusion of the administration and economy of Ruanda-Urundi with, and their subordination to, the colonial administration and economy of the Congo as to make the granting of independence to Ruanda-Urundi, which is the objective of the trusteeship system as laid down in Article 76 b of the Charter, in practice highly complicated or entirely impossible. All this leads not to the independence of Ruanda-Urundi, but to its annexation and complete absorption by the neighbouring Belgian colony of Congo.

2. Notes the absence of progress in the political development of the indigenous population towards self-government. It is considered that this policy of the Administering Authority is incorrect and incompatible with the basic objectives of the trusteeship system.

3. Notes that there is no electoral system in the Territory and that there are no self-governing indigenous bodies based on an electoral system.

4. Notes the fact that the indigenous population does not participate in the legislation of Ruanda-Urundi; that the entire executive power is vested in the Governor, that the Governor's Executive Council is of a purely advisory nature, and that there are no representatives of the indigenous population on the Vice-Governor's Executive Council.

5. Considers that the existing tribal system is an obstacle to the political, economic, social and cultural progress of the indigenous population.

6. Notes that corporal punishment is inflicted by orders of native courts. The Belgian representative on the Trusteeship Council, clarifying the application of corporal punishment to the indigenous population of the Trust territory of Tanganyika, revealed the point of view of the Belgian administration on corporal punishment generally. He stated: "This is a subject that has been studied by all European administrations. They have all reflected on it at great lengths, and everyone wants to suppress it as early as possible. But there are factors which explain why corporal punishment should be applied to the indigenous inhabitants and not to Europeans. The main reasons are these: imprisonment is a real punishment for Europeans and often is not a real punishment for natives. There are natives whose living standard at home when they are at liberty is certainly much lower than the standard of living of a prisoner. For these natives prison is not a punishment, nor is prison a subject of shame for them. The native has no fear of going to prison because he sees in it no diminution—and there is no diminution in his social status resulting from his having been in prison." [T/P V.87]

7. Notes that the present taxation system in Ruanda-Urundi is established without any regard to the degree of the property qualifications of the native or his family.

8. Considers that the periodically occurring famines in Ruanda-Urundi are the consequence not only of the general backwardness of the economy of Ruanda-Urundi and its farmers but also as a result of the policy of the Administering Authority which directs agricultural products mainly towards the export market to the detriment of the needs of the indigenous population.

9. Considers that the area under cultivation of food to satisfy the needs of the indigenous population is quite insufficient and that this is one of the causes of the frequent famines in the country.

10. Considers expedient that the Administering Authority of Ruanda-Urundi should work out measures, including measures of a legislative nature, to prohibit child labour and for the limitation and protection of the employment of young people.

11. Considers it essential that the Administering Authority should assume responsibility for the education of the indigenous population and draw up a plan for abolishing illiteracy among the adult indigenous population and for providing elementary schools for all native children within the next few years. It is also essential that the Administering Authority should work out a programme for extending the network of secondary schools for the indigenous population and allocate funds for the realization of that programme within the next few years. Both elementary and secondary education should mainly be in the hands of the Administering Authority or the organs of self-government, and not in the hands of religious missions or private individuals. It is also essential that a programme of higher education for the indigenous population should be drawn up establishing, in Ruanda-Urundi, Native higher educational establishments for the training of teachers, doctors and technicians. It is essential that plans should be made to extend the programme for constructing schools and their subsidiary equipment. In connexion with the above-mentioned it is essential that the Administering Authority should progressively and considerably increase the

budgetary appropriations allocated to the education of the indigenous population from the central budget and the local budgets.

12. In order to preserve the legal status of Ruanda-Urundi as a United Nations Trust Territory and ensure that the fundamental aims and purposes of the International Trusteeship System as defined in Article 76 b of the Charter are attained, that is to say, the political, economic and social advancement of the inhabitants of Ruanda-Urundi and also the educational advancement of the indigenous population and its development towards self-government or independence, the Soviet representative:

Recommends that the Administering Authority (the Belgian Government) take the following measures:

The Belgian Government should establish the Trust Territory of Ruanda-Urundi as an independent administrative entity not subordinate to the administration or the laws of the Belgian Congo and should work out a special system of administration for that Territory which should be fully compatible with and correspond to the fundamental aims and purposes of the International Trusteeship System. In the first place, it is of course essential that measures should be taken to establish Native organs of self-government on the basis of the elected representation of the indigenous population to replace the backward tribal system which is an obstacle to the political, economic, social and educational advancement of the indigenous population. In this connexion, it is considered essential that the Belgian Government should annul the laws concerning the subordination of the Territory of Ruanda-Urundi to the laws and administration of the Congo and should enact laws guaranteeing the status of Ruanda-Urundi as a Territory under the United Nations International Trusteeship System and laws ensuring the development of Native organs of self-government on the basis of electoral rights.

The Soviet representative firmly believes that increased facilities for general and specialized education are interdependent on marked progress towards political advancement. He is of the opinion that the progress in political matters must be accompanied by an increasing education.

13. Recommends that the Administering Authority should gradually establish a system of government in which the indigenous inhabitants would eventually assume the principal functions and responsibilities; that it should take steps to guarantee the direct participation of the indigenous population in higher organs of the administration of Ruanda-Urundi, including the Vice-Government-General Council, on the basis of an elected representative of the indigenous population from each province.

Recommends that the Administering Authority should revise its policy in Ruanda-Urundi and bring it into conformity with Article 76 b of the Charter, by adopting a course of promoting the political development of the inhabitants, the development of native organs of self-government on an electoral basis, and simultaneously directing its attention to the development of native school education and the elimination of illiteracy among the adult native population.

14. For the further development of the economy of Ruanda-Urundi it is essential that the Administering Authority should prepare special measures for the establishment and development in the near future of

local industry to satisfy the needs of the indigenous population and make use of the raw materials.

The present system of taxation in Ruanda-Urundi does not take into account the material position of the native or his family.

It is essential that the Administering Authority should review the principle of tax imposition as it applies to the population of Ruanda-Urundi taking as the fundamental principle a tax based on a sliding scale.

15. It is essential that the Administering Authority should increase the sums expended on the health of the indigenous population, setting aside for that purpose considerably larger sums from both the central budget and the budgets of the local administrations and provide for the training of secondary medical personnel and doctors with diplomas from among the indigenous population.

16. Recommends that the budgetary appropriations allocated for education by the Administering Authority should be increased on a large scale in order to establish wide systems of primary and higher education.

17. Recommends that the Administering Authority and native organs of self-government take over from the missions the responsibility for education in the Territory.

7. New Guinea

The report on the administration of New Guinea for the year July 1, 1946, to June 30, 1947, was received by the Secretary-General on November 24, 1947, and was transmitted to members of the Council on the same day.

A preliminary examination of the report was undertaken by the Council at the sixteenth and seventeenth meetings of its second session (T/P.V.-43 and 44), and a number of questions (T/119) were raised, to which the representative of Australia undertook to obtain replies, but the Council resolved (12(II)) to postpone final examination of the report to the second part of the session in order that members might have further time for studying it adequately.

Consideration of the report was resumed at the 33rd meeting of the second session (T/SR.60), when the Council had before it the replies (T/138 and Add1) to the questions which had been raised during the preliminary examination. At that time, however, the Government of Australia was unable to send a special representative as provided for in rules 74 and 75 of the rules of procedure, and the Council therefore decided that the final examination should be further postponed until the third session, when a special representative of the Government of Australia would be present.

During the 24th, 25th, 26th, 27th, 28th, 29th and 30th meetings of the third session (T/SR.97-103), J. R. Halligan, Secretary of the Australian Department of External Territories, who had been

appointed as the special representative of the Administering Authority, answered questions on the report and on the administration of the Territory.

During the 29th and 30th meetings of its third session (T/SR.100 and 103), the Council held a general discussion with a view to formulating conclusions and recommendations relating to the report and to the Territory, and appointed a drafting committee, consisting of the representatives of France, Iraq, New Zealand and the Philippines, to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly.

The draft report (T/202) prepared by the drafting committee was considered by the Council at the 37th and 38th meetings of its third session (T/SR.110 and 111) and, at the 38th meeting, the Council adopted the committee's report, with certain modifications, by a vote of 8 to 1, with 3 abstentions. The representative of the U.S.S.R., who cast the negative vote, asked that in accordance with rule 64 of the rules of procedure a statement of his delegation's views be appended to the report adopted by the Council. At its 43rd meeting (T/SR.116) the Council agreed to the inclusion of the statement of minority views submitted by the representative of the U.S.S.R. Following is the text of the report adopted by the Council and of the U.S.S.R. statement:

a. REPORT ADOPTED BY THE COUNCIL

PART I. Review of Conditions Based on Information Supplied by the Administering Authority, Including the Annual Report for 1946-47, and Statements made in the Council by the Special Representative of the Administering Authority

A. GENERAL

The Trust Territory of New Guinea lies close to the Equator, with Papua on the South and Dutch New Guinea on the West. The Territory comprises part of the island of New Guinea and more than 600 other islands, the most important of which are New Britain, New Ireland, New Hanover, the Saint Mathias Group, Manus and a part of the Solomon Islands. The land area is about 93,000 square miles.

In June 1941, 38,790 square miles were under complete control, 11,070 square miles under Administration influence, 9,220 square miles under partial influence and 6,060 square miles had been penetrated by patrols. The remaining 27,860 square miles had not yet been penetrated. In order to bring these territories under control, the Administration utilizes a policy of peaceful penetration.

The Melanesians, the Papuans, the Micronesians and the Polynesians, who constitute the principal races, were estimated on 30 June 1941 to number approximately

1,000,000. The non-native population was 6,329 persons, including 1,600 Chinese.

The island of New Guinea, which had been discovered by Spanish navigators in the sixteenth century, was in German possession from 1886 to 1914, when it was occupied by an Australian expeditionary force. A "C" Mandate was conferred upon the Government of Australia by the League of Nations in December 1920.

Early in 1942 Japanese armed forces invaded the mandated Territory, which for the next three years was a theatre of Allied operations until finally recaptured as a whole by Australian military forces in August 1945. New Guinea was placed under the International Trusteeship System on 13 December 1946, under the administration of Australia. The Trusteeship Agreement for the Territory came into effect without the necessity for formal ratification.

B. POLITICAL

1. Administrative structure

Civil administration in the Territory was suspended from 11 February 1942, and was not restored in the Territory as a whole until 24 June 1946. During that period, areas not under enemy occupation were administered by the Australian military forces until October 1945, from which date a Provisional Administration for Papua and New Guinea took control of a portion of the Territory, and progressively other areas of the Territory were transferred from military to civil control. The Provisional Administration was established under the "Papua and New Guinea Provisional Act 1945" under which the power to make ordinances was vested in the Governor General of the Commonwealth of Australia, and the two territories were administered by a single Administrator with one supreme court and one public service.

2. The Papua and New Guinea Bill

In November 1947 the Australian Government decided to make provision for an administrative union of the Trust Territory of New Guinea with the neighbouring Australian territory of Papua. The Trusteeship Council was informed of this decision in December 1947 and at its third session was provided by the Australian Government with a statement of the reasons for this decision (T/138/Add.1). To this statement was annexed for the information of the Council a copy of a Bill for the purpose of implementing the decision.

The Bill is entitled "The Papua and New Guinea Act 1948". It was presented by the Government of Australia to the Australian Parliament in July 1948 but at the time of adoption of this report had not yet been considered by the Parliament. According to the Bill the Territory of Papua and the Territory of New Guinea are to be administered jointly by a single administration.

According to the Bill there shall be an Administrator of the combined Territory appointed by the Governor General who shall be charged with the duty of administering a Government of the combined territory. There shall be an Executive Council for the combined territory to advise and assist the Administrator. The Council shall consist of not less than nine officers of the combined territory appointed by the Governor General and will have an advisory character only. The Administrator may act in opposition to the advice of the majority of the members of the Council, but in such a case must report the matter forthwith to the Minister responsible for Australian External Territories.

The Bill makes provision also for an Advisory Council for Native Affairs and Native Village Councils. The Advisory Council for Native Affairs may consider and tender advice to the Administrator concerning any matter affecting the welfare of the indigenous population in the area in respect of which it is established.

The Native Village Councils, when established, will have such functions as may be provided by ordinance in relation to the peace, order and welfare of the inhabitants in the areas in respect of which they may be established.

The Bill provides for a Legislative Council for the combined territory which will be composed of 29 members, of whom three will be elected on conditions prescribed by ordinance and the others, including three native members, will be appointed.

A single judiciary will be established for the combined Territory.

The terms of the Bill provide also that the Governor General may, by proclamation, define provinces within the combined Territory by such name and with such boundaries as may be specified in the proclamation.

By the terms of the Bill, there must be expended annually upon the administration, welfare and development of New Guinea an amount not less than the total amount of the public revenue raised each year in respect of the Territory.

The Bill also requires that the Administrator shall reserve for the Governor General's pleasure (i.e. for consideration by the Government of Australia) any ordinance of the Legislative Council which in the Administrator's opinion may not be fully in accordance with Australia's treaty obligations or with Australia's obligations under the Trusteeship Agreement.

The position of the Administering Authority was that the Bill was submitted for the information of the Council, so that the Government might have the advantage of the views of the members, but that the Trusteeship Agreement makes the Administering Authority responsible for decisions as to the form of government of the Territory. The powers of the Administering Authority are set in articles 4 and 5 of the Agreement, especially article 4, and the powers mentioned in article 5 are not exclusive or limiting. The Agreement had been approved by the General Assembly in the knowledge that administrative union of the Trust Territory with Papua was contemplated and the General Assembly had also approved agreements in respect of other territories which were administered in administrative union with neighbouring non-trust territories. The Administering Authority considered that the drafting of the Bill made it clear that political fusion was not contemplated, but was willing to make the Bill clearer in this respect. Further, it asserted that the supervision of the Trusteeship Council could and would be preserved in entirety in regard to the Trust Territory.

C. ECONOMIC

1. Public finance

Under the provisional arrangements one set of accounts was maintained for the territory of Papua and the Territory of New Guinea. Revenue during the year amounted to £464,006, which was slightly less than the pre-war revenue of £500,000 of New Guinea, when the Territory was self-supporting. This revenue was mostly obtained from customs duties, fees for licenses, etc., and a five per cent royalty on the value of all gold produced. There was no direct taxation.

The total expenditure amounted to £2,303,370, of which £2,018,673 was provided by the Australian Government in the form of a grant.

The compensation paid to indigenous inhabitants for war injuries and war damage amounted, at the time of transmission of the report, to £189,667. The total cost could not be estimated at that time but it was anticipated that it might exceed £3,000,000.

The non-indigenous inhabitants of New Guinea and Papua received, in 1946-47, approximately three and a half million pounds, including accrued interest, as war damage. The outstanding liability to non-indigenous inhabitants was estimated at £5,000,000.

2. Trade

The trade of New Guinea still bears marks of the war and its after-effects. In 1940-41 the exports of the Territory were valued at £3,247,585 and imports were valued at £962,129. Exports consisted mainly of gold bullion (86.13 per cent), copra, desiccated coconut, timber, rubber, cocoa beans and trochus shell.

Owing to abnormal conditions in the Territory, detailed data on exports and imports could not be produced for the period from 1 July to 31 December 1946. The value of exports for the first six months of 1947 amounted to £303,497 and consisted mainly of gold bullion (58.62 per cent), copra (16.55 per cent), trochus shell (6.93 per cent), machinery and machines (5.10 per cent); the value of imports amounted during the same period to £779,672.

Owing to the special conditions obtaining in the reconstruction period, the total value of imports for the year 1947 amounted to £1,151,841 and of exports to £415,125.

3. Agriculture

The Territory is estimated to contain 93,000 square miles, or 24,000,000 hectares, of which 365,000 hectares have been alienated. The alienated land comprises 210,000 hectares of freehold (granted by the former German administration), 63,000 hectares of leasehold, 80,000 hectares held by the Government and 10,000 hectares vested in the Director of District Services and Native Affairs as trustee for the indigenous inhabitants.

According to the latest available statistics (30 June 1940) the number of plantations was 517, the total area being 212,855 hectares and the area under cultivation 110,546 hectares.

The production of copra and rubber for export is largely in the hands of European planters and companies. The indigenous production of copra is on the increase around Rabaul.

4. Mines

Prior to the war the Territory of New Guinea was a substantial contributor to the world output of gold, but all installations suffered either damage or complete destruction.

From 1 January 1947 to 30 June 1947, 27,766 oz. 6 dwt. of gold bullion, valued at £177,915, were exported from the Territory to Australia.

The Administering Authority is planning to prospect for oil.

D. SOCIAL

1. Native labour

With the object of abolishing the indenture system within a period of five years, a set of new rules and regulations governing the employment of native labourers

was enacted in 1946-47. The period of indenture was reduced from three years to one year. Provisionally, pending an investigation of the question of wages in the Territory, the minimum wage for indigenous workers was raised from five shillings a month to fifteen shillings a month. Hours of work were reduced from 55 to 44 a week. Employers are required to provide, in addition to wages, a prescribed balanced daily ration scale, housing and medical attention, for indigenous labourers and their families, if accompanying them.

2. Public health

In June 1947, the Department of Public Health employed a staff of 140 persons.

There were three Government hospitals and one private European hospital; thirty Government, two private and eleven mission Native hospitals, three Government Asiatic hospitals, thirty-nine mission aid posts, one Government and two mission welfare clinics, and one Government leprosy hospital.

Eleven medical officers and three dentists, all Europeans, were active in the Territory.

In 1946-47, 106 indigenous inhabitants were being instructed in the medical training centres at Lae, Goroka and Mount Hagen. There were beds in the hospitals for 70 European and for 6,785 indigenous patients.

The budget for public health amounted to £173,191 in 1946-47.

E. EDUCATIONAL

A new and separate Department of Education, planned to consist of 106 officers, of whom 95 will be qualified teaching staff and the remainder, administrative and clerical staff, has been established. Only 32 officers had, however, been appointed up to 30 June 1947, due to the lack of qualified personnel.

There were five elementary (kindergarten) and primary Government schools and one secondary school for Europeans, with a total enrolment of 54 pupils and five teachers; three primary Government schools for Chinese with a total enrolment of 538 pupils and 20 teachers; 13 primary and vernacular schools, one central school and one Government technical school for indigenous inhabitants, with a total enrolment of 1,201 school children and 29 teachers. The statistics for mission schools were not available when the report was written.

The sum of £36,695 was spent on education in 1946-47.

PART II. Observations

A. PROPOSED ADMINISTRATIVE UNION

The Council, noting with appreciation the action of the Administering Authority in submitting, in advance of final legislative action, its detailed proposals for a permanent administrative union between New Guinea and Papua, proceeded to undertake a careful examination of the subject, which it considered to be of major importance for the future of the Trust Territory.

The Administering Authority based its right to establish the proposed union on article 5 of the Trusteeship Agreement, and claimed that such a union would not be inconsistent with the basic objectives of the International Trusteeship System.

The Administering Authority recalled the assurance, given by it at the time of the approval of the Trusteeship Agreement, to the effect that it did not consider that the terms of the Agreement would enable it to establish

any form of political association which would involve the annexation of the Trust Territory in any sense or would have the effect of extinguishing its status as a Trust Territory. The Council noted the statement of the Administering Authority that it was prepared to embody in the legislation an assurance to this effect.

Some members of the Council accepted the assurance of the Administering Authority that the proposed union would not in practice lead to the impairment of the status of the Trust Territory as a separate entity. Other members, however, considered that the proposals of the Administering Authority envisaged a union that went beyond the kind of union contemplated in article 5 of the Trusteeship Agreement, in that it would provide not merely for a customs, administrative and fiscal union, together with common services, but for a complete fusion that extended entirely to the executive, legislative and judicial organization. They considered that the proposed union would be contrary to the basic aims of the International Trusteeship System, in that it would lead eventually to the disappearance of the separate identity of the Trust Territory and to its annexation.

Some members of the Council considered that the proposed union was not in the best interests of the inhabitants of the Trust Territory, and therefore was not in accordance with the basic objectives of the International Trusteeship System. They considered that so complete a union between a Trust Territory and a Non-Self-Governing Territory would confuse the objectives of the administration of the Trust Territory and obscure the responsibilities of the Administering Authority. Other members, however, were of the opinion that the interests of the inhabitants would be safeguarded under the union and that the union would in fact favour the advancement of both territories and their peoples, in view of the similar nature of the territories and origins of the populations, their common problems of reconstruction, and the fact that they have been divided by a purely arbitrary boundary.

The Council observed that the proposals for the union provided for single executive, legislative and judicial organs for the two territories. Some members were of the opinion that such an arrangement was not conducive to political advancement and progress towards self-government. They felt that the Council should not approve a policy which, in their view, failed to take into consideration that principal objective of the International Trusteeship System. They were of the opinion that the administrative structure of the Trust Territory should be such as to guarantee development in political, economic, social and educational matters.

The Council noted that, although the constitution of the proposed combined legislative council of twenty-nine members provided for the appointment of three non-official indigenous members, it did not specify the number to be chosen from each territory.

The Council considered that any legislation enacted and any action subsequently taken should in no way impair the status and separate identity of the Trust Territory. In this connexion, some members of the Council were of the opinion that the powers conferred upon the Governor General by section 11 of the legislation to define provinces in the combined territories would open the way to the obliteration of the geographical limits of the Trust Territory and the possible complete loss of its political identity. On this point, the representative of

the Administering Authority gave an assurance that, although the section had been written into the legislation in the interests of greater administrative efficiency in the task of bringing about the advancement of the indigenous inhabitants, his Government would give very serious consideration to the question.

Some members of the Council were of the opinion that, in view of the fact that the Trust Territory had normally, in past years, been financially self-supporting, whereas the territory of Papua had required financial assistance from external sources, the Trust Territory would have derived greater advantages had its administration remained completely separate. Other members, however, could not subscribe to this opinion in view of the explicit provision in the legislation that there must be expended in each year, for the administration, development and welfare of the Trust Territory, an amount not less than the total amount of the public revenue raised in each particular year in respect of the Trust Territory.

Some members of the Council felt that the existence of the proposed union would ultimately preclude the Council from exercising its responsibility of supervising the administration of the Trust Territory, and render it incapable of judging the development of the indigenous population in the political, economic, social and educational fields. While other members did not subscribe to that view, all members were agreed that the Administering Authority must continue to furnish the Council with full information on every aspect of the administration of the Trust Territory as a separate area.

B. POLITICAL ADVANCEMENT

1. General

The Council noted that the indigenous inhabitants of the Territory were still in a general state of illiteracy, and that no real beginning had yet been made in their political development. The Council expressed the opinion that, on the foundation of an increasingly wide educational system, the Administering Authority should afford the indigenous inhabitants adequate opportunities for assuming a progressively greater share in the administration of their own affairs.

2. Organs of government

The Council noted that, although indigenous advisory councils and village councils were to be established, the Administering Authority did not see its way to conferring upon them at this stage any substantial degree of responsibility. The Council hoped that greater opportunities for training in self-government would soon be provided through these indigenous councils.

C. ECONOMIC ADVANCEMENT

1. General

The Council noted that in spite of the abundant natural resources of the Territory, the economic life of the indigenous inhabitants remained in a primitive state. The Council felt that the inhabitants should derive greater benefits than at present from the development of these resources. In particular, members raised the question of whether the Territory should not receive a larger share of the proceeds from gold mining than the existing royalty of five per cent, since they felt that the law which reserved to the Administration all claim and title to the wealth lying below the surface of the land should operate to the advantage of the indigenous inhabitants.

The Council noted the efforts of the Administering Authority in initiating an economic programme for providing assistance to the indigenous inhabitants in developing agricultural projects and achieving increased production of such cash crops as copra, cocoa, rice and fresh vegetables. The Council felt that such projects should be further encouraged and extended, so that the indigenous producers might not only benefit from increased local trading but also participate in the export trade.

2. Public finance

The Council noted that the revenue of the Territory had not yet reached the pre-war level, and the budget of £2,300,000 included a grant from the Government of Australia, which amounted to four times the pre-war revenue. While acknowledging the assistance thus given by the Administering Authority, the Council expressed the hope that all possible efforts would be made to increase progressively the revenue and, accordingly, the expenditure of the Territory for the benefit of its approximately one million inhabitants.

3. Taxation

The Council noted that the poll tax imposed in certain areas on indigenous inhabitants which had amounted to ten shillings per annum, had been suspended during the past two years, and commended the action of the Administering Authority in removing what appeared, in view of the low earnings of the indigenous inhabitants, to have been a burden involving great hardship.

The Council noted that no direct taxation was imposed in the Territory, and that taxation chiefly consisted of import duties and license fees. It felt some misgivings as to whether such indirect taxation bore evenly on all sections of the population.

4. Land tenure

The Council noted that indigenous lands could be sold only to the Government, and only with the consent of the indigenous owner and the approval of the local authority.

The Council expressed concern that the interests of the indigenous landowners should always be adequately safeguarded in this respect, since by virtue of their backwardness they might be unable fully to understand the significance of their consent to such sales.

D. SOCIAL ADVANCEMENT

1. Indenture system of labour

The Council noted that the Administering Authority had reduced the period of indenture for indigenous labourers to twelve months, and had set itself the objective of abolition of the system in five years, which the Administering Authority considered to be the minimum transition period.

2. Wages

The Council, noting that the minimum wage for a labourer had recently been increased from five to fifteen shillings a month, and that the question of wages and other conditions of labour were under investigation by the Administering Authority, felt that the regulations governing wages should be improved, and that the position of workers contracted by the territorial government or other employers should be more consistent with the general trend of prices of commodities. Even when regard was had to the fact that, in addition to his cash wages, a labourer received food, housing and medical care, a monthly wage of fifteen shillings appeared to be totally insufficient to provide him and his family with their other necessities.

In addition, the Council was of the opinion that efforts should be made to educate workers with a view to enabling them progressively to attain a stage of development in which they would be capable of bargaining collectively with their employers.

The Council was of the opinion, moreover, that there should be no differentiation, except on the basis of skill, in wage rates as between indigenous and non-indigenous labour.

3. Health services

The Council noted that the Administering Authority regarded the promotion of the health of the inhabitants of the Territory as one of the most vital functions of government; that an improved medical service was being planned and that any lack of speed in achieving the aim was due to the difficulty of securing qualified medical practitioners.

The Council, emphasizing the paramount importance of an adequate medical service for the Territory, in which the indigenous inhabitants should participate to a greater degree, expressed the opinion that health conditions in the Territory were still unsatisfactory, and that the number of doctors and medical personnel, and the number of hospitals and clinics, was insufficient. It expressed the view that increasing numbers of the indigenous inhabitants should be trained as physicians, nurses and other medical personnel.

E. EDUCATIONAL ADVANCEMENT

1. General

The Council noted the statement of the Administering Authority that "education is a major item in the plans that have been approved for the future development of the Territory".

The Council, however, reiterating its belief that the education of the indigenous inhabitants was the prerequisite of their political, economic and social advancement, considered that their relative backwardness would require even greater efforts on the part of the Administering Authority in the future. The Council expressed the hope that the educational plans prepared by the Administering Authority would soon be put into operation, and that a school-building programme would be prepared which would at least restore, in the shortest possible time, the number of buildings to the pre-war level.

The Council observed that there were only a very few schools in the Territory, that illiteracy was the rule, and that the attendance of children in school and the proportion of the number of children of school age who attended school was not satisfactory. The Council observed, moreover, that the religious missions, which had performed very valuable services in the past, would continue to take an important part in the educational programme, but was of the opinion that the administration should not only exercise an increasing measure of control over their activities, but assume an increasing share of the initiative in education.

2. Expenditure on education

The Council noted that only 1.59 per cent of the total expenditure of the combined Territories of New Guinea and Papua had been devoted to education during the year under review.

3. Higher education

The Council was of the opinion that facilities should be provided for the higher education of persons capable of benefiting from it. It was not sufficient to provide the

population with a rudimentary education only; provision should be made for scholarships to enable gifted individuals to pursue their studies abroad.

4. Teacher training

The Council expressed concern as to whether the programme of teacher training, especially for indigenous teachers, was adequate for the needs of the Territory, and was of the opinion that the Administering Authority should consider whether additional funds and facilities might not be made available for the purpose.

PART III. Conclusions and Recommendations

The Council, in presenting to the General Assembly the conclusions and recommendations arising from its examination of the Report on the administration of the Trust Territory of New Guinea for the period of 1 July 1946 to 30 June 1947:

(1) Recognizes that in its efforts to promote the political, economic, social and educational advancement of the Territory, the Administering Authority has been confronted not merely with the difficulties inherent in a country as yet little developed, but also with great problems of reconstruction arising from the devastation and disorganization of war;

(2) Notes in particular that large areas of the Territory were under enemy occupation from January 1942 to August 1945, that civil administration was restored only six days before the beginning of the period under report, that a large number of experienced personnel and all government records were lost; and that all activities of the administration were disrupted;

(3) Makes the following conclusions and recommendations with a view to promoting the interests of the inhabitants and their progressive development towards the ultimate objective of self-government or independence, in accordance with Chapters XII and XIII of the Charter and the relevant Trusteeship Agreement.

A. GENERAL

The Council hereby asserts that, not only by virtue of the obligations under the Charter assumed by the Government of Australia, but also by virtue of the contribution made and the sufferings undergone by the indigenous population of New Guinea during the Second World War, the Trust Territory now deserves the special attention of the Administering Authority in order to promote its recovery and its enjoyment of the benefits due to its people in all fields.

To this end, the Council recommends that the existing activities and programmes of the Administering Authority for the political, economic, social and educational advancement of the Territory should be extended and co-ordinated so as to comprise a general, long-range plan based on the following fundamental considerations:

(i) That the execution of such a plan should promote the progressive advancement of the inhabitants as a whole, and not only of individuals or groups;

(ii) That the plan should be based on an appropriate constitutional foundation which would prescribe the main lines of development towards self-government or independence;

(iii) That the plan should provide for continuous and increasing participation by the indigenous inhabitants in all fields of development in the Territory, and for the free expression of their wishes.

The Council invites the Administering Authority to

keep it informed of all progress made towards the formulation and execution of such a plan.

B. PROPOSED ADMINISTRATIVE UNION

(1) The Council, having devoted a prolonged and significant debate to the question of the proposed administrative union between the Trust Territory of New Guinea and the Australian territory of Papua, takes the position that the establishment of the union is a highly important problem of serious consequence.

(2) The Council considers that, in so far as the problem—as to whether or not the proposed union is within the terms of the Trusteeship Agreement approved by the General Assembly—is partly juridical in nature, it might to that extent be resolved by recourse to the appropriate juridical body, the International Court of Justice.

(3) It is the Council's conviction that an administrative union must remain strictly administrative in its nature and its scope, and that its operation must not have the effect of creating any conditions which will obstruct the separate development of the Trust Territory, in the fields of political, economic, social, and educational advancement, as a distinct entity.

(4) The Council is not, however, entirely convinced that the proposed union between New Guinea and Papua may not go so far as to compromise the preservation of the separate identity of the Trust Territory.

(5) The Council considers also that the establishment of a union of the kind proposed imposes an embarrassing burden on the judgment of the Council, and that it may constitute a difficulty in the way of the discharge by the Council of its responsibilities under the Charter.

(6) The Council is firmly determined that the proposed union must not lead to a union of a closer permanent nature with still greater implications.

(7) The Council expresses concern lest the powers conferred on the Governor General by section 11 of the legislation, of defining provinces in the combined territories, may allow provinces to be so defined as to include portions of both territories, which might result eventually in obliterating the territorial boundaries and rendering difficult the supervision by the Council of the Trust Territory.

(8) The Council considers that a single tariff system for the two territories under section 73 of the legislation should not affect the obligation of the Administering Authority to apply to the Trust Territory the provisions of Article 76 d of the Charter respecting equal treatment in social, economic and commercial matters for all members of the United Nations and their nationals.

(9) The Council accordingly recommends that the Administering Authority review the matter of administrative union in the light of the foregoing conclusions, and also in the light of the views expressed in the Council, and that it inform the Council of the results of its review.

C. POLITICAL ADVANCEMENT

1. General

The Council, noting that the indigenous inhabitants of the Territory are still in a state of illiteracy and political backwardness, recommends that the Administering Authority should adopt positive measures to provide adequate opportunities for their political advancement. In this connexion, the Council expresses again its firm belief that increased education is of fundamental importance, and draws particular attention to its conclusions

and recommendations on the subject of educational advancement.

2. Organs of government

The Council recommends that conditions should be created which would lead to the establishment of organs of self-government for the indigenous inhabitants.

The Council recommends that the Administering Authority should review the constitutions and powers of the proposed indigenous advisory and village councils with a view to granting them greater initiative in the conduct of their own affairs, and preparing the inhabitants for a progressively increasing part in the legislative and higher administrative organs of the Territory.

3. Administration of Territory

The Council, noting that approximately one-third of the indigenous population remains outside the Government's control, requests the Administering Authority to include in its next annual report further information on this matter and, in particular, additional details of the principles and practice of the policy of peaceful penetration.

The Council, noting that civil administration has not yet been completely restored, that personnel are inadequate in number and that the functions of government are still limited, expresses the hope that every effort will be made to remedy this situation, in particular by the recruitment and training of additional personnel.

D. ECONOMIC ADVANCEMENT

1. Revenue and expenditure

The Council, noting that a great increase in expenditure will be necessary before the indigenous inhabitants of the Territory can make adequate progress, recommends that the Administering Authority give earnest consideration to ways and means for increasing the revenue of the Territory.

2. Fiscal system

The Council recommends that the Administering Authority should examine the whole fiscal system of the Territory, with a view to alleviating the burden of indirect taxation where it presses unduly, to the introduction of direct taxation based upon the individual's capacity to pay and to an increasing participation by the indigenous inhabitants in the abundant natural wealth of the Territory.

3. Land tenure

The Council, expressing concern as to whether the interests of the indigenous landowners are sufficiently protected by the law relating to the alienation of land, requests the Administering Authority to furnish further information regarding the law, and the manner and extent of its application, in the next annual report.

4. Indigenous production

The Council recommends that the Administering Authority should induce the indigenous inhabitants to cultivate marketable and exportable crops so as to enable them to participate in the export trade of the Territory.

E. SOCIAL ADVANCEMENT

1. Labour conditions

The Council, noting that the minimum wage rate for indigenous workers has been tentatively increased from five to fifteen shillings per month, expresses concern that this rate is still inadequate. The Council recommends that the Administering Authority establish in the future

wage rates which are not merely commensurate with the cost of living of the indigenous inhabitants according to their existing standards, but which will also enable them to improve their standards of living.

The Council further recommends that in establishing rates of wages for indigenous and non-indigenous workers the Administering Authority be guided at all times by the principle of equal pay for equal work.

The Council recommends that every encouragement and training be given to the indigenous workers which would lead to the establishment of some form of collective bargaining.

2. Public health

The Council, noting with concern the inadequacy of the existing medical services, recommends that the Administering Authority take urgent steps to improve them.

The Council recommends, in particular, that the Administering Authority increase its efforts to recruit sufficient numbers of qualified medical practitioners for service in the Territory.

The Council recommends, further, that the numbers of other medical personnel be increased, and that a more extensive programme be introduced for the training of indigenous inhabitants as physicians and nurses, as well as for other medical work.

The Council recommends, in addition, that greater priority be given to the establishment of additional hospitals, clinics and similar centres.

F. EDUCATIONAL ADVANCEMENT

1. Educational facilities

The Council expresses concern at the inadequacy of educational facilities in the Territory and at the consequently high rate of illiteracy, which is hindering the political advancement of the indigenous inhabitants.

The Council welcomes the assurance of the Administering Authority that education is a major item in plans for the future development of the Territory, and urges the Administering Authority to press forward with the execution of these plans.

The Council recommends that the Administering Authority put into effect a general school-building programme which will at least restore, in the shortest possible time, the number of schools to the pre-war level.

The Council, noting with concern the inadequacy of the teacher-training programme for indigenous schools, recommends that the Administering Authority devote additional funds and facilities to this purpose.

The Council, noting the preponderant part taken by religious missions in the education of the indigenous inhabitants, recommends that the Administering Authority assume an increasing measure of responsibility and initiative in the future.

2. Higher education

The Council recommends that the Administering Authority devote special attention to the provision of education beyond the rudimentary stage, including the establishment of scholarships or similar facilities for higher study outside the Territory, with a view to building up from the more gifted of the indigenous inhabitants an intellectual elite capable of leading the people as a whole in political, economic, social and educational advancement.

G. MISCELLANEOUS

The Council, noting the special circumstances under which the present report was compiled, hopes that the

next annual report will contain a much more complete account of conditions in the Territory in the fields of political, economic, social and educational advancement.

The Council requests the Administering Authority to provide in the next annual report, in addition to detailed answers to the Provisional Questionnaire and information arising from the foregoing conclusions and recommendations:

(a) An official map showing the distribution of population, natural resources, etc.;

(b) Photographs illustrating the country, its people, etc.;

(c) Information on the following subjects in particular:

(i) The provisions of the law relating to the punishment of various criminal offences, indicating whether there is any discrimination in the administration of justice;

(ii) The net profits of the gold-mining companies for the year in review;

(iii) The average annual income of the indigenous inhabitants;

(iv) The number of savings-bank accounts in the names of indigenous inhabitants and, if possible, the total value of such accounts, and the amount of an average account;

(v) The proportional part played by the Government and Missions respectively in the task of education;

(vi) Details of accidents occurring in industry as a whole and in particular industries.

b. MINORITY VIEWS OF THE REPRESENTATIVE OF THE U.S.S.R.

1. The Soviet representative:

Notes the fact that the Bill for the union of the Trust Territory of New Guinea and the Colony of Papua is not in accordance with the basic objectives of the trusteeship system and does not take into account those provisions which are set down in the Charter, specifically, under Article 70 b.

Considers that the assurances of the Administering Authority, to the effect that the unification of New Guinea with the Colony of Papua will not bring the loss of the status of Trust Territory of New Guinea, could not in practice be an obstacle to, nor prevent or preclude the process of absorption of New Guinea politically, administratively and economically. The union will lead inevitably to the annexation of the Trust Territory instead of its independence.

Notes that with regard to the unification of the two Territories—the Colony of Papua and the Trust Territory of New Guinea—under one legislative and one administrative and one judicial body with common services, no distinction is made under this Bill between the population of the Trust Territory and the adjacent Colony of Papua. However, very definite distinctions do exist. These distinctions are set down in Article 76 b of the Charter which deals with the rights given to the inhabitants of the Trust Territories.

Considers that the Bill for unification did not provide for any measures which are directed to the establishing in the Trust Territory of bodies for self government of the people of New Guinea.

The Soviet representative could not but remark that this Bill is being imposed upon the indigenous population by the Administering Authorities. This Bill is not a result of a discussion by the native population; it is

not a result of the freely expressed will of the indigenous population. However, Article 76 b of the Charter deals with the basic objectives of the trusteeship system and it states, directly, that measures should be taken towards the progressive development to self-government or independence as may be appropriate to the particular circumstances of each Territory, and that it should be in accordance with the freely expressed wishes of the native population.

2. The village councils, which will be created by the Administering Authority, could not be considered as organs of self-government because they cannot take any decisions. The same can be said concerning the advisory councils, which are also not organs of self-government.

Thus, in this respect we can only note that the administrative structure does not correspond to the aims and principles of the trusteeship system. Therefore, this structure should also be changed, and the natives should receive a constantly increasing part in the legislative organs, in the high administrative organs, and conditions should be created to allow the natives to create their organs of self-government, for, without achievement of such political progress of the indigenous population, progress in other fields is practically impossible.

3. In view of the fact that this Bill actually means a fusion of a colony and a Trust Territory, in view of the fact that this Bill gives no opportunity, no possibilities for the population of a Trust Territory to develop along the way set forth under the International Trusteeship System of the United Nations, and because this Bill does not provide for any organs of self-government for the native population; in view of the fact that this Bill does not admit the native population to the administration of their own Territory, it is considered that this Bill does not reflect the basic aims and purposes of the trusteeship system. For that reason, the Bill cannot be considered as appropriate and acceptable for New Guinea, and the unification of the Trust Territory of New Guinea and the colonial Territory of Papua should be considered as inconsistent with the Charter and the trusteeship system.

Therefore, the Soviet delegation recommends that the Australian Government should not put into force the Bill on unification of the Trust Territory of New Guinea with the adjacent Australian Colony of Papua and recommends that a separate administration for the Trust Territory of New Guinea be created.

It is also necessary that the Administering Authority should take appropriate legislative and administrative measures which will contribute to the creation and development of indigenous organs of self-government on the basis of the popular representation (electoral system).

8. Tanganyika

The annual report on the administration of Tanganyika for the year 1947 was received by the Secretary-General on May 12, 1948, and communicated to the Council on May 13, 1948. Although the report was received one week later than required by rule 72, paragraph 2, of the rules of procedure, the Council, at the second meeting of its third session (T/SR.75) decided to examine it during that session.

During the eleventh, twelfth, thirteenth, four-

teenth, fifteenth and sixteenth meetings of the third session (T/SR.84-89) members of the Council addressed questions to J. E. S. Lamb, special representative of the Administering Authority, on the political, economic, social and educational situation in the Territory. At the 20th, 22nd and 23rd meetings (T/SR.93, 95 and 96), the Council discussed the conclusions and recommendations to be adopted on the report, and appointed a committee consisting of the representatives of Australia, Mexico, the U.S.S.R. and the United States to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly. The draft report (T/204) prepared by the drafting committee was considered by the Council at the 36th, 39th and 40th meetings of its third session (T/SR.109, 112 and 113). While the drafting committee which drew up the reports on Ruanda-Urundi and New Guinea presented to the Council texts agreed on by all its members, the drafting committee entrusted with the task of preparing a report on Tanganyika was unable to reach agreement on a single text as regards Parts II and III of the report containing the Council's observations and its conclusions and recommendations.

In Part II (Observations) the drafting committee therefore presented a summary of the views expressed by the various delegations in the course of the Council's discussions, indicating the names of the delegations which had expressed those views. Part III (Recommendations and Conclusions) was divided into three sections, Section A containing the conclusions on which all four members of the committee agreed, Section B presenting the conclusions agreed to by two members of the committee and Section C giving the conclusions of one member only. The drafting committee had considered that it was for the Council to study the various points of view and to make a choice among them.

The representatives of France, Belgium and China criticized the drafting committee for the manner of presenting its report. They were of the opinion that the report should contain only the opinion of the Council as a whole and not the views of individual delegations. The representative of New Zealand moved that the names of delegations should be deleted from the second part of the report, a proposal to which several representatives objected on the ground that the Council as a whole could not assume responsibility for the views of individual delegations. The Council therefore rejected the proposal by a vote of 5 to 4, with 2 abstentions, and adopted by a vote of 6 to 1, with 5 abstentions, Part II as a whole, subject to minor

amendments, in the form presented by the drafting committee. The Council voted paragraph by paragraph on the recommendations contained in Part III of the drafting committee's report. Part III as a whole was adopted by a vote of 5 to 1, with 6 abstentions. The Council then adopted the report on Tanganyika as a whole by a vote of 5 to 3, with 4 abstentions.

As in the case of the reports on Ruanda-Urundi and New Guinea, the representative of the U.S.S.R. in accordance with rule 64 of the rules of procedure, submitted a statement of minority views, which the Council at its 43rd meeting (T/SR.116) agreed to append to its report to the General Assembly.

Following is the text of the report (A/603, pp. 19-39 and pp. 48-49) adopted by the Council and of the U.S.S.R. statement:

a. REPORT ADOPTED BY THE COUNCIL

PART I. Review of conditions in Tanganyika in 1947: a summary based on the Administration Report for 1947 and the statements made by the special representative, United Kingdom, before the Trusteeship Council

A. GENERAL

1. Area, topography, and climate

The Territory of Tanganyika lies just south of the Equator between the great lakes of central Africa and the Indian Ocean. It has an area of 362,688 square miles including about 20,000 square miles of inland water.

Though isolated hills and minor mountain ranges and some imposing mountain masses exist in widely scattered parts of the Territory, the dominant topographical feature is that of flat or gently undulating plains.

The climate of the Territory varies greatly according to the height above the sea level. Broadly speaking, the rainfall is low for a tropical country.

2. Population

The present population of the Territory is estimated to be about 5,500,000 Africans, 55,000 Asians, and 7,500 Europeans, the average density per square mile being 16.4 in 1946. There is no civil register in the Territory.

B. POLITICAL ADVANCEMENT

1. Inter-Territorial Organization

At the end of 1947 the United Kingdom Government passed an Order-in-Council linking Tanganyika administratively with Kenya and Uganda. A High Commission and a Central Legislature were created to deal with specified departments and services of inter-territorial significance. The Government of Tanganyika remains responsible for the basic services of the Territory. The new arrangements do not affect the juridical personality of Tanganyika. To add to any of the scheduled services under the High Commission would require the consent of the territorial legislatures.

2. General administration

The Territory is administered by the Governor with

the assistance of an advisory Executive Council consisting of official and unofficial members. The laws of the Territory are enacted by the Governor with the advice and consent of the Legislative Council, consisting of the Governor, and official and unofficial members. The Governor has the right to veto any Ordinance. There is at present no form of electoral representation in the Territory, appointments to the Central legislature and to local government bodies being by nomination.

No new legislation designed specifically to further political advancement towards the objective of self-government or independence was passed during the year, nor did the need for any such legislation become apparent. The political advancement of the Territory at this stage is mainly a question of education to enable the indigenous peoples to fit themselves for the assumption of greater responsibility in local government and in the general administration of the Territory. A third African member was appointed to the territorial Legislative Council and consideration given to a further increase in the number of African members in the near future.

The Legislative Council consists of the Governor, fifteen official members, all Europeans, and fourteen unofficial members of whom seven are European, four Africans and three Asians. The Executive Council consists of official and unofficial members, the number of official members being seven at present.

For administrative purposes the Territory is divided into eight provinces, each in the charge of a Provincial Commissioner, who is responsible to the Governor. The provinces are divided into districts in the charge of District Commissioners responsible to the Provincial Commissioner. The seat of the government is in Dar-es-Salaam which is also the largest town and seaport of the Territory.

3. Native Authorities

Throughout the Territory, Native Authorities have been established with certain specified jurisdiction over the indigenous inhabitants within their respective tribal areas. While the normal procedure is to recognize the traditional tribal authority, in areas where the inhabitants have no closely knit tribal constitution or where there is a mixture of tribes, the people are called upon to choose their Council of Headmen. These authorities derive their legislative and executive power from the Native Authority Ordinance. In addition, many Native Authorities exercise certain residual powers derived from native law and custom. Further, they may be empowered by an order made by the Governor to administer any law specified in such order.

Attempts are being made to bring about federations of chiefs to cover wider areas for certain common purposes of native administration. In one instance, viz. the Chaggas, the people themselves have reorganized their old administration so as to constitute a superior council and to introduce elected members into their councils.

4. Judicial organization

The judicial organization is made up of: (a) the High Court, (b) the special tribunal, (c) subordinate courts. Appeals lie from the High Court of the Territory to the Court of Appeal for East Africa.

Criminal cases are dealt with under the East African Criminal Code. For civil cases the Indian Code of Civil Procedure is used.

The official language of the courts is English, but provision is made for interpretation.

Included in the judicial organization of the Territory

are native courts constituted under the Native Courts Ordinance which defines their jurisdiction. These tribunals are composed exclusively of indigenous inhabitants. Their primary function is to give effect to well-established customary laws of the indigenous society. There has as yet been no attempt to codify native law and custom.

C. ECONOMIC ADVANCEMENT

1. Agriculture

The very large majority of the indigenous inhabitants are dependent upon agricultural activities in some form or other. Most of them are peasant cultivators, living largely at a subsistence level. For the most part the cultivator relies upon the hoe as his chief implement. The spread of cultivation is limited by the prevalence of the tsetse flies over wide areas and lack of natural water resources. A wide variety of climate and soil conditions makes possible the cultivation of a wide range of produce in the Territory. The most important agricultural products of the Territory in the order of their importance are sisal, coffee, and cotton.

Of the total area of some 6,334,000 acres (about 3 per cent of the total land area of the Territory) under cultivation, 5,250,000 acres or 82 per cent of the area under cultivation is estimated to be devoted to the cultivation of crops for consumption in the Territory. The supply of food to the population is, however, subject to seasonal shortages on account of crop failures and the Native Authority Ordinance provides for compulsory cultivation by an indigenous person of enough land to support himself and his family.

2. Livestock

The most recent figures available give the Territory's stock population as 6,419,566 cattle, 3,165,445 goats and 2,365,813 sheep. Owing largely to the tsetse fly, the large cattle population is concentrated over a comparatively small area of the Territory. In some areas there is definite overstocking. In the main this problem is being dealt with by the development of properly organized markets which operate as outlets for surplus stock.

3. Land tenure

Under the tribal system, in most areas the fundamental principle is accepted that the land belongs to the tribe, the individual occupier enjoying security of tenure, so long as he behaves himself and keeps his land under cultivation. His title to his homestead is, however, more permanent and individual. In the coastal belt, however, the idea of individual property prevails.

Under the Land Ordinance the whole of the lands of the Territory except those disposed of before the Ordinance has been declared public lands, and placed under the control of the Governor, to be held in trust for the use and common benefit of the indigenous inhabitants. Land may be held only under a lease, known as the Right of Occupancy, for terms not exceeding ninety-nine years. Of the total land area, amounting to 342,706 square miles, 2,885 square miles have been alienated. Up to the date of the preparation of the 1947 administration report long term rights of occupancy have been taken out in respect of 51,700 acres. The future needs of the indigenous people are taken into consideration when some new settlement by non-indigenous people is projected. The whole of the Central, Southern, Western and Lake Provinces were closed to alienation to non-indigenous persons for agricultural and pastoral purposes except in the case of applicants in a position to undertake opera-

tions on a large scale especially in regard to the provision of water supply.

4. Credit facilities

Since the year 1942, crop, machinery and soil conservation loans have been made to farmers, at first interest free but after 1 January 1947, with interest at 3½ per cent per annum. Security has been provided for under the Charrels Transfer Ordinance, No. 25 of 1942. Loans have been granted only to non-indigenous farmers for the purchase of agricultural machinery and for financing operational expenses in connexion with the increased production of food crops.

In 1947 an ordinance (No. 47 of 1947), to provide for the establishment and management of a land bank for the purpose of facilitating loans to farmers, co-operative societies and native authorities in furtherance of agriculture in the Territory and to provide for matters ancillary thereto, was passed but has not yet been brought into operation.

5. Forests

There are valuable stands of hardwood timber in the Territory. Forests can be declared as "reserved" on both private and public land. Forest Reserves on public land are of two categories, those administered by the Central Government and those under the control of Native Authorities which enjoy any forest royalties that may accrue from them. During the five years, 1942 to 1946, timber worth £96,543 and minor forest produce of the value of £391,626 were exported from the Territory on an average every year, and it is estimated that some 6 per cent of its total labour force is employed in occupations connected with timber. Twenty-six concessions covering 37,861 square miles were in existence at the end of 1947.

6. Minerals

The mineral resources of the Territory, only a tenth of which have been prospected, give indication of being extensive and varied. The principal minerals at present exploited are gold, diamonds, tin-ore, salt and mica, while a wide range of other minerals are mined in a smaller way.

The total value of principal minerals exported from the Territory in 1947 is estimated at £1,222,037.

In Tanganyika surface rights convey no mineral rights which are governed by mining laws. Prospecting for minerals may only be carried out under the authority of a prospecting right issued under the Mining Ordinance, while actual mining is permitted only on a registered claim or lease. Royalties are payable at prescribed rates, while all claims, leases, etc., carry development obligations. Taxation and royalties ensure that a very high proportion of the proceeds of the sale of diamonds accrues to the territorial revenue. Gold is sold to the Bank of England.

7. Industry and business enterprise—General

There were in 1947, 346 incorporated industrial and trading establishments and enterprises in the Territory, of which 265 were in urban areas and eighty-one in rural. There were, besides, seventy co-operative societies with a total membership of 55,381 persons.

Secondary industries have not yet been established to any extent. Local industrial products include soap, cigarettes, furniture, leather, butter, cheese, etc. A new company for meat canning with 51 per cent of Government capital was recently established. The company has an authorized capital of £500,000, 51 per cent of which

is owned by the Government of the Territory and 49 per cent by Messrs. Liebig's Extract of Meat Company. There is some processing of primary products, e.g., milling of rice and flour, oil extraction, saw milling, cotton ginning, coffee curing, tobacco curing, etc.

Particulars of the amount of outside private capital invested in the Territory are not available. Local handicrafts comprise woodwork, weaving, hoe making, basket making, pottery, etc. The most important industry managed by Africans is the production of clarified butter and ghee.

So far the indigenous inhabitants have no direct part in the major commercial undertakings or in the wholesale trade of the Territory. In the day-to-day life of the more remote rural areas the barter system still operates among the indigenous people.

The proportion of domestic trade controlled by co-operative organizations is very small.

8. Monopolies

(a) **FISCAL.** The Government of the Territory enjoys fiscal monopoly in respect of railways and ports services, including the Tanganyika Road Services operating on six routes.

Under the Defence Regulations the Produce Controller is authorized to purchase and distribute controlled produce.

(b) **PRIVATE.** The Tanganyika Electric Supply Company and the Dar-es-Salaam and District Electric Supply Company hold licences for sixty and eighty years respectively which confer upon them the exclusive right to supply electric energy in specified areas.

9. Foreign trade

The total foreign trade of Tanganyika in 1947 amounted to £25,304,122, which was made up of imports valued at £13,723,925 and exports valued at £11,580,197. There were imports and re-exports of bullion and specie amounting to £147,691 and £23,580 respectively. The principal imports in terms of value were vehicles, including aircraft, railway-stock, etc., cotton piece-goods and other textile manufactures, electrical goods, iron and steel manufactures, cigarettes and a variety of food grains. The chief exports from the Territory were sisal, coffee, cotton, diamonds, gold, hides and kapok.

Tanganyika is a member of the Customs Union which includes also Kenya and Uganda. Under the terms of a convention between Belgium and the United Kingdom the Territory enjoys the benefits of free transit of goods through the Belgian Congo. Exports from Tanganyika to the United Kingdom and its colonies and dependencies have been given tariff preferences. In 1947, the Territory obtained 32.0 per cent of its imports from the United Kingdom, 22.3 per cent from the United States of America, 11.8 per cent from India and 11 per cent from Kenya and Uganda, while 43.1 per cent of its exports found their way to the United Kingdom, 19.4 per cent to Kenya and Uganda, 7.2 per cent to India and 6.2 per cent to South Africa.

The Territory's exports are mainly primary products, which are at present in universal short supply. Since the outbreak of the war, certain major products of the Territory have been sold under contract to the Ministry of Supply and the Ministry of Food in the United Kingdom at guaranteed prices which have been, in some cases, below the ruling world prices. There is at present a general shortage of consumer goods in the Territory and the price of those available have been high.

10. Public finance

No reliable estimates of national income are available. The total revenue of the Territory on Territorial Account is estimated at £5,190,120. The largest contributions are made by customs and excise, native house and poll taxes, and the income tax. All taxes are payable in money except that provision is made for native house and poll tax liability to be discharged by labour, either in whole or in part. During 1947, 2,734 persons discharged their tax obligations in this manner. The revenue from income tax is derived almost wholly from non-indigenous persons. In all tribal areas, except Moshi district, a proportion of the native house and poll tax collected, varying from 25 to 40 per cent, is paid to the Native Administration.

The total expenditure on Territorial Account for 1947 is estimated at £5,232,620, while expenditure on Development Plan Account would amount to £752,120. Of this more than half would be spent on communications.

The total public debt of the Territory amounted to £7,566,146 in 1946. Against this liability, the Territory has reserves of the value of £5,072,043.

Taking the Territory as a whole it may be said that the general economic problem is not unlike that to be found in any country where there is danger of inflation.

11. Development plan

The total cost of the Ten Year Plan is estimated at £19,186,000 of which £6,775,000 will be obtained from the Colonial Development and Welfare allocation. Approximately £11,500,000 will be spent on capital items.

In the plan emphasis is laid on the development of communications. Among the agricultural schemes which have been started, the more important are the Sukumaland and Mbulu development schemes, of which the former is estimated to cost £500,000. Both schemes aim at organizing a redistribution of population and of stock with a view to reduce pressure on land in overcrowded areas. Several schemes are in progress in connexion with the improvement of cultivation of specific crops, such as rice, copra, oranges, coffee, tobacco, and cotton. Provision is being made to increase the number of agricultural instructors from the present ratio of one per fifteen thousand cultivators to one per thousand families. An Indian agricultural school was built in 1947 to provide facilities for Indian youths in the Territory of Kenya. In the 1948 budget a sum of £50,000 has been set apart for the establishment of a local development loan fund which will provide financial assistance to indigenous cultivators, Native Authorities, and the African co-operative societies. It was decided to set up a soil conservation service at an estimated cost of £200,000. In 1947, a grant of £140,000 was made for five and a half years in the first instance by the colonial development and welfare vote for the preservation and development of forest resources of the Territory. The Government carried out a survey of the Lake Rukwa fishing industry and an investigation of coal resources in Ufipa. A sum of £47,000 (approximately) was spent on water development works during 1947 and 130,000,000 gallons of water impounded for distribution.

Outside the Ten Year Development Plan is the East African Groundnut Scheme which will grow groundnuts on an area of over three million acres in Tanganyika, Northern Rhodesia and Kenya. Eighty per cent of the total area would be in Tanganyika. The capital cost of

the scheme which is estimated at about £24,000,000 will be met by the United Kingdom Government. Cultivation under the scheme would take place in units of 30,000 acres and would be highly mechanized. The scheme is estimated to employ permanently 24,000 workers in Tanganyika and it will necessitate the provision of a new railway, deep water berths, bulk storage, and port installations. It is planned that the undertaking shall in due course be taken over by the three Governments concerned and in the final stages shall pass to the ownership and control of the people themselves, on a co-operative or other basis as may then seem best suited to ensure the continuance of the benefits of large-scale production by mechanized and scientific methods. By the end of 1947 some 7,000 acres had been planted.

The general shortage of supplies has retarded the progress of development plans, both Government and private.

D. SOCIAL ADVANCEMENT

1. Human rights

There is no restriction on the expression of public opinion by any section of the population of the Territory. Subject only to the provisions of the law governing sedition and libel, no control is exercised over the subject matter published in newspapers. The registration of newspapers is required by the Newspaper Ordinance and any person wishing to publish a newspaper may, if so required by the Governor in Council, be called upon to execute a bond up to a maximum of three thousand shillings. The Government publishes two newspapers in Swahili for the inhabitants of the Territory.

The inhabitants of the Territory enjoy freedom of thought and conscience and free exercise of religious worship and instruction. Besides the Trusteeship Council, petitions may be made to the Governor, the Secretary of State and His Majesty the King.

No person can be arrested without warrant except for offences specified under the Criminal Procedure Code. In all other cases an arrest can only be made under the authority of a magistrate's warrant. Any person detained in custody may apply to the High Court for a writ of *habeas corpus*.

No restrictions are imposed on movements of population within and outside the Territory except in connexion with health measures.

2. Social conditions

The native authorities system recognizes in some measure the existing distinction between the ruling clans and the general body of the tribesmen in the Territory. The powers of Native Authorities are, however, controlled and privileges such as the extortion of tribute and free personal service have been abolished.

3. Slavery

Slavery practices do not now exist in the Territory. Orders under the Native Authority Ordinance forbid the purchase of female children with a view to the use of their offspring as slaves. These practices are, however, getting rarer. Pledging of children is also forbidden.

4. Status of women

The laws of the Territory recognize no discrimination against women. Although occasional cases come to light, child marriage is not a practice in the Territory. The payment of "bride price" remains a universal custom. Polygamy continues to be a common practice but is now largely restricted by economic conditions. The dissolution of marriage is common and is not difficult to obtain.

Since there is no electoral system in the Territory, the question of suffrage for women has not yet arisen.

The only legal bars to the employment of women are those imposed by various international labour conventions which have been applied to the Territory. The opportunities to enter and train for government service available to women, are, however, at present, limited to nursing and teaching services.

5. Population pressure

The population of this Territory increased by approximately 600,000 between 1931 and 1946. Pressure of numbers on the land exists in several parts of the Territory. In the Kilimanjaro and Meru mountains in the Northern Province, the pressure is due primarily to excessive alienation of lands to non-indigenous persons by the previous administration. In other areas it is due to such causes as increase of human population and stock; unsatisfactory methods of agriculture and animal husbandry; lack of water supplies and restriction of habitable areas due to the presence of the tsetse fly.

6. Immigration

Under the provisions of the Immigration (Control) Ordinance which was passed in December 1947, persons other than prohibited immigrants are entitled to enter the Territory to engage in any business, trade, or profession provided they have prescribed resources and qualifications and it can be shown that their proposed activities will not be to the prejudice of the inhabitants. The ordinance is not applicable to indigenous Africans.

During 1947 a large number of Europeans entered the Territory in connexion with the post-war rebuilding of administration, trade and commerce and the East African Groundnut Scheme.

7. Social welfare agencies

Twenty welfare clubs have been opened in the Territory under the aegis of the Government Social Welfare Organization. A total grant of £50,000 was made for the welfare clubs from the Colonial Development and Welfare Fund while a sum of £6,320 was set aside from territorial revenues to finance the organization.

8. Social security

Apart from the provisions made by Government and by private employers for superannuation and other benefits for their employees, and the Government's widows and orphans pensions—a statutory contributory scheme for Europeans—there are no services provided and contemplated with respect to widows' pensions, old age pensions, maternity benefits, health benefits, unemployment benefits, relief or other forms of protection.

9. Housing

In the urban areas generally there is a shortage of housing affecting all sections of the population, the position being most acute in the larger coastal regions.

Several town planning schemes were in progress in 1947.

10. Labour

(a) GENERAL.—Some 327,000 persons have been in paid manual employment in the Territory in recent years; these are divided approximately as follows:

Agriculture	178,500
Mining	17,000
Timber and Forest Produce	9,000
Industrial Establishments	6,000
Domestic Employment	25,000
Public Services	60,000
Other Employment	31,500

The supply of labour in the Territory generally is now insufficient to meet the demand. A certain amount of apprenticeship training is undertaken by Government departments in the Territory, e.g., the railways. The Labour Department is encouraging private employers to initiate training schemes. It has been decided to establish a labour utilization commission whose function would be to secure a rational utilization and distribution of the Territory's labour resources.

Excessive movement of labour out of rural areas tends to hamper the cultivation of food crops and weaken marital ties. An attempt is made to meet this problem in the case of contract labour by limiting the period of their contract to two years.

It is estimated that some 2,000 persons leave the Territory each year in search of employment in Northern and Southern Rhodesia and in the Union of South Africa and another 2,250 for work in Kenya. These outward movements are in some measure counter-balanced by inward flows of workers from Northern Rhodesia, Portuguese East Africa and other places. By arrangement with the Belgian authorities the Tanganyika Sisal Growers' Association Labour Bureau recruited 500 workers from Ruanda-Urundi. Once such labourers reach Tanganyika, the provision of Tanganyika laws apply fully to them.

(b) **RECRUITMENT.**—In 1947, 22,348 male workers were recruited by private organizations in the Territory under the Recruitment of Indigenous Workers Convention 1936. In the case of such labourers, their costs of transportation from their homes to their places of employment are paid by recruiters.

For the year ended 30 September 1947, approximately 8,000 persons were compulsorily recruited for work within the Convention's definition of forced labour.

(c) **LABOUR DEPARTMENT.**—A Labour Department with a Labour Commissioner as its chief has been established to deal with issues connected with labour. The Department also carries out the registration of the adult and other male population in employment.

A Labour Board, consisting of public officers, employers of labour and such other persons as may be appointed by the Governor was set up in 1940 to advise the Government on matters connected with the employment of indigenous labour.

(d) **TRADE UNIONS, LABOUR DISPUTES, ETC.**—Little development has taken place in the formation of trade unions in the Territory, and no industry has yet established the machinery for collective bargaining. There is only one significant trade union, the organization of dock labourers.

In 1947 there was a serious trade dispute in Dar-es-Salaam which was followed by other minor strikes and disturbances in certain towns and along the central Railway line. The Trade Disputes Ordinance provides for the setting up of tribunals to settle trade disputes.

(e) **CONDITIONS OF EMPLOYMENT.**—The full application of the principle of non-discrimination in employment and in wage and salary payments as between races presents particular difficulties in a territory with conditions such as those which at present exist in Tanganyika. Not only do the different races maintain very different standards of living, but there are at present marked differences in the general standards of education, qualifications and experience. The only solution appears to lie in the gradual process of education and training to produce an equality of worth as between the different races. In the meanwhile it must remain the aim of

policy, by gradually narrowing the difference in wage rates, to raise the standard of living of the lower paid workers. There is no discrimination on grounds of nationality, religion or tribal association.

The average monthly rates of wages of unskilled workers in different occupations in 1947 varied from 8 to 30 shillings, for semi-skilled from 15 to 60 or 80 shillings, and for skilled workers from 21 to 150 shillings. The hours of work varied from 20 to 40 in agriculture and from 44 to 48 in most other occupations. The rate of 8 shillings per month is operative in rural areas. Wages have increased in Dar-es-Salaam between 1939 and 1947. Cost of living allowance is paid to government and other employees.

The Minimum Wages Ordinance authorizes the fixing of minimum wages after due inquiry by Wage Boards on which employees are represented.

No cost of living indices have been prepared. The index of retail prices of consumers' goods used by Africans in Dar-es-Salaam rose from 100 in August 1939 to 187 in 1947.

Indebtedness is prevalent among the lower paid salaried and wage earners in urban areas. Among the poorer sections of the indigenous inhabitants the continued rise in the cost of imported goods, especially piece goods, has been a source of considerable embarrassment. At the end of 1947 there were 70 co-operative societies of which 61 were African in membership. Most of the African societies are concerned with marketing.

11 *Labour conventions and legislation*

Various ordinances, rules, regulations and notices have been issued to implement various conventions and recommendations of the International Labour Organisation in the Territory. The Application of the Penal Sanctions (Indigenous Workers) Convention 1929 is, however, subject to two reservations. The use of abusive and insulting language to an employer by a servant and the unlawful departure by a servant from his employer's service with intent not to return thereto are both penal offences. The Territorial Labour Board is considering how far the Administration can go in the direction of abolishing penal sanctions.

There are as yet no ordinances governing hours of work, rest periods, etc., in the Territory. In spite of an ordinance dealing with the employment of women, young persons and children in the Territory, a certain amount of child labour is used, specially in light work in rural areas.

12 *Medical services*

(a) **THE MEDICAL DEPARTMENT.**—In 1947 the Medical Department consisted of 18 specialists, 64 medical officers including six African assistant medical officers, four dental surgeons, 66 assistant and sub-assistant surgeons, 61 nursing staff and 32 health inspectors, besides six persons in the pharmaceutical section.

(b) **HOSPITALS, DISPENSARIES.**—The Territory had 142 hospitals, 665 dispensaries, seven maternity and child welfare clinics, one mobile health unit, 12 sleeping sickness dispensaries and 27 leper settlements. Vaccination against smallpox is offered at all medical centres. There is an up-to-date mental hospital at Dodoma.

(c) **PATIENTS.**—8,558 in-patients and 682,486 out-patients availed themselves of the facilities offered by the Government hospitals during 1947 while clinics and dispensaries treated 1,860 in-patients and 3,474,239 out-patients. According to the latest figures available, the

leper settlements treated 3,817 inmates and 4,030 outpatients.

There were in the Territory in December 1947, 786 registered and licensed medical personnel of whom 242 were medical practitioners.

13. Prisons and crimes

During 1947, 866 persons were charged and 682 convicted by the High Court of the Territory while 21,279 persons were charged before Subordinate Courts and 17,040 convicted by them. Of these 434 were awarded corporal punishment and corporal punishment with fine or imprisonment or both. Corporal punishment may by law be applied to any inhabitant but it is normally confined to Africans. There were 12,185 persons, of whom 11,355 were Africans, committed for penal imprisonment. Prison labour is used largely by Government departments but it is not hired out to private employers.

14. Juvenile delinquency

In addition to prisons, the Territory possesses at Tabera one correctional institution, an approved school for juveniles, managed by the Commissioner of Prisons, and providing full-time schooling and technical training.

There are at present no specially constituted courts for juveniles, but under the Children and Young Persons Ordinance special provisions are made regarding the procedure to be adopted by subordinate courts when hearing charges against juveniles.

E. EDUCATIONAL ADVANCEMENT

1. Policy and administration

The education policy of the Territory is aimed at training indigenous persons in order to enable them gradually to take over to the maximum extent possible the functions of non-indigenous inhabitants in the general economy of the Territory and to take greater responsibility in the local government and general administration of the Territory.

The establishment of and operation of schools for indigenous inhabitants is governed by the African Education Ordinance which provides for compulsory registration of schools and teachers. The same ordinance also provides for grants for private schools for Africans, the grants being calculated at percentages (50 per cent or 85 per cent according to the grading of the school) of the salaries of certified and licensed African teachers employed.

Government inspectors supervise the work of both Government and private institutions, in collaboration with the religious mission.

2. Government expenditure on education

The budget for 1947 provided a total sum of £487,060 or 9.2 per cent of total estimated territorial expenditure to be spent on education, the sum allotted to African schools being £382,209. The Government made a grant of £134,000 to voluntary agencies running schools in the Territory, while £353,060 was provided for Government and Native Authority schools.

The schools in the Territory have been affected by a temporary shortage of equipment.

The salaries of African teachers vary from 30 to 40 shillings per month for unlicensed teachers to 122 to 200 shillings per month for Makerere trained teachers.

3. Number of schools

There were 1,366 schools in the Territory in 1947. Of these, 1,279 were for Africans, including 1,212 pri-

mary schools, 11 secondary schools and 56 other institutions. 897 primary schools and seven secondary schools for Africans were run by Christian missions, while the Government of the Territory managed 48 primary schools and three secondary schools. The Native Authorities had under them 219 primary schools.

At present no facilities for higher education exist in the Territory. Indigenous students who qualify for admission to Makerere College in Uganda were eligible for Government bursaries covering the full cost of their term at the College. Eight students have been sent to the United Kingdom for social welfare and vocational training.

4. School children

The exact number of children of school age in the Territory is not available. In 1947, 130,645 pupils of whom 119,262 were African pupils were in attendance at schools. The number of African pupils in secondary schools was 2,031 as compared with 115,025 in primary schools. The number of girls in primary African schools was 7,846 as compared with 87,179 boys, the discrepancy is attributed to the social attitude toward education of girls.

5. Curriculum

All African pupils are required to learn Swahili in the first year of their primary course. The teaching of English begins in the fifth year of the primary course for pupils going on to secondary school. Health education is included in the curricula of all schools.

Information regarding the trusteeship system and the status of the inhabitants of Trust Territories is given orally but has not yet been incorporated in school textbooks.

6. Adult and mass education

Up to the present the Government's main effort in adult education in its widest sense has been concentrated on the establishment of the social welfare centres in urban and rural areas. The co-operation of the United Nations Educational, Scientific and Cultural Organization is anticipated in connexion with the long-term educational and social welfare activities of the Groundnut Scheme.

A total sum of £115,000, of which £99,000 was contributed by the colonial development and welfare vote, has been provided for the establishment of an East African literature bureau and publishing fund which will concentrate in the first instance on the publication of works in Swahili and Luganda.

7. Libraries

A public library is in process of formation at the King George V Memorial Museum in Dar-es-Salaam but otherwise no public libraries, in the generally accepted sense, exist in Tanganyika.

At the various social welfare centres which have been established, a free circulating library service is provided in connexion with the Central Welfare Library in Dar-es-Salaam and books and illustrated periodicals are distributed regularly to all the centres. In one or two cases district libraries and book clubs have been started.

Among the non-indigenous population various communities maintain their own libraries and reading rooms.

F. GENERAL

1. Equality of treatment under law

Equal treatment for the nationals of all Members of the United Nations in the administration of justice is

ensured by the principle of complete non-discrimination on grounds of nationality.

2. Economic equality

Apart from such restrictions as are still placed upon the movements and activities of the nationals of enemy States there is no discrimination in treatment in economic matters on grounds of race or nationality and all Members of the United Nations and their nationals enjoy equal treatment.

3. Suggestions and recommendations

The only specific suggestion or recommendation made by the United Nations Organization during the year was that of the Trusteeship Council with respect to the repatriation of German nationals. The recommendation of the Trusteeship Council that policy in this connexion should be carefully and humanely administered in the spirit of Article 76 c of the Charter has been fully observed by the selective nature of the policy of the Government. No person has been repatriated solely on account of his nationality; no person has been compulsorily repatriated to Germany if he could find some other country willing to accept him, provided there was no objection on grounds of security; steps have been taken to keep family units together as far as possible and to ensure proper reception in Germany of the persons repatriated thereto, and finally numerous exceptions have been made in the case of those shown to be genuine political or religious refugees from nazi domination or on compassionate grounds.

PART II. Observations

A. INTER-TERRITORIAL ORGANIZATION

1. Prior consultation

(a) With regard to the Inter-Territorial Organization affecting the Trust Territory of Tanganyika and the adjoining British territories of Kenya and Uganda, which had been established at the end of 1947, the Trusteeship Council discussed the question of whether or not the Council should have been consulted before such measures were put into effect.

(b) Some representatives (Belgium, France, the United Kingdom) expressed the opinion that by prior consultation with the Trusteeship Council, the Administering Authority concerned would divest itself of its administrative responsibility, and that in their opinion the role of the Trusteeship Council was purely supervisory and that the Council should not seek to acquire administrative functions.

(c) The representative of Australia considered that the proper role of the Trusteeship Council was that of review and criticism of measures taken by the Administering Authority and not that of sharing in the administration of Trust Territories, and that the Council did not have the right to consider in advance or give directions in regard to measures contemplated. Co-operation between the Administering Authority and the Trusteeship Council was desirable, but should not be carried to the point of confusing the respective responsibilities. The responsibility for framing and executing measures should lie wholly with the Administering Authorities which were "trustees" on behalf of the people of the Trust Territories and not "agents" of the Trusteeship Council.

(d) Some other representatives (New Zealand, United States of America), while recognizing that prior

consultation was not enjoined either by the Charter or by the Trusteeship Agreement for Tanganyika, felt that the friendly relationship and the need for constant co-operation between the Council and the Administering Authority would make prior consultation desirable.

(e) Some other representatives (China, Mexico, the Philippines, Union of Soviet Socialist Republics) maintained that the Trusteeship Council should take up the position that any measures touching or likely to touch or change the status of a Trust Territory should be submitted by the Administering Authority to the Council before being put into effect.

2. Compatibility with the provisions of the Trusteeship Agreement and the Charter

(a) The representative of the United Kingdom expressed the opinion that the scheme of Inter-Territorial Organization was within the powers of the Administering Authority conferred by article 5 (b) of the Trusteeship Agreement for Tanganyika. He reaffirmed the statement of his Government in the Fourth Committee of the General Assembly in December 1946, to the effect that it did not interpret this article as giving it power to establish any form of political association between Trust Territories and adjacent territories under its control which would involve the annexation of Trust Territories or which would have the effect of extinguishing their status as Trust Territories. He further stated that the Inter-Territorial Organization might be held to provide for a measure of political association, but it stopped short of union.

(b) Some representatives of the Council (New Zealand, the Philippines, United States of America) expressed satisfaction at the assurance given by the Administering Authority that it was the firm intention of the Administering Authority to maintain the present status and identity of Tanganyika, and that no plan leading to political union was envisaged and that no extension or modification of the authority of the Central Assembly or of the High Commission would be possible without the express approval of the Tanganyika Legislative Council. They expressed confidence that the Administering Authority would take every occasion to evaluate the effects of the scheme upon the political, economic, social and educational advancement of the indigenous inhabitants, and that this consideration, and not administrative convenience, would be the determining factor in deciding the value of the Inter-Territorial Organization. They also welcomed the statement of the Administering Authority that it will be able to maintain separate statistics on all matters which concern the Trust Territory.

(c) The representative of China was of the opinion that the Council should postpone final judgment on the Inter-Territorial Organization until the Council had thoroughly examined the question in the light of the report of the Visiting Mission.

(d) The representative of Mexico expressed concern that the scheme might be the beginning of a chain of events leading ultimately to full political union with the neighbouring territories. He believed that the scheme might well become an obstacle to the promotion of self-government in Tanganyika.

(e) The representative of the Union of Soviet Socialist Republics stated that the Inter-Territorial Organization of East Africa represents, according to the ordinance in "Colonial Paper No. 210" which defines the status of this organization, a broad political, administrative and eco-

nomic union of the three territories of East Africa, Tanganyika, Kenya, and Uganda. These three territories of diverse political status—two of them, Kenya and Uganda, with the status of colonies—Tanganyika with the status of a Trust Territory—are bound together into a common organism, with a common supreme executive power in the form of the "East African High Commission", with a common legislative authority in the form of the "East African Central Assembly", and with common specialized bodies which control and regulate the most important aspects of the economy of all three territories together.

He held that as a result of this unification, the fate of the Trust Territory of Tanganyika becomes one with that of the colonies of Kenya and Uganda. The process of developing Tanganyika within the system of the Inter-Territorial Organization of East Africa will, without fail, lead to the complete absorption of Tanganyika, and, to its complete fusion with the adjacent colonies.

Regardless of assurances of the Administering Authority to the effect that this unification will not lead to the annexation of Tanganyika, nor to the loss of its status as a Trust Territory, they remain as empty assurances, groundless declarations. In practice, the development of the Inter-Territorial Organization of East Africa leads to the absorption of Tanganyika, to its annexation and to the loss of its status as a "Trust Territory" instead of its self-government and independence. It is known that the indigenous population is opposed to this unification. It does not want this unification, yet it was not consulted by the Administering Authority as to its approval, as is stipulated in Article 76 b of the Charter.

The representative of the Union of Soviet Socialist Republics further held that it was beyond the competence of the Administering Authority to unify the Trust Territory of Tanganyika with Kenya and Uganda. He held that under the Inter-Territorial Organization it would be inevitable for Tanganyika to become administratively and economically closely interwoven with the adjoining territories. He considered that the arrangement would organically link Tanganyika to the other territories and would unavoidably make the achievement of the independence of Tanganyika practically impossible. The representative of the Soviet Union asked that the Council should reject the plan of Inter-Territorial Organization on the ground that it hindered the achievement, the aims and objectives of the trusteeship system of the United Nations in Tanganyika, that it hindered the advancement of the indigenous population of Tanganyika towards self-government and independence and that it was conducive to eventual loss by Tanganyika of its status as a Trust Territory and to its annexation. He proposed that appropriate legislation for the separate administration of Tanganyika should be put through.

(f) In addition, some members of the Council (China, Union of Soviet Socialist Republics) noted with concern that the indigenous population had not been consulted with regard to the Inter-Territorial Organization. The representative of the Soviet Union stated that the consent of the indigenous population in such cases is required by Article 76 b of the Charter.

B. POLITICAL ADVANCEMENT

1. Electoral system

(a) The Council was informed by the Administering Authority that it had not yet been possible to introduce an electoral system for any of the three main sections of the population and that no legislation on this subject was at present contemplated. It was given the assurance that

the ultimate objective was the election of members to the Legislative Council.

(b) Some representatives (Australia, United States of America) took note of this assurance and expressed their interest in the steps to be taken in order to achieve this goal, and their hope that the Council would be kept duly informed by the Administering Authority of such steps.

(c) Some other representatives (Mexico, Union of Soviet Socialist Republics) noted the fact that an electoral system had not been established and that therefore there were no electoral laws or regulations affecting any of the three racial groups inhabiting the Territory. They felt it appropriate that the Administering Authority should introduce electoral legislation and stimulate political education among the indigenous inhabitants so as to attain the objective of Article 76 b of the Charter and article 6 of the Trusteeship Agreement on this particular point, in order that institutions of local government should be established and the participation of the indigenous inhabitants in the legislative and executive bodies of the Territory be assured on the basis of a democratic electoral system.

The representative of the Union of Soviet Socialist Republics noted that the policy of the Administering Authority in accordance with which it treated the education of the indigenous population as a prior objective and put off indefinitely the objectives of developing indigenous organs of self-government and of granting to the indigenous inhabitants an increasingly responsible role in the economic life of Tanganyika was inconsistent with Article 76 b of the Charter. The representative of the Soviet Union stated that the Charter gives no grounds for setting up a priority or preference for any single particular field of development. The Charter requires that measures be taken toward the promotion of the development of the indigenous population simultaneously in the political, economic and social fields and in the sphere of education. The political, economic, and social progress of the indigenous population and their progress in the sphere of education are all parts of a single common process of development of the indigenous population, not a single one of these parts can be separated from the other. They are all inter-related and inter-dependent. Therefore, no priority can be set up, by declaring that development of the indigenous population in the sphere of education comes first, putting off indefinitely the development of the indigenous population in the political field and in the field of self-government. This policy is inconsistent with the provisions set forth in Article 76 b of the Charter. He also stressed that to follow such a policy leads to a justification for the exclusion of the indigenous inhabitants from responsible participation in the political and economic life of their country.

2. Native Administration

(a) With regard to the political advancement of the indigenous inhabitants, some members of the Council (Australia, United States of America) noted with satisfaction the programme initiated by the Administering Authority to encourage the indigenous inhabitants to participate in their tribal councils and in the local administration. In this connexion they expressed interest in the patterns of self-government established by the Châga and by the Sukumaland Federation and hoped that the Administering Authority would take steps to stimulate further participation in self-government by these and other peoples.

(b) Some members of the Council (Mexico, Union of Soviet Socialist Republics) were of the opinion that the now existing tribal structure was an obstacle to the political and social advancement of the indigenous inhabitants. They considered it appropriate that the Administering Authority should plan and undertake to put into effect the necessary changes in the present structure in such a way as to give to the indigenous inhabitants the necessary means to develop self-government institutions and to ensure their participation in the legislative and executive organs of the Territory on the basis of popular representation through democratic methods (electoral system).

C. ECONOMIC ADVANCEMENT

1. Development schemes

(a) Some representatives (Australia, United States of America) considered the East African Groundnut Scheme to be the most significant development in the economic field in Tanganyika. They expressed satisfaction at the statements made by the Administering Authority that the ownership and control of the project would be finally transferred to Africans and that every opportunity would be seized in its working to use it for the economic, social and educational advancement of the inhabitants. They also expressed the desire that the Council be regularly kept informed regarding the progress of the scheme and its effect upon the people of the Territory.

(b) The representative of the Union of Soviet Socialist Republics observed that the realization of the Groundnut and the Sukumaland Schemes would not benefit the indigenous population. It would vitally affect the social and economic life of the indigenous inhabitants leading to the disruption and instability of the indigenous economy and of the welfare of the indigenous population, and would cause considerable displacement of the population. He stated that the Groundnut Scheme would lead to the concentration of millions of acres of the arable land in the hands of non-indigenous population, organizations and corporations, while there was need for such land by the indigenous population because of the fact that a considerable number of the indigenous inhabitants were landless and the indigenous population was growing rapidly. He stated that the plans of the Administering Authority were not based on the freely expressed will of the indigenous population as required by Article 76 b of the Charter and that the objectives of the plans were an intensified exploitation of the manpower and natural resources of Tanganyika in the interest of the British Empire and Western Europe, rather than the economic advancement and emancipation of the indigenous population. He remarked that the economic policy of the Administering Authority violated both Article 76 b of the Charter and article 8 of the Trusteeship Agreement.

2. Land policy

(a) The special representative of the Administering Authority explained that in the case of large areas which were sparsely inhabited because of the shortage of water or presence of the tsetse fly, an application for a lease by a person or company prepared to undertake development on a large scale might be considered. He pointed out that the area allocated for the Groundnut Scheme was sparsely populated and heavily bushed.

(b) The representative of the Union of Soviet Socialist Republics observed that in view of the present

and future need for land on the part of the indigenous inhabitants of the Territory, the Administering Authority should conserve the land resources and not part with large tracts in favour of large corporations and development schemes.

3. Secondary industries

The representative of the Soviet Union expressed the opinion that special attention should be paid to the development of local industries based on local resources and to the creation of an independent and natural basis for the purpose of producing consumer goods for the indigenous population. Such plans should be submitted to the Trusteeship Council.

4. Taxation

The representative of the Soviet Union expressed the Council should include in its report a recommendation that the present system of taxation should be reconsidered and replaced by a system of progressive taxation founded on ability to pay. Moreover, local and central tribunals including representatives of the indigenous taxpayers should be established for appeals by the indigenous inhabitants against tax assessment.

D. SOCIAL ADVANCEMENT

1. The representative of the United States of America proposed that the Council endorse the non-discriminatory racial policy of the administration and urge that special efforts be made to ensure that there be no discrimination against the indigenous inhabitants of Tanganyika, particularly in such matters as the enactment and enforcement of labour legislation and the provision of hospital and other medical facilities.

2. The representative of the Union of Soviet Socialist Republics observed that the system of indirect rule impeded social and economic progress and urged that steps be taken to abolish discrimination in the determination of wage rates of workers and salaries of indigenous and European medical and teaching personnel; that trade unions and worker groups be represented in the labour boards by elected representatives; and that legislative measures be taken to prohibit child labour and to regulate the conditions of the labour of juveniles. He noted the low level of employment among indigenous inhabitants and both he and the representative of Mexico commented on the low wages and suggested that the Administering Authority be asked to take action to raise them.

3. The representative of the Soviet Union commented on the unsatisfactory conditions of health and medical services in the Territory and the discrepancy between the facilities available for indigenous and European inhabitants, and suggested that the funds allotted on these services for the indigenous population should be increased substantially and that proper attention should be paid to the development and construction of medical centres, the building of hospitals and the medical training of indigenous inhabitants. Plans for these purposes should be submitted by the Administering Authority to the Trusteeship Council.

E. EDUCATIONAL ADVANCEMENT

1. Some representatives (Mexico, the Philippines, United States of America, Union of Soviet Socialist Republics) commented on the small proportion of children of school age attending school in the Territory, the small number of teachers and the extremely low propor-

tion of the total budget spent on education of indigenous inhabitants.

2. Some representatives (Mexico, the Philippines, United States of America) noted the statement of the Administering Authority that the political advancement of the Territory was mainly a question of education of the indigenous people. They also noted the small increase of the number of teachers envisaged under the Ten-Year Development Plan; they stressed the need for more indigenous teachers and for more funds to finance educational advancement. They expressed the hope that the Administering Authority would make special efforts to obtain precise statistics regarding the extent of illiteracy and the number of children of school age, to build libraries and to take other measures for adult education. They considered that the education programme deserved serious thought and vigorous action.

3. The representative of the Soviet Union stressed the disparity in expenditure and educational facilities for European, Asian and African children respectively. He proposed that the Council should urge the Administering Authority to increase expenditure on and expand facilities for primary, secondary and higher education including teacher training, to provide for the development of indigenous languages and culture and to take over from the missions the main responsibility for education and the primary and secondary schools in the Territory.

4. The representative of the Philippines stressed the desirability of giving more attention to the training of natives in higher education in order to have at least a small intellectual élite among the indigenous inhabitants who could then help lead in accelerating the political, economic, social and educational progress of the Territory.

PART III. Conclusions and recommendations

The Council, having examined the annual report on the administration of the Trust Territory of Tanganyika for the year 1947 and considered the statements made before the Council by the special representative of the Administering Authority, makes the following conclusions and recommendations designed to promote the interests of the inhabitants and their progressive development towards the ultimate objective of self-government or independence, in accordance with Chapter XII and XIII of the Charter and the relevant Trusteeship Agreement.

A. INTER-TERRITORIAL ORGANIZATION

The Council:

Desires to be kept informed regarding the effect of the Inter-Territorial Organization upon the political, economic, social and educational advancement of the indigenous population

Notes that the Inter-Territorial Organization was put into effect without prior consultation with the Trusteeship Council.

Notes the assurance by the Administering Authority that no extension of the authority of the East African Central Assembly or of the East African High Commission as regards Tanganyika is possible without the express approval of the Tanganyika Legislative Council.

Welcomes the assurance given by the Administering Authority that it is the firm intention of the Administering Authority to maintain the present status and identity

of Tanganyika and that no plan is envisaged which would involve annexation or the loss by Tanganyika of its status as a Trust Territory.

Considers it premature to form a definite opinion regarding the Inter-Territorial Organization and decides to postpone further consideration of the plan until further information has become available.

Notes that the Inter-Territorial Organization was put into effect without full prior consultation of the indigenous inhabitants of Tanganyika.

Expresses hope that the Administering Authority would consult the Trusteeship Council before undertaking any extension or modification of the present arrangement which might affect the status of Tanganyika.

B. POLITICAL ADVANCEMENT

1. Electoral system

The Council:

Notes that no electoral system exists and that no legislation on this subject is at present contemplated.

Notes that it is an ultimate objective of the Administering Authority to provide for the election of members to the Legislative Council, and desires to be informed in the annual reports of the steps taken toward achievement of this goal;

Expresses the hope that the Administering Authority will take further steps as may be appropriate to foster the participation of the indigenous inhabitants in political development so as to attain the objectives of Article 76 b of the Charter and article 6 of the Trusteeship Agreement.

Recommends that the Administering Authority should introduce electoral legislation and stimulate political education among the indigenous inhabitants, so as to attain the objectives of Article 76 b of the Charter and article 6 of the Trusteeship Agreement on this particular point, in order that institutions of local self-government should be established and the participation of the indigenous inhabitants in the legislative and executive bodies of the Territory be assured on the basis of a democratic electoral system.

2. Native Administration

The Council:

Notes with satisfaction the programme initiated by the Administering Authority of encouraging the indigenous inhabitants to participate in local administration and desires to be informed of the progress of this programme.

Considers that the now existing tribal structure is an obstacle to the political and social advancement of the indigenous inhabitants.

C. ECONOMIC ADVANCEMENT

1. Development plans

The Council:

Desires in future reports to receive information regarding the progress of the Groundnut Scheme and regarding the effect which this scheme is having upon the political, economic, social and educational advancement of the inhabitants of the whole Territory.

2. Land utilization

The Council:

Invites the Administering Authority to consider whether its policy of setting aside large tracts of land for development schemes will affect the preservation of adequate land resources for the needs of the indigenous inhabitants.

3. Secondary industries

The Council:

Suggests to the Administering Authority that, in developing its plans for the economic advancement of the Territory, special attention be paid to the establishment of secondary industries based on local resources for the purpose of producing consumer goods for the indigenous population.

4. Taxation

The Council:

Suggests that the Administering Authority consider whether the present system of taxation, as far as it concerns the indigenous population, is satisfactory and whether it is based on ability to pay.

Suggests that the Administering Authority consider the establishment of local and central tribunals for appeals by the indigenous inhabitants against tax assessments.

D. SOCIAL ADVANCEMENT

1. Discrimination

The Council:

Draws attention to the importance of ensuring that there be no discrimination against the indigenous inhabitants particularly in such matters as employment, wages and salary payments, the enactment and enforcement of labour legislation, and the provision of hospital facilities and medical services.

2. Child labour

The Council:

Considers that in the field of labour legislation a policy of prohibiting the use of child labour and of restricting the employment and of safeguarding the work of minors on plantations and in industrial undertakings should be followed.

3. Public health

The Council:

Suggests that the Administering Authority pay particular attention to the development and construction of medical centres, the building of hospitals and the training of medical personnel, including qualified physicians recruited from among the indigenous inhabitants; and suggests that increased appropriation for this purpose be made available and that information on these developments be included in the next annual report.

4. Wage rates

The Council:

Suggests that the Administering Authority consider measures to improve the standard of life by increasing substantially the wage level of the indigenous inhabitants particularly in large corporations, in industrial districts and in plantations.

E. EDUCATIONAL ADVANCEMENT

The Council:

Recognizes the inter-relationship between educational and political advancement.

Recognizes that the present educational facilities are inadequate.

Takes note of the Ten-Year Development Plan.

Expresses its concern and calls to the attention of the Administering Authority the disparity in expenditure and educational facilities for European, Asian and African children respectively.

Suggests that the Administering Authority in undertaking its forthcoming census in Tanganyika make a

special effort to obtain precise statistics regarding the extent of literacy and the number of children of school age.

• Suggests that ways and means be found to make increased appropriations for education, including the training of teachers.

Suggests that the Administering Authority pay particular attention to mass education for the eradication of illiteracy and to the education of adults to prepare them for assuming greater administrative and governmental responsibilities.

Suggests that the Administering Authority take steps to prevent a relapse into illiteracy on the part of the partially-educated indigenous inhabitants.

Suggests that in view of the illiteracy prevalent among the indigenous population the Administering Authority should take effective steps to expand primary and secondary education as well as institutions of higher learning.

Suggests that consideration be given by the Administering Authority to the development of indigenous languages and culture.

b. MINORITY VIEWS OF THE REPRESENTATIVE OF THE U.S.S.R.

The Soviet representative:

1. Considers that the Inter-Territorial Organization of East Africa comprising Tanganyika and the adjacent colonial territories, Kenya and Uganda will lead to the loss by Tanganyika of its status as a Trust Territory and to its annexation and that the Inter-Territorial Organization is an obstacle to the attainment of self-government or independence by the people of Tanganyika.

2. Recommends that the Colonial Paper No 210 should not be applied to the Trust Territory of Tanganyika since it is inconsistent with the basic objectives of the trusteeship system.

3. Recommends that appropriate legislative measures be taken by the Administering Authority to create a separate administration for Tanganyika.

4. Recommends to the Administering Authority that it should submit in advance for the consideration of the Trusteeship Council draft legislation in any way affecting the status of Tanganyika as a Trust Territory.

5. Recommends that the Administering Authority plan and put into effect the necessary changes in the present structure of native administration in such a way as to give the indigenous inhabitants an opportunity to establish and develop self-government institutions and to ensure their participation in the legislative and executive organs of the Territory on the basis of popular representation through democratic methods (electoral system).

6. Is of the opinion that the Groundnut and the Sukumaland Schemes would not benefit the indigenous people, but disrupt the indigenous economy and the life of the indigenous inhabitants, and cause considerable displacements of the population.

7. Is of the opinion that the Groundnut Scheme would lead to concentration of millions of acres of land in the hands of non-indigenous population in spite of the fact that a considerable number of the indigenous inhabitants are landless and the indigenous population is growing rapidly.

8. Is of the opinion that the plans are not based on the freely expressed will of the indigenous people of the Territory as required by Article 76 b of the Charter.

9. Recommends that the Administering Authority

elaborate such plans of development of industry and agriculture in Tanganyika which would be based on the freely expressed will of the indigenous population of the Territory as is required by Article 76 b of the Charter.

10. Recommends that the Administering Authority should revise its policy of setting aside large tracts of land for development schemes with a view to the preservation of land resources for the needs of the indigenous inhabitants.

11. Recommends that the Administering Authority revise existing taxation of the indigenous inhabitants—poll and hut tax—which is imposed regardless of the property situation or ability to pay of the natives; and

That a progressive income tax system should be intro-

duced for the indigenous inhabitants and that local and central organs should be created for appeals against tax assessments and indigenous taxpayers should be represented on these organs of appeals.

12. Considers it essential that the Government Labour Board should include among its members trade union representatives or the representatives of workers in those branches of industry in which they are not organized in trade unions and that furthermore, these representatives should not be appointed by the Governor but should be freely elected by the trade unions or the workers employed in the industrial undertakings or on plantations.

13. Recommends that the Administering Authority and native organs of self-government take over the schools from the missions and the responsibility for education in the Territory.

H. PETITIONS

1. *Petition from the Leaders and Representatives of Western Samoa*

At its first session, the Council had approved a resolution authorizing the sending of a visiting mission to Western Samoa for the purpose of investigating a petition from leaders and representatives of Western Samoa, and reporting its findings back to the Council (resolution 4(I)).²⁰

A special visiting mission to Western Samoa was appointed comprising the following members:

Francis B. Sayre (United States), President of the Council;

Pierre Ryckmans, representative of Belgium on the Council;

Eduardo Cruz-Coke, of Chile.

Mr. Sayre was elected Chairman of the Mission. Peter Anker, Deputy-Director of the Division of Trusteeship, was appointed Secretary of the Mission, and Felix Keesing, Professor of Anthropology at Stanford University, California, accompanied the Mission in the capacity of expert consultant.

With the exception of Mr. Cruz-Coke, who arrived at Apia, Western Samoa, on July 9, 1947, the members of the Mission arrived at Wellington, New Zealand, on June 26 and made contact with members and officials of the New Zealand Government.

Prime Minister Peter Fraser of New Zealand received the Mission on June 28, 1947, and stated the view of his Government on the question of self-government for the Samoans. G. G. R. McKay, former Secretary of Native Affairs in Western Samoa; J. W. Davidson, lecturer on

colonial affairs at Cambridge University, England; Ernest Beaglehole, Professor of Anthropology at Victoria College, Wellington; J. C. Beeby, Director of Education in New Zealand; and Mr. Parsonage, Officer in Charge of Education in the Department of Island Territories in New Zealand, stated their views on this matter before the Mission.

On July 3 the Mission, accompanied by G. R. Laking, personal representative of the Prime Minister, and R. T. G. Patrick, Secretary of the Department of Island Territories, left for Samoa. It arrived in Apia on July 4.

During the first two weeks after the arrival of the Mission, a series of meetings and interviews was held with officials of the New Zealand Administration, representative Samoan leaders, members of the European Citizens' Committee, spokesmen for the religious missions, and other representative groups and individuals. During this time the Mission also visited a number of institutions such as schools and hospitals.

In view of the reference in the petition to the British protectorate of Tonga, the Mission made a short visit, from July 20 to 22, to the capital of that Kingdom to study its system of government.

Following its return to Samoa, the Mission spent ten days visiting the outlying districts of the country. From July 24 to 29 a tour was made through the island of Upolu, and from July 31 to August 3 a tour was made through the island of Savai'i. During these journeys, meetings and interviews were held with the district leaders and the population of the main villages, and a number

²⁰See *Yearbook of the United Nations*, 1946-47, p. 579.

of private individuals were granted hearings by the Mission. Schools, hospitals and religious missions were also visited.

The last three weeks in Samoa were devoted to final investigations, additional meetings with New Zealand officials and with Samoan and European leaders and to the preparation of the report to the Council.

The Mission left Western Samoa on August 28 and returned to headquarters in New York, where work on the report was completed and the final draft unanimously approved on September 12, 1947.

In its report (T/46 and Add.1), the Mission, reviewing the political, social and economic development of the people of Western Samoa, noted that the actual political organization and social structure of the Territory was sufficiently advanced to serve as the basis for progressive self-government. Nevertheless, the Mission was of the opinion that the people of Western Samoa were not at the present time capable of assuming, without assistance from outside, full responsibility for the government of the Territory. The Samoan people themselves recognized to a considerable degree their own limitations and the necessity of receiving help. Such help, however, would not be welcomed by the Samoan people unless a government were established in which the people would have an important or even a dominant role in the making of decisions.

In the circumstances the Mission felt that fundamental reforms should be introduced in the administration of Western Samoa.

The Mission recommended that a Government of Western Samoa should be established. At the head of the Government of Western Samoa, there should be a representative of the New Zealand Government and a representative or representatives of the inhabitants of Western Samoa, sitting together as a Council of State or High Council.

The representative of the New Zealand Government should preside over the Council of State. To stress the difference from the old regime, he should have the title of High Commissioner.

The New Zealand Government, as the Administering Authority, should exercise powers commensurate with its responsibilities under the Charter and the United Nations Trusteeship Agreement. The New Zealand Government should reserve control over the adoption and amendment of the constitution, external relations, defence, loans, control of foreign exchange and audits of public accounts. The New Zealand Government

should also retain the right to initiate and enact legislation through acts of the New Zealand Parliament and Orders-in-Council of the Governor-General.

The Government of New Zealand should appoint the High Commissioner and the Chief Judge of the High Court.

The High Commissioner should preside over the Government. He alone should have the power of legislative initiative in financial bills, and he should also have the right to initiate legislation on all other matters. He should have the right to disallow all measures passed by the legislature of Western Samoa. All instances in which this right was used should be mentioned in the annual report on the administration of the Territory.

The Samoan people should be represented in the Government of Western Samoa. The three Fautua (High Chiefs and Advisers), who were universally recognized as qualified to represent the Samoan people, should for the present act as the representatives of the local inhabitants in the Council of State, which would be the Supreme Body of the Government of Western Samoa. The High Commissioner and the Fautua would constitute the Council of State, which on all appropriate occasions would represent the Government of Western Samoa.

The Mission believed that legislative power should be placed in the hands of a local legislature, subject to the rights reserved to the Administering Authority. The legislature should consist of a single body. Samoan representation should have an absolute majority in the legislature.

The President of the legislature should be chosen from among its members. All members of the legislature should have the power to initiate legislation, with the exception of purely financial bills. The annual budget should be presented to the legislature by the High Commissioner, and the legislature should have power to discuss and make recommendations thereon.

The representatives of the Samoan people should have the power to initiate legislation on all matters except those reserved to the Administering Authority, and to advise the High Commissioner on all matters relating to the government and welfare of Western Samoa. This should include the right to be consulted on the choice of the heads of executive departments, and also on any emergency regulations proposed by the High Commissioner.

In its report, the Mission made certain other recommendations regarding changes in village and district government, the constitutional recognition

of Samoan customs and traditions, the eventual abolition of legal distinctions between residents of "European" and "Samoan" status, the achievement of racial equality, the establishment of a Samoan public service in the field of public administration, improved services in the fields of education and health and the development of the economic resources of Western Samoa.

In conclusion, the report expressed great satisfaction that the plans for the new Government of Western Samoa which the New Zealand Government had outlined to the Mission were closely in line with the report's recommendations.

The New Zealand Government, as the Administering Authority concerned, submitted to the Council a communication (T/P.62) dated November 21, 1947, containing its observations on the Mission's report. In its communication the New Zealand Government expressed its intention of transferring progressively to the people of Western Samoa a greater measure of responsibility for the government of the Territory, and stated that any steps which might be taken immediately would be the first of a series leading ultimately to full self-government for the people of Western Samoa.

George Laking was designated as special representative of New Zealand for the examination of the report by the Trusteeship Council, with the special task of supplying any additional information which the Council might desire regarding the bill which had been introduced in the New Zealand Parliament to give effect to certain of the proposals embodied in the report of the Mission.

The Council examined the report of the Mission to Western Samoa at the eighth, ninth, tenth and eleventh meetings of its second session (T/P.V.35, 36, 37 and 38). In the course of the discussion which took place at the eighth meeting of the Council, the members expressed general satisfaction with the report of the Mission, which, it was generally considered, was objective and constructive in its approach. The representative of Iraq expressed dissatisfaction with the form of the report. He thought that a chapter should have been set aside for recommendations. The fact that in the report before the Council the recommendations were scattered throughout the text caused some difficulty, he stated, in distinguishing fact from opinion. In the opinion of the representative of China there were certain passages in the report which were irrelevant and sometimes contradictory or inconsistent. The representatives of China and Iraq also raised a number of questions concerning the substance of the report. These concerned mainly the

status of the European residents of Samoa, who, according to the Mission's recommendations, were to receive representation in the local legislature out of proportion to their number and who were to receive special protection of their interests in certain other respects. Other questions raised concerned the structure of the Government of Western Samoa proposed by the Mission, the relation of that Government to the Administering Authority and the powers and functions of the High Commissioner.

At the ninth meeting the representative of China presented a draft resolution (T/P.V.36, pp. 22-25) which was discussed at length and was finally referred to a drafting committee composed of the representatives of China, Belgium, Iraq and Mexico. In redrafting the resolution the committee took into account changes in wording proposed by the representatives of Iraq, Belgium, New Zealand and France.

The drafting committee's text, with some further modifications, was unanimously adopted by the Council at the tenth meeting of the second session on December 5, 1947.

By the resolution (13(II)) thus adopted, the Council, noting with satisfaction the declared policy of the Administering Authority, as reaffirmed in the communication from the delegation of New Zealand of November 21, 1947, resolved that at the present time the people of Western Samoa should be accorded such measures of self-government as were indicated in the report made by the Council's Visiting Mission. It also resolved that the people should be encouraged and assisted to assume increasing responsibilities for self-government and ultimately be accorded full self-government as soon as they were capable of assuming the responsibilities involved.

After the adoption of the resolution a number of representatives expressed a desire to continue the discussion of the substance of the report. Other representatives were of the opinion that further discussion was superfluous in view of the Council's action. Any points to be raised, they considered, should have been discussed before the Council adopted its resolution. The discussion was nevertheless continued to the eleventh meeting of the Council's second session (T/P.V.38), the representatives of the United States, Mexico, Costa Rica and the Philippines addressing questions on points of detail to the special representative of the Administering Authority and offering comments on particular aspects of the Mission's report.

2. Other Petitions Considered during the Second Session

The Council had before it at its second session 43 petitions, all of which had been addressed to the Secretary-General directly and had been transmitted by him to the members of the Council.²¹

At the third meeting, the Trusteeship Council appointed, in accordance with rule 90 of its rules of procedure, an *ad hoc* committee on petitions composed of four members (Belgium, China, Iraq and the United Kingdom) to classify the petitions and make recommendations to the Council as to the admissibility of each one.

The Council accepted the recommendation of the *ad hoc* committee (T/57) that the petitions be classified, for purposes of examination, into the following seven groups:

- (a) Petitions from Togoland under British administration and Togoland under French administration;
- (b) Petitions from Tanganyika and Cameroons under British administration questions relating to repatriation;
- (c) Other petitions concerning Tanganyika;
- (d) General petitions relating to the ILO Draft Convention concerning Social Policy in Non-Metropolitan Territories;
- (e) General petitions concerning special areas (polar and strategic) and strategic raw materials;
- (f) Petitions concerning former Italian colonies;
- (g) Other general petitions.

4. PETITIONS FROM TOGOLAND UNDER BRITISH ADMINISTRATION AND TOGOLAND UNDER FRENCH ADMINISTRATION

The Council had before it a number of petitions from representatives of the Ewe people in Togoland under British administration, in Togoland under French administration, in the Belgian Congo, and in the Gold Coast.²² All these petitions involved a request that Eweland, which the petitioners stated was at present partitioned between Togoland under British administration, Togoland under French administration and the Gold Coast Colony, should be unified under a single administration.

The Governments of France and the United Kingdom, which were the Administering Authorities concerned, had submitted to the Council a joint memorandum on the petitions (T/58) setting forth economic, fiscal and cultural measures proposed by them with a view to improving the conditions of the Ewe people. The proposed measures were as follows:

- (i) Instructions to local authorities to remove as far as possible obstacles which impede the movement of individuals and the transport of their personal property as well as commerce in local goods.

(ii) Establishment of a conventional zone designed to remove all the disabilities resulting from the customs frontier, although the present system of exchange control would be retained.

(iii) Measures to remove double taxation and to equalize the tax burden imposed upon the people of the respective territories;

(iv) To the maximum extent which staff and equipment allow, the teaching of both English and French in the secondary schools of the respective territories, and the establishment of a university fund to permit exchange of especially qualified students;

(v) Establishment by the French and British Governments of a Standing Consultative Commission for Togoland Affairs to follow up the implementation of the above measures.

An opportunity to make an oral presentation in support was requested in paragraph 19 of the petition from the All Ewe Conference, Accra, Gold Coast, dated August 9, 1947 (T/PET.6/5-T/PET.7/6). At the second meeting, on November 20, 1947 (see T/P.V.29), the Council discussed whether to grant the petitioners' request. The President stated that he interpreted rule 80 of the rules of procedure to mean that the Trusteeship Council could, as a matter of grace, and not of right, grant the hearing of oral petitions.

The representatives of France and Belgium suggested that the Council set a very short time limit for the appearance of the petitioners, as it should be understood that the Council was not at the disposal of any petitioner to present his case at any time. They also expressed the view that the only persons who could rightly be heard before the Trusteeship Council were those who had signed the petition. This would exclude lawyers and other persons not directly interested in the matter.

The representatives of New Zealand and Mexico urged that the Council make a liberal interpretation of rule 80 and stressed the importance of allowing the petitioners sufficient time to make the necessary arrangements to appear before the Council. The representatives of Iraq and China stated that the point raised as to whether the hearing ought to be a matter of grace or of right did not arise at all. As it was generally agreed that the petition from the All Ewe Conference was important, the Council should decide on the petitioners' request without raising points of principle not involved in the present instance.

The Council, on the proposal of the representative of Mexico, decided unanimously to grant an oral hearing to a representative of the Ewe peti-

²¹For the text of each of these petitions, see *Official Records of the Trusteeship Council, Supplement to the Second Session*.

²²T/PET.6/1, 7/1; T/PET.6/2, 7/3; T/PET.6/3, 7/4; T/PET.6/4, 7/5, T/PET.6/5, 7/6; T/PET.7/2; T/PET.7/7.

tioners, provided he could appear before the Council within two weeks from the date of the sending of the telegram informing him of the Council's decision. Thereupon, the All Ewe Conference designated as its representative Sylvanus E. Olympio, of Togoland under French administration.

In accordance with rule 92 of the rules of procedure, the Government of France designated Henri Laurentie and J. Mailler as special representatives for France, and the United Kingdom Government designated Thomas Mead as special representative of the United Kingdom, to be present during the examination of these petitions.

At the eleventh, twelfth and thirteenth meetings on December 8, 9 and 10, 1947 (see T/P.V. 38, 39 and 40), the Council considered the substance of the petitions from the Ewe people. At the eleventh meeting of the Council, Sylvanus E. Olympio presented to the Council an oral statement on behalf of the petitioners. The Ewe case, Mr. Olympio stated, was a simple one. It was the request of a tribe of over one million people to be allowed to live together under one roof and under one government, so that they could achieve peace and prosperity.

The Ewe country, with an area of about 10,000 square miles, had known effective European administration only since the last quarter of the nineteenth century. In 1884 the country was shared between Germany and Great Britain, the former occupying about three quarters of the area. The part then occupied by Great Britain today constituted the south-east corner of the Gold Coast Colony. As a result of the First World War, German Togoland was divided into Togoland under British Mandate and Togoland under French Mandate. Ewe land thus was artificially separated into three parts.

Mr. Olympio then gave a brief survey of the history of the demand for the unification of Ewe land from 1920 to the outbreak of the Second World War. During the Second World War, he stated, difficulties arose between the French and the British Governments, and, as a consequence, contact between the Ewe living in the British and French zones respectively became very difficult, and sometimes altogether impossible, during the years from 1940 to 1942. This state of affairs intensified the demand for unification and culminated in the creation of the All Ewe Conference, which, Mr. Olympio asserted, had the full backing and the authority of the Ewe people in all the territories. The aim of this organization, composed of traditional Chiefs, Elders and other leaders of the Ewe country, was to co-ordinate the demands

of the Ewe people for unification under a single administration.

As regards the measures proposed in the joint memorandum, he stated that the Ewe people felt that the Administering Authorities were sincerely disposed to help them. He considered, however, that the measures proposed were hopelessly inadequate and did not solve the basic problem. In order to ensure the orderly and sure progress of the Ewe country, a common educational system, the same political organization throughout the land and economic unity were required. This, in the opinion of the petitioners, could be brought about only by the complete unification of the country under one administration.

At the twelfth meeting of the Council, on December 9, 1947, the special representative of France presented the views of the Administering Authorities. He stated that until the Second World War the partition of the Ewe between French and British Togoland had not created any difficulties, as there was a free exchange of people and goods across the border. The situation changed in 1940, when the Vichy Government closed the border of French Togoland. Although French Togoland rallied to the Committee of National Liberation in 1943, British Togoland was in a better condition throughout the war, having benefited from Allied assistance and supplies since 1940.

The French representative stated that it was the wartime difficulties of the Ewe people that had caused the idea of unification to thrive. This doctrine was not of popular origin, but had been propagated by the élite towards the end of hostilities and after the war.

He stated further that the only political organization that existed when Europeans began to colonize Africa was based on the tribe. It had been the aim of the Administering Authorities to broaden this too narrow framework within which the African population had been living. The idea of Ewe nationalism, he stated, was a renaissance of the African tribal spirit in a modernized form. It showed all those marks of being exclusive which had always characterized tribal spirit in Africa. If this tendency were followed, Africa would, in the opinion of the Administering Authorities, return to the state of fragmentation found by the European colonizers.

The representative of France stressed that Africa was in a state of transition and that it was too early to predict what form of political organization would ultimately prevail—tribal nationalism, some form of provincial autonomy or a more compre-

hensive organization based on a broad African national consciousness.

The purpose of the measures proposed by the Administering Authorities was to ameliorate the conditions justly complained of by the Ewe people without prejudging the political future of Africa, the representative of France stated. The proposed measures were transitional, but the Administering Authorities were convinced that they were practical and would to a large extent remove the barrier between British and French Togoland without removing the border. The program outlined in the joint memorandum could be implemented immediately to the advantage of the Ewe people without committing the future of Africa.

The special representative of the United Kingdom, in supplementing the remarks of the representative of France, referred to the fact that a number of tribes other than the Ewe were living in Togoland who might not all identify themselves with the Ewe cause. He also stressed that in his view a change of administration would involve considerable difficulty for the people of at least one of the territories, involving, for example, a change of official language.

After the members of the Council had addressed questions to the special representatives of the Administering Authorities and also to Mr. Olimpio, they engaged in a general discussion of the Ewe petitions, in which, in addition to representatives of the Administering Authorities, the representatives of Belgium, New Zealand, China, Australia and the United States participated.

It was generally agreed that the Ewe complaint deserved sympathetic and careful consideration. The representatives of France and the United Kingdom appealed to the Council to give their proposals a fair trial. The representative of Belgium expressed the view that unification of administration was not necessarily the best solution of the problem. In view of the unforeseeable difficulties which might result from an invitation by the Trusteeship Council to the Administering Authorities to erase the border, he urged that the Council should encourage the Administering Authorities in the practical policy they had outlined in order to remove all the difficulties and genuine hardships which were involved in the existence of the border between French and British Togoland.

The representative of New Zealand thought that it was generally recognized that the border caused hardships and that there was real resentment among the Ewe. He stressed that their desire for unification must be taken into account. He considered the solution proposed in the joint memo-

randum only a partial solution which did not really go to the bottom of the problem, for if the Ewe people wished ultimately to see a Ewe State and to obtain self-government, then it was doubtful indeed whether they would ever become really ready for self-government while they were under two separate administrations. As an immediate step, however, the proposals of the Administering Authorities should be accepted, on the understanding that the Council would see how they worked out in practice and that to this end the Trusteeship Council would, as soon as possible, send a mission to Togoland.

The representative of China concluded that to place the Ewe people under separate administrations was not conducive to the promotion of their political, social and economic advancement and would retard their development towards self-government or independence. He thought that the Ewe people had an indisputable case and that the measures proposed by the Administering Authorities did not go far enough to meet the wishes of the people. The least the Council should do was to come to the conclusion that the present *status quo* was entirely unsatisfactory and obstructed the progressive development of the people in the direction of self-government.

The representative of Australia stressed the difficulties involved in a proposal for unification and the need for further careful consideration of the whole problem before reaching any final conclusions. He suggested that the Council should give very great weight to the advice of the Administering Authorities. In general, he considered the joint memorandum to present a sound approach grounded in present realities and affording opportunity for development. He thought that it should be made clear that the proposals had not merely a negative value in the sense of removing disadvantages, but had a positive objective as well. Any resolution on the Ewe petitions should include a recommendation that there should be special reports on the implementation of the plan. The Council might also request that greater precision be given to the program of co-ordination.

The representative of the United States fully supported the views of the representative of New Zealand and suggested that the Council should adopt a resolution welcoming the joint proposals of the Administering Authorities as an immediate step. After a reasonable time a visiting mission should investigate on the spot the implementation of the measures proposed by the Administering Authorities. The Council should review the entire question after receiving the report of the visiting

mission. Following the examination of the petitions in plenary session the Council referred to a Drafting Committee on Petitions composed of four members (Australia, China, Iraq and the United States) the drafting of a resolution setting forth the conclusions of the Council on the petitions. The Drafting Committee on Petitions recommended a resolution (T/109), which, with a few changes, was unanimously adopted as resolution 14(II) by the Council at the seventeenth meeting on December 15, 1947 (T/P.V.44).

In the resolution the Council noted that the petitions of the All Ewe Conference represented the wishes of the majority of the Ewe population and that the representatives of the Administering Authorities had recognized the point of view of the Ewe people. The Council observed also that the existing frontiers dividing the Ewe people had been a cause of real difficulty to them and that this division had aroused resentment on their part.

The Council welcomed the measures proposed by the Administering Authorities as representing an earnest and constructive initial effort to meet the immediate difficulties of the problem described in the petitions. The Council noted that the representative of the All Ewe Conference considered those measures to be inadequate, as not providing for a sufficient unification of the Ewe people by means of a single administration, a common political organization, economic unity and a common educational system, and that, therefore, they would not solve the basic problem complained of in the petitions.

The Council recommended that the Administering Authorities concerned should foster the association and co-operation of the Ewe people and assist and encourage them to develop their capacity for self-government, through free discussion among themselves and through progressively increasing opportunities for primary and secondary education.

The Council also invited the Administering Authorities concerned to consult with each other and with Ewe representatives with a view to evolving further measures for fulfilling the wishes of the Ewe people as expressed in the petitions.

The resolution finally provided that the first visiting mission to the Trust Territories of Togoland under British administration and Togoland under French administration should devote special attention to the problem set forth in the petitions and to the implementation of measures designed to deal with it, and the Council should re-examine the problem stated in the Ewe petitions at the session at which the report of the visiting mission would be considered.

Contained in a preamble to the resolution there is, *inter alia*, a paragraph dealing with one other issue raised in one of the Ewe petitions (T/PET.7/7), dated November 4, 1947. In that petition, Augustino de Souza called attention to the fact that a planned All Ewe Congress had been forbidden by the French authorities. Commenting upon this matter, the special representative of France said that French authorities had forbidden the Congress in question because they thought that the views of the Ewe people concerning unification had been adequately presented in their petitions to the Trusteeship Council and that, on the eve of the Council's examination of those petitions, it would be both useless and improper to hold a congress of this kind and for this purpose. The Council obtained the assurance of the special representative of France that "it is the policy of his Government to grant full freedom of assembly to the people of the Trust Territory and that tribal meetings and meetings of various sections of the Ewe population will not, shall not and cannot be forbidden or repressed" (resolution 42(II)).

b. PETITIONS FROM TANGANYIKA AND CAMEROONS UNDER BRITISH ADMINISTRATION: QUESTIONS RELATING TO REPATRIATION

Sixteen petitions²³ were presented to the Council from German and Italian residents or former residents of the Trust Territories of Tanganyika and Cameroons under British administration. Some of the petitioners were about to be and some had already been repatriated to Germany or Italy. The plea made in the petitions was that the repatriation orders issued by the Tanganyika Government should be revoked. In some cases the petitioners asked for permission to return to Tanganyika and Cameroons under British administration.

The petitions were examined by the Council at the fifth (December 1, 1947) and seventeenth (December 15, 1947) meetings of the second session (T/P.V.32 and 44). The Government of the United Kingdom, which was the Administering Authority concerned, had submitted to the Council its observations on the petitions in communications dated November 21 (T/71) and December 11, 1947 (T/89).

The representative of the Administering Authority for the Trust Territory of Tanganyika agreed that those petitions which had been presented after the date prescribed in rule 86, paragraph 3(b), of the rules of procedure should be considered during the second session.

²³T/PET.2/24-29, T/PET.2/32-41, and T/PET.4/1.

The Government of the United Kingdom designated Ian Watt of the Colonial Office as special representative of the United Kingdom for the examination of the Tanganyika petitions.

Following a preliminary examination of the petitions in plenary session in consultation with the special representative of the United Kingdom, the drafting of resolutions was referred by the Council to the Drafting Committee on Petitions. The Committee recommended to the Council four resolutions, which were adopted by the Council (resolutions 15(II), 16(II), 17(II) and 18(II)).

In the resolutions, the Council noted that the petitions concerned residents and former residents of German and Italian nationality who had been, or would be, dealt with in accordance with the repatriation policy of the Administering Authority, and that the questions raised related to the implementation of the policy, which had received the general approval of the Council at its first session.²⁴ The Council reaffirmed its approval of this policy, under which no German or Italian was to be repatriated solely on account of his nationality. The Council had received assurances from the Administering Authority that the policy adopted was of a selective nature, the object being the exclusion of all Germans and Italians who had at any time held Nazi or Fascist sympathies or who would be personally undesirable inhabitants of the Territory, the latter category including persons with criminal records or unable to support themselves.

The representative of France did not participate in the discussion or vote on these petitions, declaring that his Government regarded the petitions as lying beyond the Trusteeship Council's competence in view of Article 107 of the Charter.²⁵

c. OTHER PETITIONS CONCERNING TANGANYIKA

Three petitions in this group were before the Council. In a letter (T/67) dated November 21, 1947, the representative of the United Kingdom stated that his Government did not agree that a petition presented by Marius Fortie (T/PET.2/40) after the date prescribed in rule 86, paragraph 3(b), of the rules of procedure should be considered at the present session, since there had been insufficient time in which to study the various points raised by the petitioner. At the fourth meeting (T/P.V.31) the Council agreed that the examination of this petition should be postponed until its next session.

The two other petitions, presented respectively by Raja Mahendra Pratap (T/PET.2/30) and H. Arnesen (T/PET.2/31), were examined by the

Council at the fourth meeting (T/P.V.31) in consultation with Ian Watt, special representative of the United Kingdom. Regarding them, the Drafting Committee on Petitions recommended for the approval of the Council two resolutions, which were adopted by the Council (resolutions 19(II) and 20(II)).

In the resolution concerning the petition from Raja Mahendra Pratap, the Council noted that the subject-matter of the petition involved the problem of the establishment of a Jewish state in Tanganyika, a question which did not fall within the jurisdiction of the Trusteeship Council, and decided that no action was required thereon (resolution 19(II)).

In the resolution concerning the petition from H. Arnesen, the Council considered that no action was possible because the matter complained of was not set forth in sufficiently precise terms (resolution 20(II)).

d. GENERAL PETITIONS RELATING TO THE ILO DRAFT CONVENTION CONCERNING SOCIAL POLICY IN NON-METROPOLITAN TERRITORIES

During its first session the Trusteeship Council had considered two petitions relating to the terms of the draft Convention concerning Social Policy in Non-Metropolitan Territories drawn up by the International Labour Office, with particular reference to discrimination on the basis of sex, and had decided to transmit copies of them to the International Labour Office with a request that the Council be advised of any action the International Labour Conference might take on the questions raised in them.²⁶

In reply to a letter dated May 20, 1947, which the Secretary-General sent to the International Labour Office in pursuance of the decision of the Council, the Director-General of the International Labour Office informed the Trusteeship Council of the action taken by the International Labour Conference, which had prepared a draft convention prohibiting by law any discrimination in matters of employment (T/51).

Six petitions before the Council at its second session dealt with the same subject-matter (T/PET/GENERAL 3-9). The Council examined them at the fourth meeting (T/P.V.31), at which the representative of the International Labour Office informed the Council that the petitions

²⁴See *Yearbook of the United Nations*, 1946-47, p. 579.

²⁵For text of the Charter, see Appendix I.

²⁶See *Yearbook of the United Nations*, 1946-47, p. 580.

transmitted to the International Labour Office by the Secretary-General had been taken into account by the International Labour Conference and that, to some extent, the wishes of the petitioners had been complied with in the proposed conventions prepared by the International Labour Office.

The Council decided that no action on these petitions was required and adopted a resolution (21(II)), prepared by the Drafting Committee on Petitions, noting the action already taken by the International Labour Conference on the subject-matter involved in the petitions.

e. GENERAL PETITIONS CONCERNING SPECIAL AREAS (POLAR AND STRATEGIC) AND STRATEGIC RAW MATERIALS

At the fourth meeting (T/P.V.31) the Council examined five petitions of this group. Three of them (T/PET/GENERAL 15, 16 and 18) contained proposals to internationalize the polar regions of the globe; one (T/PET/GENERAL 17), a proposal that strategic areas, both land and water, be placed under international control and protected by the United Nations; and one (T/PET/GENERAL 11), a proposal for the international control of production and distribution of strategic raw materials in Non-Self-Governing Territories or Trust areas.

The Council adopted three resolutions recommended by the Drafting Committee on Petitions (resolutions 22(II), 23(II) and 24(II)) whereby the Council decided to take no action on the petitions, on the ground that the petitions dealt with matters beyond the Council's competence.

The view had been expressed by certain members of the Council (Belgium, Australia and the United States) that petitions, to fall within the Trusteeship Council's competence, must deal with matters concerning the administration and supervision of *existing* Trust Territories. On the other hand, the view had been expressed, particularly by the representative of China, that all petitions pertaining not only to a Trust Territory but to the "operation of the International Trusteeship System"²⁷ should be considered admissible in principle, even if they came from bodies not inside the Trust Territories (T/P.V.30 and 31).

f. PETITIONS CONCERNING FORMER ITALIAN COLONIES

The Council examined, at the fourth meeting (T/P.V.31), three petitions concerning former Italian colonies (T/PET/GENERAL 12, 13 and 19). Following a preliminary examination by the Council, the Drafting Committee on Petitions

drafted a resolution which was approved by the Council (resolution 25(II)). Under the terms of the resolution, the Council decided that no action was called for on these petitions since they went beyond the Council's competence.

g. OTHER GENERAL PETITIONS

At the fourth and seventeenth meetings (T/P.V.31 and 44) the Council examined three petitions in this group. One petition concerned the views of the International Alliance of Women, of London, with regard to the status of women in the work of the Trusteeship Council (T/PET/GENERAL 7).

The Council decided that no action was called for on these petitions and authorized the President to reply in this sense to the petitioners.

In regard to a petition from the International Service Seminar (T/PET/GENERAL 10) concerning suggested modifications of Articles 73 and 87 of the Charter of the United Nations, and a petition from Charles Pelton (T/PET/GENERAL 14) presenting a plan for universal colonial and mandate trusteeship under the United Nations, the Council adopted two resolutions recommended by the Drafting Committee on Petitions (resolutions 26(II) and 27(II)) stating that no action was required by the Council.

3. Petitions Considered during the Third Session

The Council had before it at its third session thirteen petitions,²⁸ of which ten had been addressed to the Secretary-General directly, two had been addressed to him through the Administering Authority concerned, and one had been addressed to another person for transmission to him.

At the third meeting the Council decided that it was unnecessary to appoint, under rule 90 of the rules of procedure, an *ad hoc* committee to undertake a preliminary examination of the petitions, and adopted the recommendation of the Secretariat that they be classified as follows:

- (a) Petition concerning Togoland under British Administration and Togoland under French Administration;
- (b) Petitions concerning Cameroons under British Administration;
- (c) Petitions concerning Tanganyika.

At the tenth meeting on June 28, 1948, the

²⁷Rule 76, Rules of Procedure of the Trusteeship Council (T/1/Rev.1).

²⁸For the text of each of the petitions, see *Official Record of the Trusteeship Council, Supplement to the Third Session*.

Council appointed a Drafting Committee on Petitions, consisting of Australia, Iraq, the Philippines and the United States.

a. PETITION CONCERNING TOGOLAND UNDER BRITISH ADMINISTRATION AND TOGOLAND UNDER FRENCH ADMINISTRATION

The Council had before it a petition from the Togoland Progress Party, dated November 29, 1947 (T/PET.6/10, 7/12), containing a motion of the Party, supported by declarations of certain African chiefs in Togoland under French administration, opposing the unification, under a single Administering Authority, of the two Trust Territories now administered respectively by France and the United Kingdom. The petitioners, moreover, expressed approval of the joint proposals of the Administering Authorities concerned²⁹ for closer co-operation in the administration of the two Territories.

The petition was considered by the Council at the seventh meeting on June 23, 1948 (T/SR.80). As the Council had thoroughly examined the matter at issue at its second session and had decided to examine it anew at the session at which the report of a visiting mission to the two Territories would be considered, and as it had decided also to postpone to its fourth regular session consideration of the annual report for the year 1947 on the administration of Togoland under French Administration,³⁰ the Council decided that consideration of the petition should be postponed.

b. PETITIONS CONCERNING CAMEROONS UNDER BRITISH ADMINISTRATION

There were three petitions in this group before the Council.

(1) *Petition from the St. Joan's Social and Political Alliance*

In a petition dated November 28, 1947 (T/PET.4/2), the St. Joan's Social and Political Alliance, of London, called to the Council's attention an article in the *Catholic Citizen* concerning the customs of compulsory marriage and child marriage prevalent among the chiefs of the Tikar communities in the Bamenda Division of the Cameroons under British administration.

The Government of the United Kingdom, the Administering Authority concerned, had submitted its comments on the petition in a communication (T/178) dated June 7, 1948. After giving a detailed account of the practices brought to the Council's attention by the St. Joan's Social and Political Alliance, the communication of the United

Kingdom Government stated that it was not surprising that the strange customs which persisted particularly in parts of the Cameroons were shocking to Christian sentiment. These practices, however, the United Kingdom Government submitted, were based on the strongest superstitious beliefs and there could be no question of attempting to achieve a sudden break with long established tribal custom. It was the policy of the Administration to endeavor to achieve a gradual modification of custom and at the same time to ensure that individual hardship or cruelty was prevented. Indicating the important part played by missionaries in combating native customs through the spread of education and Christianity, the United Kingdom Government stated that future improvement in the situation must depend on continued efforts of the missionaries supplemented by the influence and advice of Government officers. The communication finally stated that a woman education officer had recently been stationed in the area; she would endeavor to raise the standard of child welfare and domestic life and generally to accelerate the necessarily slow process of improving the status of women.

The petition was examined at the seventh meeting on June 23, 1948 (T/SR.80). The representative of the United States questioned whether the document before the Council was, in fact, a petition. He stated that the communication from the St. Joan's Social and Political Alliance merely called the Council's attention to a custom current among the Brikom tribe of the Cameroons under British administration and did not ask the Council to take any definite steps. In view of these circumstances and in view of the statement of policy contained in the communication from the Administering Authority, the United States representative considered that there was no need to take any action in regard to this petition. The representative of the United Kingdom shared the views of the representative of the United States and suggested that the Council should merely take note of the document in question.

The representatives of the Philippines, France, Belgium and New Zealand, on the other hand, expressed the view that some action on the part of the Council was required. Otherwise its attitude might be interpreted as indifference towards the existence of the customs in question. The representative of Belgium suggested that the Council should condemn the practices of compulsory and child marriage and express the hope that the Ad-

²⁹See p. 764.

³⁰See p. 735.

ministering Authority would take every measure to put an end to it. The representative of France thought the Council should ask to be kept informed of progress in the matter. The representatives of New Zealand and the Philippines felt that the Council did not have adequate knowledge of the facts involved, and called for investigation by a visiting mission.

The representative of the U.S.S.R. proposed that the matter be referred to the Commission on Human Rights or to the Commission on the Status of Women. He also expressed disapproval of the policy outlined by the Administering Authority in its communication of June 7, 1948 (T/178). It appeared, he stated, that the United Kingdom Government had decided to leave the task of combating the customs of the Brikom tribe to the missionaries. In the view of the U.S.S.R. delegation, the principal part should be played by the officials of the Administration.

As regards the proposal to refer the question to one of the commissions of the Economic and Social Council, the majority of the members of the Trusteeship Council thought that no action by any other organ of the United Nations was called for in this case. Several representatives, however, suggested that the relevant documents should be sent to the Economic and Social Council for its information.

On the basis of the various suggestions advanced in the course of the Council's discussion the Drafting Committee on Petitions drew up a resolution (38(III)) which the Council adopted by a vote of 9 to 0, with 1 abstention, at the eighteenth meeting on July 7, 1948 (T/SR.91). In this resolution the Council condemned the customs of compulsory marriage and child marriage; noted that the Administering Authority was endeavoring to achieve a modification of the customs; requested the Administering Authority to keep it informed, in future annual reports on the Territory concerned, of the steps taken and the progress made to end such practices; and decided to bring the problem to the attention of the first visiting mission to be sent to the Territory concerned. At the same time, the Council approved the draft of a letter from the Secretary-General to the President of the Economic and Social Council, transmitting to the latter a copy of the petition for the information of the Commission on Human Rights and the Commission on the Status of Women. The representatives of Belgium, France and the United States had opposed the sending of such a letter. In their view there was no objection to calling the matter to the attention of the Eco-

nomic and Social Council. They felt, however, that no importance need be attached to it and no special letter should therefore be sent. The Council however decided in favor of the draft letter proposed by the Drafting Committee, after rejecting by a vote of 5 to 4, with 2 abstentions, a New Zealand proposal to postpone consideration of the draft letter to the end of the session, at which time the Council would discuss the text of a letter drawing the Economic and Social Council's attention to all questions in the same category as the one under consideration.

(2) *Petitions from the Bakweri Land Committee*

In two petitions, dated respectively August 24, 1946, and November 17, 1947 (T/PET.4/3), the Bakweri Land Committee claimed that approximately 580 square miles of land in the Victoria Division of the Cameroons under British administration, which had belonged to the Bakweri people, had been seized by the Germans when they had occupied the Territory and had been transferred to individuals, missionary groups and companies; that after the First World War, when Great Britain had been given the Mandate for the Territory, the plantations of the Germans had been sold by auction, generally to their former German owners, and that other lands had been declared Crown Lands; that most of the land in question was now controlled by the Cameroons Development Corporation; and that the petitioners, having been deprived of their most fertile lands, had had to resort to difficult and uneconomical farming on rocky mountain slopes, causing great hardship to them.

The petitioners requested:

- (1) that all lands in the Cameroons under British administration known as Crown Lands be designated "native lands" and be controlled by the natives,
- (2) that all alienated land of the Victoria Division which formerly belonged to the Bakweri be returned to them;
- (3) that compensation for the exploitation of these lands be given to the Bakweri; and
- (4) that mission lands, except those containing ecclesiastical and educational buildings, be returned to the Bakweri without compensation for exploitation.

The observations of the United Kingdom Government, the Administering Authority concerned, were transmitted to the Council in a communication (T/182) dated June 9, 1948, in the course of which it was stated that a senior administrative officer had already been posted to the area in question to investigate the matter, with a view to ensuring that the local inhabitants had land fully adequate for their needs.

In a communication dated April 9, 1948, (T/PET.4/3/Add.1), the petitioners requested that their representative be granted an opportunity to make an oral presentation in support of their written petition. In accordance with rule 80 *bis* of the rules of procedure, the President of the Council, having ascertained from the Administering Authority that there were no substantial reasons why the matter should first be discussed in the Council, informed the petitioners through the Secretary-General (T/PET.4/3/Add.1) of the Council's willingness to grant their representative an opportunity to make an oral presentation during the third session. However, the Secretary-General received on June 17, 1948, a cablegram (T/PET.4/3/Add.2) from the Bakweri Land Committee in which the petitioners stated that, owing to financial difficulties, their representative would not be able to appear before the Council at its third session, and requested that consideration of their petition be postponed until the next session. At the fifth meeting on June 21 (T/SR-78), the Council decided to grant the request of the Bakweri Land Committee for an oral presentation. Any decision of the Council on the petition would be deferred until the representative of the petitioners was in a position to make the presentation.

At the seventh meeting of the Council on June 23, 1948 (T/SR.80), the representative of Belgium observed that the Bakweri were asking that all the alienation of land made under the German administration of the territory should be cancelled, i.e., that legal acts in force for more than 30 years should be annulled. The Belgian representative thought that the Council could not ask the Administering Authority unreservedly to grant such a request. In these circumstances, he stated, a question arose as to whether the presence of a representative of the Bakweri Land Committee would, in fact, serve any useful purpose, and whether the Council should not spare the tribes concerned expenses which would be considerable to them by informing them that an oral presentation would add nothing to their written petitions.

The representative of France also thought it would be better not to invite the petitioners to submit their case orally at the Council's next session. It would be better for the Council to wait until it knew the results of the investigation by the Administering Authority and the measures that the latter planned to take, following the investigation, to meet the wishes of the Bakweri. The Trusteeship Council should then verify on the spot what had been done in that connection.

Such a verification could be carried out without any expense to the people by the visiting mission planned for 1949.

The representative of the United States observed that the Council had previously agreed to grant the Bakweri representative the right to be heard. He thought, however, that the Council should take into account the observations of the United Kingdom Government, and especially the fact that a senior administrative officer had already been appointed to make an investigation in the Victoria Division. He thought that the Council could take no useful action until it had heard the results of the investigation. The Council should therefore inform the petitioners that it had taken note of their request and would invite them to send a representative when their petition was under consideration, i.e., when the Council had received the report of the Administering Authority.

The representative of the U.S.S.R. thought that the examination of the petition should not be linked with the result of the investigation carried out by the Administering Authority. If the Council were to await the result of that investigation it would run the risk of setting an unfortunate precedent on the basis of which an Administering Authority might use an investigation as a pretext for asking for an indefinite postponement of any matter in which it was concerned.

The representative of Mexico also expressed the view that the petitioners should not be told that the Council was awaiting the results of the investigation begun by the Administering Authority. Generally speaking, the Council should be able to judge the facts on the basis of information furnished by the petitioner and observations of the Administering Authority. It should avoid giving the impression that the Council was using the investigation as an excuse to justify postponement of the question.

The Council decided to postpone consideration of the petition from the Bakweri Land Committee and to inform the petitioners that the Council would be willing to hear an oral presentation by a Bakweri representative at its third session. In drafting the reply to the petitioners the Drafting Committee on Petitions should take into account the points raised in the discussion. At the eighteenth meeting on July 7, 1948 (T/SR.91), the Council adopted the text of a letter for transmission to the petitioners by the Secretary-General, in which they were informed of the postponement of the examination of their petition and of the Council's willingness to hear an oral presentation in support of it. Their attention was called to the investiga-

tion which had already been set afoot by the Territorial Government. If the Bakweri should desire that their representative appear before the Trusteeship Council, the Council would be glad to have him do so. The letter suggested, however, that he might prefer to make an appearance after the Council had been informed by the Administering Authority of the findings of its senior administrative officer in charge of the investigation mentioned above and was ready to examine them. The petitioners were also informed that a visiting mission would visit the Territory some time in 1949.

c. PETITIONS CONCERNING THE TRUST TERRITORY OF TANGANYIKA

There were ten petitions in this group before the Council.

(1) *Petition from Marius Fortie*

The first petition in the group, from Marius Fortie, of Washington, D. C., had been received prior to the second session of the Council but had been postponed for consideration until the third session.²¹ In his petition, dated October 15, 1947 (T/PET.2/40), Mr. Fortie requested the Council to provide for a visit to Tanganyika in order to investigate policies and practices followed by the Administering Authority which, he alleged, were inimical to the interests of the indigenous inhabitants. The policies and practices in question were elaborated under thirteen heads as follows:

(1) British policy in the Trust Territory; (2) land tenure and land ownership; (3) forestry regulations; (4) mining laws and actual prospecting and mining practices; (5) hunting regulations and restrictions; (6) compulsory cultivation of cotton and of other export and cash crops; (7) marketing of cotton, peanuts and other export and cash crops; (8) primary village education; (9) liquor traffic; (10) forced native labor; (11) child labor; (12) lack of knowledge of native customs, laws and language on the part of judges in the criminal courts; and (13) proposals for inter-territorial organization and reorganization in East Africa. In a subsequent communication dated January 14, 1948 (T/PET. 2/40/Add.1), the petitioner elaborated further on three of the subjects listed, i.e., land ownership, native housing and education.

In a letter dated June 15, 1948 (T/PET.2/40/Add. 2), the petitioner requested an opportunity to make an oral presentation in support of his petition. At the third meeting on June 17, 1948 (T/SR.76), the Council discussed whether it should grant the petitioner's request. The repre-

sentatives of the United Kingdom, France, Belgium and the United States opposed the granting of an oral hearing. The representatives of France and the United Kingdom expressed the view that the request could not be recognized because the petitioner was neither a resident nor citizen of the Territory in question, nor was he authorized by the inhabitants of the Territory to represent them. The Council should confine the right of oral presentation to persons residing in the Trust Territories or in close relation to those Territories. The representatives of Belgium and the United States observed that Mr. Fortie had submitted a written petition of considerable length, to which he had later added a supplement. The Council, they thought, was therefore fully informed about the petitioner's request and there was no need for an oral presentation. All four representatives mentioned stressed that the presentation of an oral statement was a privilege which the Council could grant the petitioner at its discretion, and not a right to be claimed automatically. The representative of France, moreover, proposed that before the Council considered granting the privilege in this case it should make some personal inquiries regarding Mr. Fortie. An important organ of the United Nations, he stated, could not agree to grant a public hearing to a person unless he was able to offer certain guarantees.

The President of the Council and the representative of Mexico stated that the substance of the petition was the only consideration on which the Council should base its decision. The rules of procedure did not require residence in the Trust Territory as a qualification for the presentation of an oral statement. The President, whose views were also supported by the representative of Iraq, asserted further that the Council should make the system of petitions as broad as possible, so as to ensure the protection of populations which were not able to present their own petitions. The right of oral presentation should also be interpreted in as wide a sense as possible.

The representative of the U.S.S.R. considered that the presentation of an oral statement was a right which should be granted automatically, and which could not be made subject to the decision of a majority of the Council. The question should not even be put to a vote. In the present instance, moreover, he thought that it was not a question of conferring a favor upon Mr. Fortie, but of permitting those members of the Council who had expressed a desire to do so to hear the oral presentation and to ask questions of the petitioner. These

²¹See p. 768.

views were endorsed by the representative of the Philippines.

The Council decided by a vote of 4 to 3, with 3 abstentions, not to hear Mr. Fortie and requested the Secretary-General to inform the petitioner accordingly. The question of an oral presentation was re-opened, however, by the petitioner in a letter dated June 18, 1948, in which he requested that the Council reconsider its decision. At the seventh meeting of the third session (T/SR.80) the representatives of the U.S.S.R., Costa Rica and the Philippines urged the Council to vote on the petitioner's request. The majority of the Council, however, considered that no new facts had been brought forth sufficient to justify the reversal of a formal decision. A motion of the representative of Costa Rica to reconsider the matter was therefore rejected by the Council by a vote of 7 to 4, with 1 abstention.

At the eighth meeting of its third session on June 24, 1948 (T/SR.81), the Council examined the substance of Mr. Fortie's petition.

The representatives of New Zealand and Australia expressed doubt whether Mr. Fortie's communication could properly be considered a petition. Mr. Fortie, they stated, was not a resident of Tanganyika, he was not seeking redress of grievances on his own behalf or on behalf of any particular person or persons and he had himself stated that he had included material in his petition which he had not been able to verify. Mr. Fortie seemed an expert and an essayist rather than a petitioner. The Council would never be able to accomplish its task if it should admit as a petitioner every self-appointed expert on Trust Territories.

The President of the Council and the representative of the United States stated that it was not necessary for a petitioner to ask for the redress of a wrong done him personally, and that under rule 77 of the rules of procedure it had been clearly intended that the petitioner need not be a resident of the Territory to which his petition refers. The representative of the Philippines was of the opinion that the document before the Council was unquestionably a petition.

The representative of Belgium suggested that Mr. Fortie's petition could be disposed of without lengthy discussion. Mr. Fortie had asked that the Trusteeship Council should send a mission to Tanganyika to investigate the thirteen specific situations which he had listed. The representative of Belgium therefore proposed that the Trusteeship Council should reply to Mr. Fortie that it had already made plans for sending a mission to Tanganyika within a few weeks. The Council

might state further that its members were aware of the thirteen criticisms he had listed and would seek information about them both by studying the Administering Authority's annual report and by asking questions of the special representative of the Administering Authority. If the information thus obtained on any of the thirteen points was insufficient, the mission to Tanganyika would be asked to study those points particularly.

The representative of Costa Rica thought that all thirteen points should be included in the terms of reference of the visiting mission. The representative of the U.S.S.R. also thought that the Council should refer the entire petition to the visiting mission for study. The majority of the Council, however, favored the Belgian proposal and asked the Drafting Committee on Petitions to draft a resolution accordingly.

After it had approved the terms of reference of the visiting mission to Tanganyika,⁸² the Council at the 36th meeting on July 30 (T/SR.109) unanimously adopted, with slight modification, a resolution (40(III)) prepared by the Drafting Committee in which, recalling the decision taken during its second session to send a visiting mission to Tanganyika in July 1948, and recalling the decision taken during its third session that the visiting mission should give attention to issues raised in petitions received by the Trusteeship Council relating to Tanganyika, including the petition from Mr. Fortie, the Council invited the Secretary-General to inform the petitioner of the above-mentioned decision and to send to the petitioner such relevant documents as he might deem appropriate.

(2) *Petition from Semakula Mulumba*

In a petition dated November 18, 1947 (T/PET.2/42), Semakula Mulumba, of London, adduced certain complaints against the new scheme of inter-territorial organization in East Africa, including Tanganyika, as set forth in Colonial Paper No. 210.⁸³ The petitioner alleged: first, that the proposals contained in Colonial Paper No. 210 had not been discussed by the Africans or translated into African languages; second, that the African members of the legislative councils of the territories concerned were not elected by the African people, and therefore tended to favor the Government viewpoint over that of the Africans; and, third, that the new scheme did not contain the principle of equal racial representation which had been embodied in an earlier plan set forth in Colonial Paper No. 191. He alleged that the Africans in Uganda, Kenya and Tanganyika strongly

⁸²See p. 778.

⁸³See, pp. 750, 756-57, 760.

opposed the implementation of the present plan for inter-territorial organization, requested the United Nations to send a commission of inquiry to East Africa to investigate the matter, and suggested that three Africans from each territory, elected by the Africans and not nominated by the respective Governments, be co-opted to the United Nations commission. The petition had been addressed to the permanent representative of the U.S.S.R. for transmission to the Secretary-General.

The representative of the United Kingdom, the Administering Authority concerned, objected to the admissibility of the petition on two grounds. First, he stated that it had not been submitted in conformity with rule 82 of the rules of procedure, which provides that petitions must be addressed "directly to the Secretary-General or may be transmitted to him through the Administering Authority". The rules did not provide for a third channel of communication. The petition in question, however, had been forwarded to the Secretary-General through the U.S.S.R. delegation. Secondly, the United Kingdom representative stated that the matter complained of in the petition did not concern a Trust Territory or the operation of the International Trusteeship System. The petitioner was a representative of the people of Uganda. He could not claim to speak for the people of Tanganyika, and the reference to Tanganyika in the grievance he set forth was purely incidental. The Trusteeship Council, the representative of the United Kingdom asserted, had no competence to consider conditions in Uganda and Kenya which were affected by the plan contained in Colonial Paper 210. Mr. Mulumba's petition, therefore, was not in order.

The questions whether the petition had been properly transmitted and whether it was admissible were considered at the eighth and ninth meetings on June 24 and 25, 1948 (T/SR.81 and 82). The representative of New Zealand and Belgium supported the views of the United Kingdom representative. The President of the Council, and the representatives of Mexico, the Philippines and the U.S.S.R. objected to a narrow interpretation of rule 82. It would be incorrect, it was stated, to construe rule 82 to mean that only such petitions as were sent through the mails or by cable would be admissible. The word "directly" should be interpreted to mean that the channel of communication was not specified and that not all petitions had to be transmitted through the Administering Authorities.

As regards the second objection of the United Kingdom representative, the President pointed out

that the plan set forth in Colonial Paper No. 210 formed Appendix XIV of the annual report of the Administering Authority on Tanganyika. The plan embraced Uganda, Kenya and Tanganyika and in so far as it dealt with the future administration of Tanganyika it was properly within the purview of the Council. Similar views were expressed by the representatives of the U.S.S.R. and the Philippines. The Council at the ninth meeting decided that the petition had been transmitted in accordance with rule 82, that it should be accepted in so far as it concerned Tanganyika, and that it should be rejected in so far as it concerned Kenya and Uganda. Consideration of that part of the petition accepted as admissible was postponed until after the completion of consideration of the annual report on the administration of Tanganyika for 1947.³⁴

It was resumed at the 35th and 36th meetings of the third session (T/SR.108 and 109). At the 35th meeting (T/SR.108) the representative of Iraq submitted a draft resolution which the Council with minor modifications adopted at the 36th meeting (T/SR.109). In this resolution (42(III)) the Council requested the Secretary-General to send to the petitioner that part of its annual report to the General Assembly, covering its second and third sessions, which contained its observations and conclusions regarding the inter-territorial organization affecting the Trust Territory of Tanganyika, together with the verbatim records of its discussion of the subject.

(3) *Petition from Paul Wamba Kudililwa*

In a petition dated January 12, 1948 (T/PET.2/43), Paul Wamba Kudililwa complained that he had been removed by the Territorial Government from a chieftainship which he had held in the Shinyanga District of Tanganyika, and requested reconsideration of his case. He furnished additional information on his case in a further communication received on June 7, 1948 (T/PET.2/43/Add.1).

The Government of the United Kingdom, the Administering Authority concerned, furnished its observations on the petition in a communication dated June 18, 1948 (T/187). The communication stated that the petitioner had been removed from his position as Chief in 1941 when he was found to have converted public money to his own use. This was not the first time, the communication stated further, that this Chief had been guilty of such misconduct. He had been severely reprimanded and warned on two previous occasions. The decision to withdraw recognition from Mr.

³⁴See pp. 750-61.

Wamba as Chief, the United Kingdom Government indicated, had been taken with regret, because the petitioner was an enlightened and intelligent Chief, who apart from his periodic financial lapses had performed valuable services. The Administration felt, however, that to allow him to remain in office after the third case of misappropriation would have a bad effect on his fellow Chiefs.

A statement contained in Mr. Wamba's petition to the Trusteeship Council that he had incurred the enmity of the District Commissioner through having called attention to an irregularity on the latter's part in connection with Native Authority funds was rejected by the United Kingdom Government as having no foundation whatever.

The Council examined the petition at the tenth meeting on June 28, 1948 (T/SR.83), in the presence of J. E. S. Lamb, the special representative designated by the Administering Authority. The majority of the Council's members agreed that the observations and explanations furnished by the Administering Authority exhausted the case and that no action on the part of the Trusteeship Council was called for. The view was expressed that the matter was one for the local Administration rather than for the Trusteeship Council, which, if it took it up, risked being deluged by individual complaints.

The representative of the U.S.S.R. proposed that the visiting mission to Tanganyika should be instructed to investigate the petitioner's case. He stated that the petition (T/PET.2/43) contained a specific charge against the District Commissioner, who, the petitioner alleged, had taken money from the Chief's treasury which he refused to return. On the other hand, the Administering Authority had stated that the Chief had taken the money. The representative of the U.S.S.R. thought that the Council should not rely on the testimony of only one of the interested parties.

The Council, however, by a vote of 5 to 2, with 5 abstentions, rejected the U.S.S.R. proposal that the visiting mission to Tanganyika should investigate the complaint of ex-Chief Paul Wamba Kudililwa and decided by a vote of 8 to 1, with 3 abstentions, that no action by the Council was required.

At the eighteenth meeting (T/SR.91), the Council considered the text of a draft resolution. The representative of the U.S.S.R. renewed his proposal for an investigation of the case. It was rejected by a vote of 7 to 1, with 3 abstentions.

The Council then adopted a resolution (41(III)) embodying its conclusion that no action on its part was called for by the petition.

(4) *Petitions concerning Repatriation to Germany of Residents or Former Residents of Tanganyika*

There were four petitions before the Council concerning the repatriation or proposed repatriation to Germany of Germans resident or formerly resident in Tanganyika. In one, dated February 15, 1948 (T/PET.2/44), the petitioner, Mrs. Else Augoustides, who was born in Germany and had married a Greek subject, requested permission to remain with her husband in Tanganyika. The three others related to the case of Rolf Trappe. In a petition dated February 25, 1948 (T/PET.2/46), Mrs. Margaret Trappe requested that her son Rolf Trappe be allowed to remain in Tanganyika to manage her farm. In a petition dated March 17, 1948 (T/PET.2/47), Rolf Trappe, who was born in Tanganyika of German parents, claimed that he had held a British passport until 1943 and that he was not a Nazi—although he had been forced to join the Nazi Party in Tanganyika—and requested permission to remain in Tanganyika. In a petition dated April 26, 1948 (T/PET.2/48), Mr. Trappe informed the Council that the Tanganyika Government had rejected his appeal for revocation of the expulsion order against him, and he requested reconsideration of his case.

The four petitions were examined by the Council at the tenth meeting, June 28, 1948 (T/SR.83), in the presence of J. E. S. Lamb, the special representative of the United Kingdom, the Administering Authority concerned. At the eighteenth meeting on July 7, 1948 (T/SR.91), the Council adopted in regard to the petitions two resolutions (39(III) and 43(III)), in both of which it noted that the questions raised concerned a German resident or former resident of the Trust Territory who had been or would be dealt with in accordance with the repatriation policy of the Administering Authority, which had been fully considered and had been approved by the Council during its first session;³² the Council reaffirmed its approval of the policy and decided that no action was called for on the petitions.

The representative of France again did not participate in the discussions of or vote on these petitions.³³

³²See *Yearbook of the United Nations*, 1946-47, p. 579.

³³See p. 768.

I. VISITS TO TRUST TERRITORIES³⁷1. *Visiting Mission to East Africa*

The Council, at the sixth meeting of its second session (T/P.V.33) on December 1, 1947, decided to send a visiting mission to the Trust Territories of Ruanda-Urundi, under Belgian administration, and Tanganyika, under British administration.

After the Chairman had consulted the Administering Authorities concerned in accordance with Article 87(c) of the Charter, the Council decided at the seventeenth meeting on December 15, 1947 (T/P.V.44), that the visit should take place shortly after the termination of the June 1948 session of the Council. This date was considered the most suitable from the point of view of both the Administering Authorities and the Council.

At the 33rd meeting of the second session on March 8, 1948 (T/SR.60), the Council discussed the size and composition of the visiting mission, which had already been discussed to some extent at the Council's sixth meeting (T/P.V.33). The President of the Council, as well as the representatives of Belgium, France, Costa Rica, New Zealand and the United Kingdom, urged that, to the maximum extent possible, it should become established practice that members of the Council themselves should constitute visiting missions. In this way the Council would derive the greatest possible benefit from the experience gained by the members of the mission. The representatives of China and Mexico, on the other hand, thought that most representatives would not be able to go on missions. The rules therefore should make provision for the inclusion of other qualified persons on visiting missions. They also stressed the need for experts to be attached to missions. The representative of France, supported by the representative of Iraq, urged that as a rule the mission should contain a member representing the Administering Authority. Such a representative, he thought, would be most valuable, both as a witness and in order to facilitate the task of the mission. The representatives of Belgium and Mexico, however, expressed the view that representatives of the local authorities could adequately fulfil these functions. The representative of China, who likewise opposed the participation of a representative of the Administering Authority in visiting missions, stated that such a representative would be placed in a delicate position if he were asked to criticize the administration, which would be defended by another representative of his country.

As regards the size of the mission, the representatives of France, Australia and the United Kingdom considered that as a rule as few members as possible should serve. They stressed the difficulties of transportation and accommodation in the backward areas to be visited.

The representative of New Zealand, on the other hand, supported by the representative of the United States, urged that as many members of the Council as possible should go on as many missions as possible. The more members of the Council who actually saw the areas for which they held such a large degree of responsibility, the more likely it was, he thought, that the Council's work would be sound. The representative of Iraq also thought that missions should not be too small.

The Council decided at the 33rd meeting that the visiting mission to Tanganyika and Ruanda-Urundi should consist of four members under the chairmanship of Henri Laurentie, of France, the three other members to be selected to represent China, Australia and Costa Rica.

The composition of the mission was further considered by the Council at the seventeenth and nineteenth meetings of its third session. The representative of the United States stated that in considering the membership of the mission the Council should keep in mind that the appointments to be made were personal and that those selected to serve on the mission would act as individuals and not as representatives of governments, and that they would be directly responsible to the Trusteeship Council. This view was supported by the representatives of Belgium and France.

The representative of the U.S.S.R., on the other hand, stated that the Trusteeship Council was not composed of individuals, but of representatives of states, and the same principle must apply to the selection of members of visiting missions.

The representative of Iraq stated that he was not quite satisfied with the principle of selecting individuals on the basis of their personal qualifications. It was inevitable, he thought, that, in practice, any individual, however competent, would to a certain degree represent his government. He also stated that he objected to the composition of the proposed visiting mission because it would give equal representation to the administering and the non-administering Powers. Since the task of a mission was one of supervision and inquiry

³⁷For Mission to Western Samoa, see pp. 761-63.

he considered that the non-administering Powers should be in the majority.

The representative of New Zealand also expressed the view that no individual, however competent, could be expected to dissociate himself entirely from his government. On the other hand, he stated, he could not support the suggestion that the choice of members of a mission should be left entirely to the states to be represented. He favored a middle way, whereby persons considered especially qualified would be appointed by the Council, but would thereafter represent their governments, while being responsible to the Trusteeship Council.

The representative of France suggested that the best way to select members of a visiting mission would be to appoint certain delegations who would submit their own nominations for approval by the Council. The members of the mission would then be responsible to the Trusteeship Council, from which they would receive their instructions.

At a private meeting the Council then discussed the individual candidates which had been proposed. The Council decided to appoint the following persons to the mission, in addition to its chairman, Henri Laurent, of France: E. W. P. Chinnery (Australia), Lin Mousheng (China) and R. E. Woodbridge (Costa Rica).

At the 23rd meeting on July 13, 1948 (T/SR.96), the Council discussed the instructions which it should give to the Mission. The representative of the United States submitted a draft resolution (T/SR.96, p.5) embodying in brief and general form the terms of reference of the Visiting Mission to East Africa. The representative of the United States thought it was important to express directives in general terms in order to grant the Mission the greatest possible freedom in its activities.

The representative of the U.S.S.R. stated that the Mission should be given precise instructions to study the urgent problems which had been

emphasized during the Council's discussions. Sharing this point of view, the representative of the Philippines submitted an amendment to include in the United States draft resolution a list of important topics to be investigated by the Mission. The representatives of Mexico and Iraq supported this proposal. The representatives of the United States, Belgium, New Zealand, the United Kingdom and Australia, however, opposed the inclusion of a list of topics for investigation in the Mission's terms of reference. It would be unwise, it was stated, to specify the questions to be studied before the Mission had been able to observe conditions in the territory at first hand.

The Council by a vote of 11 to 1 adopted the United States resolution with but slight textual changes, after having rejected the Philippine amendment by a vote of 6 to 6. The resolution (37(III)), after reciting the appointment to the Visiting Mission of the persons mentioned above and the decision that the Mission should visit Ruanda-Urundi and Tanganyika during July, August and September 1948, set forth the Mission's terms of reference. The Mission was directed to observe the developing political, economic, social and educational conditions in the two Trust Territories, their progress toward self-government or independence, and the efforts of the respective Administering Authorities to achieve all the basic objectives of the International Trusteeship System. It was also instructed to give attention to issues raised in and in connection with the annual reports on the administration of the two Territories, and in petitions received by the Council relating to the two Territories, and to report its findings together with such observations and conclusions as it might care to make.

In accordance with a further decision by the Council, the Visiting Mission departed from the interim headquarters of the United Nations on July 15, 1948.

J. QUESTIONS SPECIALLY REFERRED TO THE TRUSTEESHIP COUNCIL BY THE GENERAL ASSEMBLY

1. *City of Jerusalem*

a. THE DRAFT STATUTE FOR THE CITY OF JERUSALEM AND QUESTIONS ARISING OUT OF IT

Part III of the Plan of Partition with Economic Union, annexed to the resolution 181 (II) of the

General Assembly, dated November 29, 1947, on the future Government of Palestine, established the City of Jerusalem as a *corpus separatum* under a Special International Regime to be administered by the United Nations. The Trusteeship Council was designated to discharge the responsibilities of the Administering Authority on behalf of the

United Nations, and was assigned the task of elaborating and approving within a period of five months a detailed Statute for the City on lines set forth in the Plan.³⁸

In a letter (T/77) dated December 1, 1947, the Secretary-General drew the attention of the President of the Trusteeship Council to the responsibilities envisaged for it in the Plan. At the sixth meeting of its second session (T/P.V.33), the Council decided to appoint a working committee of five or six members to prepare for its consideration a draft Statute for the City. The composition of the Working Committee was entrusted to the President, in consultation with the Assistant Secretary-General in charge of Trusteeship. At the seventh meeting (T/P.V.34) the President announced that he had appointed Australia, China, France, Mexico, the United Kingdom and the United States as members of the Working Committee on Jerusalem.

The Working Committee held 25 meetings. At its first meeting, it elected Benjamin Gerig (United States) as Chairman, and Sir Alan Burns (United Kingdom) as Vice-Chairman; and at its second meeting it elected Henri Laurent (France) as Rapporteur. In the course of its first eight meetings it completed a general examination of the Plan, hearing explanations of it from Karel Lisicky (subsequently Chairman of the United Nations Palestine Commission), and heard evidence on the situation in Palestine from certain officers of the Palestine Government. It adjourned on December 12, 1947, after having set up two drafting groups of experts to prepare a preliminary draft Statute.

The Working Committee reassembled on January 7, 1948, and during its next sixteen meetings examined the preliminary draft Statute submitted by the Drafting Groups. During that period, and in pursuance of a resolution (T/117) adopted by the Council at the fourteenth meeting of the second session (T/P.V.41), it heard representatives of the Jewish Agency, of the Agudas Israel World Organization and of the Patriarch of Jerusalem (Greek Orthodox Church); the Arab Higher Committee was afforded a similar opportunity to be heard but did not avail itself of it.

At its 24th meeting on January 23, 1948, the Working Committee adopted a draft Statute (T/118) for submission to the Trusteeship Council.

During the second part of its second session, the Council examined the draft Statute prepared by the Working Committee, and gave several hearings to representatives of the Jewish Agency on various matters provided for in the draft. Before the Coun-

cil entered upon a detailed examination of the draft Statute, the representative of Iraq declared at the nineteenth meeting of the Council's second session (T/SR.46) that the Trusteeship Plan for the City of Jerusalem was illegal and contrary to the Charter, basing his assertion on the following four arguments:

(1) The City of Jerusalem was an integral part of Palestine, deserving independence in the same degree as did the people of the rest of Palestine. The fact that the City was sacred to three religions provided no legal basis for separation.

(2) According to the Charter, Trusteeship was to be an intermediary step leading towards self-government or independence. Permanent Trusteeship for the City of Jerusalem was therefore illegal.

(3) According to the Charter, a Trusteeship Agreement had to be presented to the General Assembly by the party or parties concerned. The Charter did not acknowledge the authority of the General Assembly as the sole originator of such an Agreement, as the United Kingdom, the Mandatory Power, had not presented a Trusteeship Agreement, the General Assembly had no right to draft a constitution of Trusteeship.

(4) Under the Charter, the Trusteeship Council itself could not act as a trustee. Only a state could perform that function, the true function of the Trusteeship Council was that of supervision.

Finally, the representative of Iraq maintained that if the Plan for Jerusalem was to be regarded as a special arrangement not intended to fit within the Trusteeship System then the Council was not acting under Chapter XII of the Charter and could not act legally at all in the matter. The representative of Iraq would therefore not participate in the discussion of the draft Statute for the City of Jerusalem.

At the 20th meeting of the Council's second session the representative of the Philippines asked for some clarification of the guiding principles which the Working Committee had followed in drafting the Statute. Referring to a statement in the Working Committee's report (T/122) that Jerusalem was not a Trust Territory and that Chapters XII and XIII of the United Nations Charter were not, therefore, generally applicable, the representative of the Philippines expressed the view that the provisions of these Chapters for the political advancement of non-self-governing peoples should be applied in so far as they were not inconsistent with the special conditions of the General Assembly's resolution. The Trusteeship Council, he thought, could not deny autonomy to the inhabitants of Jerusalem. The Council could do no less in its administration of the City than observe the same principles it required the Administering Authorities to adhere to.

³⁸See General Assembly, pp. 254-56.

• The representatives of the United States and France, who had both served on the Working Committee, explained that the Plan for Jerusalem was a juridical innovation subject to revision within ten years. The Committee had taken the position that, while the Charter as a whole was applicable, Chapters XI, XII and XIII did not apply specifically, and had worked on the basis that the Statute for Jerusalem was not a Trusteeship Agreement. The General Assembly had at one time considered that the administration of the City should be handled by the Security Council or a special committee of the General Assembly itself. The fact that the Trusteeship Council had finally been entrusted with the task did not mean that Jerusalem fell within the Trusteeship System. The Committee had, however, made every attempt to give the maximum liberty possible to the inhabitants of the City under the special conditions laid down by the General Assembly's resolution and to ensure that the Statute was not in conflict with any fundamental rights described in the Charter of the United Nations.

The representatives of Belgium and New Zealand stated that the General Assembly's primary concern was not the political advancement of the inhabitants of Jerusalem, but rather the protection of the unique religious interests located in Jerusalem. It had been intended that Jerusalem should be self-governing within certain specific limits which would ensure the preservation of the religious and historical interests of the City.

The representative of China thought that the task of administering Jerusalem rightly belonged to the Trusteeship Council. As a Mandated Territory Palestine fell within the purview of the Council. The Council, moreover, would be carrying out the fundamental idea of Trusteeship, which was that the responsible authority should be the guardian of the interests of the people. Article 81 of the Charter explicitly mentioned the possibility that the United Nations might act as an Administrative Authority.

As a result of the Council's detailed examination, the draft Statute for the City of Jerusalem underwent considerable amendment. At the 35th meeting on March 10, 1948 (T/SR.62), the Council adopted a resolution (32(II)) to the effect that the draft Statute (T/118/Rev.1 and Rev.1/Add.1) was then in satisfactory form, but that the question of its formal approval should be deferred until the third part of the second session.

On a number of matters the draft Statute required the Council to issue instructions to the Governor of the City. At the 33rd meeting on

March 8, 1948 (T/SR.60), the Council adopted provisional instructions to the Governor of the City of Jerusalem (T/144).

The Council considered also the financial implications of the Statute and at the 35th meeting (T/SR.62) adopted a resolution (T/151) requesting the Secretary-General to provide funds during 1948 for such activities as it might authorize, and to lay before the Council, at its next regular session, estimates for the year 1949 to enable the Council to make appropriate recommendations to the General Assembly.

The Trusteeship Council concluded the second part of its second session with the 35th meeting on March 10, 1948. The Council's 36th meeting (T/SR.63) was held on April 21, 1948, to consider further the question of the approval of the Statute for the City of Jerusalem. In view of the fact that since the Council's previous meeting the second special session of the General Assembly had been convened to consider further the question of the future government of Palestine, the representative of the United States proposed that the Trusteeship Council should inform the General Assembly that it had formulated a Statute for the City of Jerusalem and was now in a position to approve it by April 29. He proposed that the Council should refer the Statute in its latest form (T/118/Rev.2) to the General Assembly for such further instructions as the Assembly might see fit to give.

Supporting the United States proposal, the representatives of the United Kingdom, Belgium, Mexico and China expressed the view that the General Assembly's resolution 181(II) of November 29 which had formed the basis of the Trusteeship Council's work might be modified during the General Assembly's special session. It would therefore be best to leave the General Assembly itself to come to a decision with regard to the Statute for the City of Jerusalem and the appointment of a Governor. The Trusteeship Council, they considered, had fulfilled its duty by framing the Statute.

The representative of Belgium proposed that unless the Council received new instructions from the General Assembly it should not reconvene on or before April 29 to approve the Statute. He therefore moved the deletion of that part of the United States draft resolution stating that the Council was in a position to approve the Statute by April 29.

The representatives of Australia, New Zealand and France considered that adoption of the draft Statute by the Trusteeship Council could be de-

ferred only within the terms of the General Assembly's resolution of November 29. As that resolution had not been rescinded, it was the Council's duty to adopt the Statute within the prescribed period of five months. If the Council received no further instructions from the General Assembly, failure to approve the Statute for the City of Jerusalem would be a failure to carry out the General Assembly's mandate.

The Trusteeship Council adopted the Belgian amendment to the United States draft resolution by a vote of 6 to 3, with 2 abstentions. The resolution as amended was adopted by a vote of 8 to 0, with 3 abstentions. An Australian motion that the Council should meet again on April 28 to take action with regard to the Statute for Jerusalem was rejected by a vote of 3 to 3, with 4 abstentions.

No further instructions to the Trusteeship Council were issued by the General Assembly at its second special session.

At the first meeting of its third session (T/SR.74) the Council included in its agenda the item "Present state of the question of the Statute for the City of Jerusalem". The item was taken up by the Council at the 34th and 35th meetings of its third session on July 28 and 29, 1948 (T/SR.107, 108). The representative of Belgium stated that consideration of the question of Jerusalem at this time might prove dangerous. The resolution of the problem of Jerusalem, he stated, no longer depended on the Trusteeship Council. The Security Council had been seized of the Palestine question and a Mediator had been appointed.³⁹ The Trusteeship Council therefore would be making a grievous mistake if it embarked upon a discussion which was certain to hamper the task of the Mediator.

The majority of the Council's members supported the Belgian proposal, although the representative of France, in particular, stressed that he did so purely on grounds of expediency. In the opinion of the representative of France the Council had not completed its task under the terms of the General Assembly's resolution 181(II) of November 29 and was still seized of the question of the draft Statute for Jerusalem. The representative of China, on the other hand, expressed the view that the Council had fulfilled its duty and that in the absence of further instructions from the General Assembly no action by the Council was called for.

The representative of the U.S.S.R. stated that the Trusteeship Council had failed to complete its work on the Statute and had, without any legal justification, evaded its responsibility by referring the question back to the General Assembly. He stressed that the only directive which the Council

had received on the question of the Statute was the General Assembly's resolution of November 29 and that it had received no instructions modifying or suspending that resolution. He therefore proposed that the Council should at once take up the question of the Statute of the City of Jerusalem. The U.S.S.R. delegation wished to offer amendments to the Statute as soon as the Council embarked upon its consideration.

The Council, however, by a vote of 8 to 1, with 3 abstentions, adopted the Belgian motion for indefinite postponement of the consideration of the question of the Statute of the City of Jerusalem.

b. THE PROTECTION OF THE CITY OF JERUSALEM AND ITS INHABITANTS

The General Assembly at its second special session by a resolution (185(S-2)), dated April 26, 1948, referred the question of the protection of the City of Jerusalem and its inhabitants to the Trusteeship Council.

The Council submitted a separate report (A/544) on the question to the General Assembly on May 5, 1948.⁴⁰

2. South West Africa

By its resolution (141 (II)), dated November 1947,⁴¹ on the question of South West Africa, the General Assembly authorized the Council to examine the report on the administration of South West Africa for the year 1946 submitted by the Government of the Union of South Africa and to submit its observations thereon to the General Assembly.

The Council, at the sixth meeting of the second session on December 1, 1947 (T/P.V.33), requested the Secretary-General to inform the Union Government that the Council would shortly be examining the report, and that if the Union Government wished to send a representative to be present during the examination he would be welcome. At the fifteenth meeting (T/P.V.42), the Council took note of the reply of the Union Government that it did not intend to send a representative to be present during the examination of the report but would be prepared, if so requested, to transmit further available data in writing for the information of the Council.

Both at the sixth and fifteenth meetings of its

³⁹See p. 281.

⁴⁰See pp. 265-66.

⁴¹See p. 147.

second session the Council discussed the manner in which it should examine the report of the Union of South Africa. The representative of China suggested that the Council should examine the report in the same manner as it would examine a report from a Trust Territory. South West Africa, he stated, was a Mandated Territory. By design and by general acceptance the functions and responsibilities of the Permanent Mandates Commission had fallen upon the Trusteeship Council. The Government of South Africa had asserted that it would continue to administer South West Africa in the spirit of the Mandate. Moreover, the Chinese representative stated, the majority of the Members of the United Nations had, for two years in succession, considered that this territory should become a Trust Territory. For these reasons the Council should examine the report before it in the same manner as it considered reports under Article 87 of the Charter.

In this connection the question of supplementary sources of information was also raised. The representatives of Mexico, the Philippines and Iraq thought that the Council was entitled to seek information from other sources than the report of the Government of South Africa. All documents connected with the question should be made available to the Council, as without such additional documents the Council would have no basis of comparison and could not formulate a true opinion in regard to conditions in South West Africa. The representatives of the Philippines and Iraq, moreover, considered that the Council was competent to hear oral testimony from persons other than a representative of the Government of the Union of South Africa.

The representative of China expressed the view that while the report of the South African Government was the only document officially before the Council, representatives were not precluded from expressing opinions based on information derived from other sources.

The representatives of Australia, Costa Rica, France, New Zealand, the United Kingdom and United States disagreed with the views indicated above. The Trusteeship Council, they urged, should adhere to the strict terms of the General Assembly's resolution. The Council, they considered, was not competent to consider anything except the actual report of the South African Government. It could not draw upon other documents as sources of information, nor could it hear oral testimony of third parties. South West Africa was not a Trust Territory. The South African Government had voluntarily transmitted a report for the

information of the United Nations, and the Trusteeship Council did not have the function of supervising the administration of South West Africa. The report before the Council therefore should not be treated in the same manner as a report on a Trust Territory.

At the fifteenth meeting the Council began to examine the substance of the report, a number of representatives indicating subjects on which they thought the Council should have more complete information than was contained in the report.

The representative of Iraq submitted a draft resolution (T/P.V.42., pp. 61-65) which stated that the Council, taking into account that it was unable to exercise, in relation to South West Africa, its functions and powers under Articles 87 and 88 of the Charter, regretted, therefore, that it lacked sufficient means for a thorough appraisal of the report submitted by the South African Government, which report the Council noted was not as comprehensive as reports previously submitted by the South African Government to the Permanent Mandates Commission. The Trusteeship Council, according to the Iraqi proposal, should therefore resolve that the report did not enable the Council to determine whether South Africa was adequately discharging its responsibilities under the terms of the Mandate from the League of Nations. The Council should also note with favor the General Assembly's resolution of November 1, 1947, reaffirming its recommendation that South West Africa be placed under the International Trusteeship System.

The majority of the Council's members opposed the Iraqi resolution on the ground that it was premature for the Council to come to any conclusion. The resolution anticipated the result of the Council's examination. It could properly be considered only at the end of the Council's discussion.

The representative of the United States suggested that the Council should avail itself of the South African Government's offer to furnish additional information in writing and should delay framing its final conclusions on the report until after it had received answers to the questions to be addressed to the South African Government.

The Council agreed to this suggestion and unanimously adopted a resolution (28(II)) to the effect that the report appeared to be incomplete in certain particulars, and that the Government of the Union of South Africa should be invited to supply supplementary information on certain questions before the month of June 1948 in order that the Council might be able to formulate its observa-

tions for submission to the General Assembly at its next session.

The Council accordingly appointed a committee consisting of Australia, China, Iraq and the United States to formulate the questions to be transmitted to the Union Government.

The report of the Committee (T/96), containing a list of 50 questions to be transmitted by the Secretary-General to the Union Government, was adopted by the Council at the eighteenth meeting (T/P.V.45). The questions were transmitted to the Government of the Union of South Africa on January 6, 1948, and the replies of the Union Government were received on May 31 (T/175).

At the 31st meeting of its third session on July 23, 1948 (T/SR.104), the Council considered the replies of the Union Government and the report.

The representative of the U.S.S.R. opposed such an examination by the Council. He proposed that the report on South West Africa should not be examined by the Trusteeship Council inasmuch as the resolution of the General Assembly of November 1, 1947, provided that South Africa should submit a draft Trusteeship Agreement for South West Africa to the third session of the Assembly. He was of the opinion that a report on South West Africa could be considered only after this Territory had been included in the Trusteeship System and a Trusteeship Agreement had been approved by the Assembly. He stated that there were but two alternatives with regard to the former Mandated Territory of South West Africa—either it should become an independent state or it should be included in the Trusteeship System. He also considered that examination of the report by the Trusteeship Council could not be based on any Article of the Charter because the only Article in the Charter authorizing the Trusteeship Council to examine reports was Article 87 a, which concerned only reports on Trust Territories presented by Administering Authorities. South Africa, however, was not an Administering Authority, and South West Africa was not a Trust Territory.

The majority of the Council's members, however, were of the opinion that consideration of the report had already begun. The only question was whether it was to be continued. As the General Assembly had entrusted the Trusteeship Council with the task of examining the report, they thought that the Council would be failing in its duty if it refused to comply with the Assembly's request.

The Council decided, therefore, by a vote of 10 to 1, with 1 abstention, to proceed with the examination of the report and the replies furnished by

the Union Government, and appointed a drafting committee consisting of the representatives of Belgium, China, Costa Rica and the United States to draft a report, in accordance with rules 100 and 101 of its rules of procedure, for inclusion in the annual report of the Council to the General Assembly. The draft report (T/209) prepared by the drafting committee was considered by the Council at the 41st and 42nd meetings of its third session (T/SR.114 and 115).

The representative of the United Kingdom stated that it was important to bear in mind that the Council's consideration of the report on the administration of South West Africa and its report thereon to the General Assembly were *sui generis*, and that the Council had no right to assume that the General Assembly would take any particular course of action on the basis of the Council's report. Moreover, he stated that in view of the very strong feeling which this question had aroused not only in South West Africa but in the Union of South Africa, it was important for the Council to avoid statements which might give offence in South Africa or South West Africa. In the best interests of the natives themselves, therefore, the Council should limit itself to observations, leaving it for the General Assembly itself to draw its own conclusions. He therefore proposed the deletion of all those paragraphs from the drafting committee's report which, in the opinion of the United Kingdom delegation, embodied conclusions or recommendations regarding conditions in South West Africa.

Supporting the United Kingdom proposal, the representative of Australia stated that the Trusteeship Council was not authorized to present conclusions; this was only within the competence of the Fourth Committee of the General Assembly. *Highly critical statements concerning its administration* might influence the Government of the Union of South Africa against sending further reports to the General Assembly.

The representative of the United States likewise supported the United Kingdom proposal. In view of the fact that South West Africa was not a Trust Territory, he considered that the Council's report should be limited to a brief factual statement of conditions based on information furnished by the Union of South Africa. Conclusions and recommendations should be left to the General Assembly.

The representatives of China, France and Mexico opposed the United Kingdom proposal. It was desirable, the representative of China stated, that the Council's observations should be formulated in the least offensive manner possible. But the

Council should not be deterred from expressing those observations by fear that the South African Government might decide not to send any more reports on its administration of South West Africa nor to place the territory under Trusteeship. The deletions proposed by the representative of the United Kingdom would be tantamount to a refusal on the part of the Council to carry out the duty placed upon it by the General Assembly.

The representative of Mexico stated that those who maintained that the submission of a completely neutral report to the General Assembly would encourage the Government of South Africa to place South West Africa under the Trusteeship System were deluding themselves. Nothing but an aroused world public opinion would compel the Union of South Africa to take that step, and world public opinion would not be aroused unless the Council brought the actual situation to its attention. It was the Council's duty, the representative of Mexico considered, to present both an analysis and a diagnosis of conditions in South West Africa.

The representative of France stated that if the Council evaded its obligation and presented only a factual summary, the actual examination of the report would have to be referred back to the Fourth Committee, which would then have to set up a sub-committee to submit another report. The representative of France thought that the report of the drafting committee was admirable and required amendments of detail only.

The Council then considered the report, paragraph by paragraph, adopting a considerable number of amendments. At the 42nd meeting of its third session the Council adopted the report as amended by a vote of 6 to 3, with 3 abstentions.

In submitting the report to the General Assembly the Council recorded its view that notwithstanding the replies submitted by the Government of the Union of South Africa to the Council's questions, the Council was unable to make as thorough a study as it would have wished, in view of the absence of a special representative of the Union Government, from whom the Council could have elicited more information.

Subject to this limitation, the Council presented the following observations (A/603, pp. 43-45) on those aspects of the administration of the Territory of South West Africa which appeared to the Council to merit particular attention:

OBSERVATIONS

A. POLITICAL ADVANCEMENT

The Council notes that executive powers for the Territory are vested in the Administrator of South West

Africa, who is assisted by an Executive Committee composed of himself as Chairman and four members elected by the Legislative Assembly; and also by an Advisory Council consisting of himself as Chairman, the four members of the Executive Council and three members appointed by the Administrator. There are no non-European members of the Advisory Council. Limited legislative powers are exercised by a Legislative Assembly of eighteen members, of whom six are nominated by the Administrator and twelve are elected. Franchise, however, is restricted to British subjects of European origin and to naturalized British subjects. Appointment or election to the Assembly is restricted to persons who are enrolled as voters.

The Council, being convinced of the desirability of increased participation by indigenous populations in the direction of their own affairs, notes that the indigenous inhabitants of the Territory have no franchise, no eligibility to office and no representation in the governing bodies or in the administration of the Territory.

B. ECONOMIC ADVANCEMENT

1. Economic position of indigenous inhabitants

The Council notes that the financial position of the Territory has greatly improved in recent years, due to the generally increased prosperity of the Territory, the result principally of increased sales of diamonds and karakul pelts at higher prices, and the imposition of additional taxes.

The Council notes that in the opinion of the Union Government the indigenous inhabitants have to a considerable extent shared in the increased prosperity of the Territory, in such ways as obtaining higher prices for their stock and animal products, and enjoying increased hospital and educational facilities. Plans for the future include the appointment of four agricultural officers and two rural labour inspectors in the interests of the indigenous population. The sum of £50,000 has been set aside for non-European developments such as the opening up of additional water supplies.

The Council finds it impossible, from the information before it, to judge clearly the extent to which the indigenous inhabitants have shared in the increased prosperity of the Territory, or whether the measures already taken or contemplated by the Union Government are adequate for advancing the economic position of the indigenous inhabitants.

2. Expenditure on indigenous population

The Council notes that the total expenditure devoted directly to non-European administration and welfare in the year 1946-47 amounted to £246,605, and that this amount represented 10.16 per cent of the entire budget of the Territory. The Council also notes, in examining this expenditure, that the non-European population was estimated at 336,552, in 1946, as against a European population of 38,020.

The Council observes that this is an expenditure of little more than ten per cent of the budget on the indigenous inhabitants, who comprise approximately 90 per cent of the entire population.

3. Land tenure

(a) DISTRIBUTION OF LAND—The Council notes that out of a total of 47,714,161 hectares of land, 27,789,172 hectares are occupied by Europeans, 17,361,589 hectares by indigenous inhabitants and 1,303,400 by other non-Europeans, while 1,260,000 hectares are un-

occupied. The laws relating to land settlement apply equally to Europeans and non-Europeans, but on the grounds that the indigenous inhabitants generally are not sufficiently developed to benefit from individual land ownership, it is the policy of the Administration to allocate reserves to them free of charge. There is no restriction of European ownership of land outside of the reserves, except that land tax becomes progressively higher beyond 10,000 hectares.

The Council observes that the indigenous inhabitants, who comprise approximately nine-tenths of the population, occupy 42 per cent of the occupied land. The Council further observes that the interests of the indigenous inhabitants are involved in the question of the distribution of land, and points out that it lacks information as to whether the land left to the indigenous inhabitants is adequate in quality and productivity.

(b) **INDIGENOUS LAND RIGHTS.**—The Council notes the statement of the Union Government that all traditional land rights possessed by the indigenous inhabitants ceased to exist during the German regime except in six areas, of which five have since been proclaimed as native reserves; in the sixth area, native land rights are fully recognized.

The Council considers that the explanation by the Union Government does not elucidate the question whether these rights would be restored.

(c) **RESTRICTIONS ON KEEPING OF LIVESTOCK.**—The Council notes that inhabitants of the reserves in the Police Zone (the area of European development) may not graze or keep more than 100 head of large stock, 300 head of small stock and six donkeys without the special permission of the Administrator. The limitations are imposed to prevent richer owners from crowding out those possessing fewer animals.

The Council observes that the same limitations do not apply to Europeans.

(d) **LAND FOR THE HEREROS.**—The Council notes that various parts of the Herero tribe, which was broken up by the Germans, are accommodated in eight different reserves, and that one of the reasons why it has been impossible to reunite the tribe in a single area, according to the replies given by the Union Government, is the fact that "no area large enough to accommodate a whole tribe in the Police Zone could be made available unless private rights of occupation were violated, which was out of the question."

The Council considers that the degree to which land has been alienated is a factor in keeping the Herero tribe physically divided, and that the interests of this tribe constitute an additional reason why the whole question of land distribution should be re-examined by the Union Government.

C. SOCIAL ADVANCEMENT

1. *Indigenous reserves*

The Council notes the explanation of the Union Government that the establishment of reserved areas to accommodate large numbers of the indigenous inhabitants followed the widespread dispersal of the people under the German regime. The basic principle was, if possible, to leave the indigenous inhabitants where they were, so long as the existence of small indigenous "islands" in European areas was obviated. Permanent claims to areas temporarily set aside for them, and claims to former traditional areas that had since been reallocated for Euro-

pean settlement, were rejected. In the Police Zone, 19 per cent of the 94,000 indigenous inhabitants of the zone live in reserves and their movements to and from the reserves require a written permit. The Council also notes that in rural areas outside the reserves there is a considerable population working on farms and in mines, and that their residence and movements are also controlled. In the Police Zone 57.5 per cent of the indigenous inhabitants live in these rural areas outside the reserves.

The Council is of the opinion that division of the indigenous inhabitants and their allocation to fixed areas is not conducive to their general advancement and that the system of confining indigenous inhabitants to "native reserves" is to be deplored in principle. The Council considers that by a revision of its policy the Union Government should be able gradually to eliminate whatever reasons might at present explain the existence of such reserves and of the restrictions on residence and movement.

2. *Indigenous inhabitants in urban areas*

The Council notes the statement of the Union Government that indigenous inhabitants of proclaimed urban areas are segregated into fixed areas or "locations", with certain exceptions such as domestic servants. In the Police Zone 23.5 per cent of the indigenous inhabitants live in urban areas. Extensive regulations control the activities of the inhabitants of the "locations". The housing conditions of most of the non-European residents of urban areas have for many years been regarded as unsatisfactory, and the Administration has decided to offer financial assistance for housing schemes.

The Council is opposed, as a matter of principle, to racial segregation. The Council, while lacking precise information as to the reasons for the urban segregation policy in the Territory, considers that great efforts should be made to eliminate, through education and other positive measures, whatever reasons may exist that explain segregation.

The Council considers also that even within the system of urban segregation great attention should be paid to the well-being of the indigenous inhabitants in the way of the improvement of housing conditions, the preservation of family life and the encouragement of a greater degree of responsibility.

3. *Labour conditions in the mines*

The Council notes that of some 52,000 indigenous inhabitants employed in the area of European settlement (i.e. the Police Zone) in 1946, some 34,000 were employed on farms and 3,000 in diamond and other mines. The Council also notes that diamond mine labourers are given some clothing and are entitled to rations, housing and medical care; and that in addition they are paid wages ranging from eight pence per shift in the first three months to sixteen pence per shift in the last six months of their two-year engagement, each shift comprising eight consecutive working hours at any time of day except on Sundays.

The Council notes, on the other hand, that the wages for labour recruited from the Territory for the Witwatersrand mines in the Union of South Africa range from twenty-five pence to thirty pence per shift for surface labourers and twenty-nine pence to thirty-four pence per shift for underground labourers. The Council notes at the same time a statement by the Union Government that all mine labourers' wages in the Territory are likely to be increased as a result of an investigation now in progress.

4. Penalties for breaches of contract

The Council notes that the master and servant laws applicable to civil contracts between employer and employee provide criminal penalties for breaches by the employees, and that in this connexion there were 2,100 convictions in 1946.

The Council considers that the large number of criminal convictions reveals an abnormal situation and that contractual relations between employer and labour should not be subject to criminal penalties.

5. Hiring out of convict labour

The Council notes that, while it is the policy of the administration to employ convict labour on public works, it is the practice at small gaols to hire out hard-labour convicts occasionally to private persons when the administration is unable to provide work for them.

The Council considers that the hiring out of prison labour to private persons is a practice which may lead to abuses.

6. International labour conventions

The Council notes the statement of the Union Government that no conventions of the International Labour Organisation have been applied to the Territory.

7. Medical services

The Council notes that in 1946 there were seven State-aided European hospitals in the Territory and four State-owned hospitals for indigenous inhabitants, and that the administration has decided to spend £40,000 per annum on the erection of additional indigenous hospitals. The Council notes that there are as yet no Government indigenous hospitals in areas outside of the Police Zone, where approximately 195,000 indigenous inhabitants reside, and that hospital services there are provided by subsidized missions. European hospital beds are avail-

able at the rate of 11.6 per thousand and non-European beds at the rate of 3.35 per thousand. The Council notes also that no provision has yet been made for the training of indigenous and "coloured" personnel as medical practitioners.

D. EDUCATIONAL ADVANCEMENT

1. Education facilities

The Council notes that, in 1946, there were, in the Territory, only six indigenous official schools, with 555 pupils, all in the Police Zone, as against 53 European official schools with 6,415 pupils. The Council notes also that indigenous education is still largely in the hands of missions, which are assisted by the Government, and which in 1946 maintained, in the Police Zone, 72 indigenous schools with 4,935 pupils and in the outside areas 154 schools, of which only 25 were conducted by European teachers and which had altogether 15,062 pupils.

The Council notes that no educational facilities are provided by the Government in the purely indigenous areas, inhabited by some 192,000 people, which lie beyond the Police Zone. The Council is of the opinion that the provision of urgently-needed educational facilities for the indigenous population is vital to their political, economic and social development.

2. Higher education

The Council notes the statement of the Union Government that facilities for indigenous secondary, technical and higher education have not yet been provided within the Territory for the reason that sufficient students are not believed to be available.

The Council considers that, if the absence of potential students is the reason, this may be due to deficiencies in primary education.

ANNEX I

DELEGATIONS TO THE TRUSTEESHIP COUNCIL

A. Second Session

AUSTRALIA:	
Representative	W. D. Forsyth
BELGIUM:	
Representative	Pierre Ryckmans
Alternate and Adviser	J. Naaykens
CHINA:	
Representative	Liu Chieh
Alternate	Shuhsi Hsu
COSTA RICA:	
Representative	Ricardo Fournier
Alternate	Arturo Motaes Flores
FRANCE:	
Representative	Roger Garreau
Alternate	Henri Laurentie
IRAQ:	
Representative	Ali Jawdat Al-Ayubi
Alternate	Awni Khalidy
MEXICO:	
Representative	Luis Padilla Nervo
Alternate	Raul Noriega
NEW ZEALAND:	
Representative	Sir Carl August Berendsen

Alternates

G. R. Laking
John S. Reid
R. B. Taylor

PHILIPPINES:

Representative
Alternates and Advisers
Brig-General Carlos P. Romulo
José D. Inglés
Salvador P. López
Major Antonio P. Chanco

U.S.S.R.:

Representative
Semen K. Tsarapkin

UNITED KINGDOM:

Representatives
Sir Alan Cuthbert Maxwell
Burns
Arthur Creech-Jones
A. H. Poynton
John Fletcher-Cooke

Alternates

UNITED STATES:

Representative
Francis B. Sayre
Alternate
Benjamin Gerig

B. Third Session

AUSTRALIA:

Representative
W. D. Forsyth

BELGIUM:

Representative
Alternates
Pierre Ryckmans
J. Naaykens
M. L. Steyaert

CHINA:

Representative
Liu Chieh

COSTA RICA:	
Representative	Alberto F. Cañas
Alternate	Robert E. Woodbridge
FRANCE:	
Representative	Roger Garreau
Alternate	Henri Laurentie
IRAQ:	
Alternate	Awai Khalidi
MEXICO:	
Representative	Luis Padilla Nervo
Alternate	Raul Noriega
NEW ZEALAND:	
Representative	Sir Carl August Berendsen
Alternates	John S. Reid C. Craw
PHILIPPINES:	
Representative	Brig.-General Carlos P. Romulo
Alternates and Advisers	Victorio D. Carpio José D. Inglés Salvador P. López Major Antonio P. Chanco
U.S.S.R.:	
Representative	Semen K. Tsarapkin
UNITED KINGDOM:	
Representative	Sir Alan Cuthbert Maxwell Burns
Alternates	E. E. Sabben-Clare J. Fletcher-Cooke
UNITED STATES:	
Representative	Francis B. Sayre
Alternate	Benjamin Gerig
<i>Special Representatives of Administering Authorities:</i>	
AUSTRALIA	J. R. Halligan, Secretary of the Department of Island Territories (for the examination of the annual reports on New Guinea)
BELGIUM:	Maurice Simon, Governor of Ruandi-Urundi (for the examination of the annual report on Ruandi-Urundi)
UNITED KINGDOM:	J. E. S. Lamb (for the examination of the annual report on and certain actions relating to Tanganyika)
<i>Representatives of Specialized Agencies:</i>	
ILO:	R. A. Metall
FAO:	H. Belshaw Cesar M. Lorenzo
UNESCO:	A. Cortesao
Fund	Gordon Williams

ANNEX II

MEMBERSHIP OF MISSIONS

A. Special Visiting Mission to Western Samoa

Francis B. Sayre (United States) (Chairman)
 Pierre Ryckmans (Belgium)
 Eduardo Cruz Coke (Chile)
 Felix Keesing (Professor of Anthropology of Leland

Stanford University, California—accompanied the Mission in the capacity of expert consultant)

B. Visiting Mission to Tanganyika and Ruanda-Urundi

E. W. P. Chinnery (Australia)
 Lin Mousheng (China)
 Robert E. Woodbridge (Costa Rica)
 Henri Laurentie (France) (Chairman)

ANNEX III

MODIFICATION OF CERTAIN RULES OF PROCEDURE⁴²

Adopted by the Trusteeship Council at the seventh and fourteenth meetings of its second session on December 2 and 11, 1947 (T/154).

Rule 3

A request for a special session may be made by the Economic and Social Council or by any member of the Trusteeship Council, and shall be addressed to the Secretary-General of the United Nations, who without delay shall communicate the request to the other members of the Trusteeship Council. On notification by the Secretary-General that the majority of the members have concurred, the President of the Trusteeship Council shall request the Secretary-General to call a special session.

Rule 8

The provisional agenda for each session of the Trusteeship Council shall be drawn up by the Secretary-General in consultation with the President and shall be communicated together with the notice summoning the Council to the Organs, Members and Specialized Agencies referred to in Rule 4.

Rule 80 bis

The President of the Council shall be authorized between sessions of the Council, through the Secretary-General, to inform any petitioner who requests an opportunity for an oral presentation or petition under Rule 80, that the Council will grant him a hearing at such time and place as the President may name. Before communicating such information to the petitioner, the President shall enquire of the Administering Authority or Authorities concerned as to whether there are substantial reasons why the matter should first be discussed in the Council. If the Administering Authority is of the opinion that such substantial reasons exist, the President shall defer action until the matter has been decided by the Council.

Rule 85

The Secretary-General shall circulate promptly to the members of the Trusteeship Council all written petitions received by him, except those which are manifestly inconsequential, a list of which, with a summary of their contents, shall be communicated to the members of the Trusteeship Council. The original documents shall be made available to the Trusteeship Council for final disposition.

⁴²For complete text of rules of procedure before these amendments, see *Yearbook of the United Nations, 1946-47*, pp. 581-89, and *Rules of Procedure of the Trusteeship Council (T/1/Rev.1)*.

With respect to petitions relating to a strategic area, the functions of the Trusteeship Council shall be governed by Article 83 of the Charter and the terms of the relevant Trusteeship Agreement.

Rule 99

Each visiting mission shall transmit to the Trusteeship Council a report on its visit, a copy of which shall be promptly and, as a general rule, simultaneously transmitted to the Administering Authority and to each other member of the Trusteeship Council by the Secretary-General. The mission may authorize the Secretary-General to release its report in such form and at such date as it may deem appropriate. The report and the decisions or observations of the Council with respect to each such report, as well as the comments made by the Administering Authorities concerned, may be published in such form and at such date as the Council may determine.

ANNEX IV

TRUSTEESHIP AGREEMENT FOR NAURU*

In pursuance of a Mandate conferred upon His Britannic Majesty the Territory of Nauru has been administered in accordance with Article 22 of the Covenant of the League of Nations by the Government of Australia on the joint behalf of the Governments of Australia, New Zealand, and the United Kingdom of Great Britain and Northern Ireland.

The Charter of the United Nations, signed at San Francisco on 26 June 1945, provides by Article 75 for the establishment of an International Trusteeship System for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements.

His Majesty desires to place the Territory of Nauru under the Trusteeship System, and the Governments of Australia, New Zealand and the United Kingdom undertake to administer it on the terms set forth in the present Trusteeship Agreement.

Therefore the General Assembly of the United Nations, acting in pursuance of Article 85 of the Charter,

Approves the following terms of Trusteeship for the Territory of Nauru in substitution for the terms of the Mandate under which the Territory has been administered:

Article 1

The Territory to which this Trusteeship Agreement applies (hereinafter called "the Territory") consists of the island of Nauru (Pleasant Island), situated approximately 167° longitude East and approximately 0°25' latitude South, being the Territory administered under the Mandate above referred to.

Article 2

The Governments of Australia, New Zealand and the United Kingdom (hereinafter called "the Administering Authority") are hereby designated as the joint authority which will exercise the administration of the Territory.

Article 3

The Administering Authority undertakes to administer the Territory in accordance with the provisions of the

Charter and in such a manner as to achieve in the Territory the basic objectives of the International Trusteeship System, which are set forth in Article 76 of the Charter.

Article 4

The Administering Authority will be responsible for the peace, order, good government and defence of the Territory, and for this purpose, in pursuance of an Agreement made by the Governments of Australia, New Zealand and the United Kingdom, the Government of Australia will on behalf of the Administering Authority and except and until otherwise agreed by the Governments of Australia, New Zealand and the United Kingdom continue to exercise full powers of legislation, administration and jurisdiction in and over the Territory.

Article 5

The Administering Authority undertakes that in the discharge of its obligations under Article 3 of this Agreement:

1. It will co-operate with the Trusteeship Council in the discharge of all the Council's functions under Articles 87 and 88 of the Charter,

2. It will, in accordance with its established policy:

(a) Take into consideration the customs and usages of the inhabitants of Nauru and respect the rights and safeguard the interests, both present and future, of the indigenous inhabitants of the Territory; and in particular ensure that no rights over native land in favour of any person not an indigenous inhabitant of Nauru may be created or transferred except with the consent of the competent public authority;

(b) Promote, as may be appropriate to the circumstances of the Territory, the economic, social, educational and cultural advancement of the inhabitants;

(c) Assure to the inhabitants of the Territory, as may be appropriate to the particular circumstances of the Territory and its peoples, a progressively increasing share in the administrative and other services of the Territory and take all appropriate measures with a view to the political advancement of the inhabitants in accordance with Article 76 b of the Charter;

(d) Guarantee to the inhabitants of the Territory, subject only to the requirements of public order, freedom of speech, of the Press, of assembly and of petition, freedom of conscience and worship and freedom of religious teaching.

Article 6

The Administering Authority further undertakes to apply in the Territory the provisions of such international agreements and such recommendations of the specialized agencies referred to in Article 57 of the Charter as are, in the opinion of the Administering Authority, suited to the needs and conditions of the Territory and conducive to the achievement of the basic objectives of the Trusteeship System.

Article 7

In order to discharge its duties under Article 84 of the Charter and article 4 of the present Agreement, the Administering Authority may take all measures in the Territory which it considers desirable to provide for the defence of the Territory and for the maintenance of international peace and security.

*Doc. A/402/Rev.1; for discussions on the draft Trusteeship Agreement see General Assembly, pp. 138-40.

VII. *The International Court of Justice*¹

A. PROVISIONS OF THE CHARTER OF THE UNITED NATIONS²

The International Court of Justice is the principal judicial organ of the United Nations. It functions in accordance with its Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the Charter.

All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

A State which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendations of the Security Council.

Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

If any party to a case fails to perform the obli-

gations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems such action necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Nothing in the Charter is to prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

B. PROVISIONS OF THE STATUTE OF THE COURT

1. *Organization of the Court*

The Court is composed of fifteen members, no two of whom may be nationals of the same state and who are to be "elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law".

Candidates for membership of the Court are nominated by the "national groups" in the Permanent Court of Arbitration.³ The Secretary-General of the United Nations draws up a list of candidates thus nominated. From this list the General Assembly and the Security Council, voting independently, elect the members of the Court, an absolute majority in both the Assembly and the Council being required for election.

The members of the Court are elected for nine years and may be re-elected. However, the terms

of office of five of the judges elected at the first election expire at the end of three years, and the

¹For detailed information regarding the organization, jurisdiction and activities of the Court, see *International Court of Justice Yearbook, 1946-47*, and *Yearbook, 1947-48*.

²This and the following section provide a summary of the provisions of the Charter relating to the International Court of Justice and of the Statute of the Court. Chapter XIV of the Charter defines the position of the Court in the United Nations, the obligations of Members of the United Nations with respect to the Court and the relationship between the Court and the other organs of the United Nations. The Statute of the Court is divided into five chapters. Chapter I deals with the organization of the Court, Chapter II defines the competence of the Court, Chapter III sets forth the procedure of the Court, Chapter IV lays down the conditions under which the Court may give advisory opinions and Chapter V contains provisions for amendments to the Statute.

³The Permanent Court of Arbitration, established under Conventions of 1899 and 1907, consists of a panel of arbitrators from which members are chosen to hear any one case. Each state party to the Conventions may name not more than four persons to be members of the panel. The persons thus appointed constitute "national groups" which compose the panel of the Perma-

terms of five more judges at the end of six years. The judges whose terms were to expire at the end of three and six years respectively were chosen by lot immediately after the first election had been completed.

The Court elects its own President and Vice-President for three years; they may be re-elected. It appoints its Registrar and such other officers as may be necessary. The Court frames rules for carrying out its functions, and in particular lays down rules of procedure.⁴

The seat of the Court is at The Hague, but this does not prevent the Court from exercising its functions elsewhere whenever it considers this desirable. The President and the Registrar reside at the seat of the Court.

The Court remains permanently in session except during judicial vacations. A quorum of nine judges suffices to constitute it.

From time to time the Court may establish one or more chambers of three or more judges which may deal with particular categories of cases—for example, labor cases and cases relating to transit and communications. The Court forms annually a chamber of five members which may hear and determine cases by summary procedure.

Judges of the same nationality as a party to a case retain their right to sit in the case before the Court. If the Court includes on the bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. If the Court includes upon the bench no judge of the nationality of the parties, each of the parties may choose a judge to sit in the case before the Court.

2. Competence of the Court

Only states may be parties in cases before the Court.

The Court is open to states parties to its Statute. The conditions under which the Court shall be open to other states that are not parties to the Statute are laid down by the Security Council.⁵

The jurisdiction of the Court comprises all cases which the parties refer to it and all matters especially provided for in the Charter of the United Nations or in treaties and conventions in force. To preserve continuity with the work of the Permanent Court of International Justice, the Statute further stipulates that whenever a treaty or convention in force provides for reference of a matter to the Permanent Court of International Justice, the matter shall be referred to the International Court of Justice.⁶

The states parties to the Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

"(a) the interpretation of a treaty;

"(b) any question of international law;

"(c) the existence of any fact which, if established, would constitute a breach of an international obligation;

"(d) the nature or extent of the reparation to be made for the breach of an international obligation." (Statute, Article 36.)

These declarations may be made (1) unconditionally, (2) on condition of reciprocity on the part of several or certain states or (3) for a certain time.⁷

The Statute of the Permanent Court of International Justice had provided for similar declarations of acceptance of compulsory jurisdiction. The Statute of the International Court of Justice provides that any declarations made under the Statute of the Permanent Court of International Justice which are still in force shall be deemed to be acceptance of the compulsory jurisdiction of the International Court of Justice for the period for which they still have to run.

The Court, whose function it is to decide in accordance with international law such disputes as are submitted to it, is to apply:

"(a) international conventions, whether general

(Footnote 3, continued)

ment Court of Arbitration. These "national groups" had been designated to nominate the judges of the Permanent Court of International Justice established in 1920 in conjunction with the League of Nations. Under the Statute of the International Court of Justice they are likewise to nominate the judges of this Court, which supersedes the Permanent Court of International Justice. Members of the United Nations which are not members of the Permanent Court of Arbitration are to appoint national groups for the purpose of nominating the members of the International Court of Justice in the same manner as the national groups of the Permanent Court of Arbitration are appointed.

The rules of the Court, as adopted on May 6, 1946, remain unchanged, and are not therefore reproduced in this Yearbook; for complete text of the rules, see *Yearbook of the United Nations*, 1946-47, pp. 596-608.

These conditions are that the state deposit with the Registrar of the Court a declaration accepting the Court's jurisdiction and undertaking to comply in good faith with its decisions. Declarations may be either particular, accepting the Court's jurisdiction in one particular case, or general, accepting it generally in respect of all disputes or a particular class or classes of disputes. For full text of the conditions, see *Yearbook of the United Nations*, 1946-47, p. 411. See also International Court of Justice Yearbook, 1946-47, pp. 106-7.

⁵See *ibid.*, Chapters III (pp. 105-16) and X (pp. 195-97).

⁶See Annex I, pp. 801-2.

or particular, establishing rules expressly recognized by the contesting states;

"(b) international custom, as evidence of a general practice accepted as law;

"(c) the general principles of law recognized by civilized nations;

"(d) subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law." (Statute, Article 38.)

The Court may decide a case *ex aequo et bono*, if the parties agree to this.

3. Procedure of the Court

French and English are the official languages of the International Court of Justice, but any party which so requests is to be authorized to use another language.

Cases may be brought before the Court either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject to the dispute and the parties are to be indicated.

The Court has the power to indicate any provisional measures which it considers ought to be taken to preserve the respective rights of either party.

Unless otherwise demanded by the parties, hearings in the Court are to be public. Deliberations of the Court take place in private and remain secret.

All questions before the Court are decided by a majority of judges present. In the event of an equality of votes the President has a casting vote.

The judgment is to state the reasons on which it is based and contain the names of the judges who have taken part in the decision. If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge is entitled to deliver a separate opinion.

Decisions of the Court have no binding force except between the parties and in respect of any particular case. The judgment of the Court is final and without appeal. Revision of a judgment may be made only when it is based "upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence" (Statute, Article 61).

In the exercise of its advisory jurisdiction the Court is to be guided by the provisions of the Court applying to contentious cases.

4. Amendment of the Statute

The Statute of the International Court of Justice can be amended by the same procedure as that used in amending the Charter of the United Nations, subject, however, to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of States which are parties to the present Statute but are not members of the United Nations. The Court may propose such amendments as it deems necessary through written communications to the Secretary-General of the United Nations.

C. MEMBERSHIP AND SITTINGS OF THE COURT

During the period under review (June 30, 1947–September 21, 1948) the following judges were members of the Court:

Elected on February 6, 1946, to serve for nine years:^a

Alejandro Alvarez (Chile)
José Philadelpho de Barros e Azevedo (Brazil)
Jules Basdevant (France)
José Gustavo Guerrero (El Salvador)
Sir Arnold Duncan McNair (United Kingdom)

Elected on February 6, 1946, to serve for six years:

Isidro Fabela Alfaro (Mexico)
Green H. Hackworth (United States)
Helge Klaestad (Norway)
Sergei Borisovitch Krylov (U.S.S.R.)
Charles De Visscher (Belgium)

Elected on February 6, 1946, to serve for three years:^b

Abdel Hamid Badawi Pasha (Egypt)

Hsu Mo (China)
John E. Read (Canada)
Bohdan Winarski (Poland)
Milovan Zoricic (Yugoslavia)

José Gustavo Guerrero was President of the Court; Jules Basdevant, Vice-President; Edvard Hambro, Registrar; and Jean Garnier-Coignet, Deputy-Registrar.

The members of the Chamber of Summary Pro-

^aAt the first election it was decided by lot which judges should serve for nine, for six and for three years respectively. Judges subsequently elected will serve for the full nine-year term of office.

^bThese judges were re-elected on October 22, 1948, to serve for nine years, from February 6, 1949, to February 6, 1958.

STATES ACCEPTING COMPULSORY JURISDICTION OF COURT
(See opposite page)

<i>State</i>	<i>Date of Signature</i>	<i>Date of Deposit of Ratification</i>	<i>Conditions</i>
Australia ¹⁰	August 21, 1940		Until notice of termination.
Belgium ¹¹	June 10, 1948	June 25, 1948	For five years.
Bolivia ¹¹	July 5, 1948		For five years.
Brazil ¹¹	February 12, 1948		For five years.
Canada ¹⁰	September 20, 1929	July 28, 1930	Until notice of termination.
China ¹⁰	October 26, 1946		For five years, and thereafter subject to six months' notice.
Colombia ¹⁰	October 30, 1937	October 30, 1937	Unconditional.
Denmark ¹⁰	December 10, 1946		For ten years.
Dominican Republic ¹⁰	September 30, 1924	February 4, 1933	Unconditional.
El Salvador ¹⁰	August 29, 1930	August 29, 1930	Unconditional.
France ¹⁰	March 1947	(Subject to ratification)	For five years, and thereafter until notice, reserving matters within national jurisdiction.
Guatemala ¹⁰	January 27, 1947 [*]		For five years; reservation concerning Belize
Haiti ¹⁰	September 7, 1921		Unconditional.
Honduras ¹¹	February 2, 1948		For six years.
India ¹⁰	February 28, 1940		Until notice of termination.
Iran ¹⁰	October 2, 1930	September 19, 1932	Until notice of termination.
Luxembourg ¹⁰	September 5, 1930		For five years, renewable by tacit reconduction
Mexico ¹¹	October 23, 1947		For five years, from March 1, 1947, and thereafter subject to six months' notice.
Netherlands ¹⁰	August 5, 1946		For ten years, and thereafter until notice of abrogation.
New Zealand ¹⁰	April 8, 1940		Until notice of termination.
Nicaragua ¹⁰	September 24, 1929		Unconditional.
Norway ¹⁰	November 16, 1946		For ten years from October 3, 1946.
Pakistan ¹¹	June 22, 1948		For five years, and thereafter until the expiration of six months' notice; reservation for disputes which are essentially within the domestic jurisdiction.
Panama ¹⁰	October 25, 1921	June 14, 1929	Unconditional.
Paraguay ¹²	May 11, 1933		Unconditional.
Philippines ¹¹	July 12, 1947		For ten years, from July 4, 1946, and thereafter until notification.
Siam ¹⁰	September 20, 1929	May 7, 1930	For ten years.
Sweden ¹⁰	April 5, 1947		For ten years.
Switzerland ¹¹	July 6, 1948		Valid as from July 28, 1948, and until the expiration of one year's notice.
Turkey ¹³	May 22, 1947		For five years.
Union of South Africa ¹⁰	April 7, 1940		Until notice of termination.
United Kingdom ¹⁰	February 28, 1940		For five years, and then until notice; with reservations.
United Kingdom ¹⁰	February 13, 1946		Limited to questions concerning British Honduras.
United States ¹⁰	August 14, 1916		For five years and thereafter until expiration of six months' notice.
Uruguay ¹⁰	Before January 28, 1921	September 27, 1921	Unconditional.

¹⁰For particulars concerning conditions of acceptance of these states, see *Yearbook of the United Nations, 1946-47*, pp. 608-12 (Annex II); see also International Court of Justice *Yearbook, 1947-48*, pp. 133-42. For texts of declarations of acceptance, see International Court of Justice *Yearbook, 1946-47*, pp. 207-20.

¹¹For particulars concerning conditions of acceptance of these states, see Annex I, pp. 801-2. See also International Court of Justice *Yearbook, 1947-48*, pp. 133-40. For texts of declarations of acceptance, see *ibid.*, pp. 128-32.

¹²The particulars concerning Paraguay were omitted from the *Yearbook of the United Nations, 1946-47*, owing to an oversight, see International Court of Justice *Yearbook, 1947-48*, p. 139; see also Annex I, p. 802. For text of Paraguayan declaration, see International Court of Justice *Yearbook 1946-47*, p. 211.

¹³For particulars concerning Turkey's conditions of acceptance, see *Yearbook of the United Nations, 1946-47*, p. 611 and International Court of Justice *Yearbook, 1947-48*, p. 140. For text of Turkish declaration of acceptance, see International Court of Justice *Yearbook, 1947-48*, pp. 127-28.

cedure, elected for a one-year period beginning May 3, 1948, were:

José Gustavo Guerrero
Jules Basdevant

Sir Arnold Duncan McNair
Sergei Borisovitch Krylov

Substitute Members:

Green H. Hackworth

Charles De Visscher

From July 1, 1947, to September 21, 1948, the Court held the following sittings:

1948:

February 24–

March 26

April 21–May 28

Corfu Channel case (Preliminary Objection)

Conditions of admission of a State to membership in the United Nations (Opinion)

D. COMPULSORY JURISDICTION OF THE COURT

Fifty-six nations had accepted the compulsory jurisdiction of the Permanent Court of International Justice in some form. Seventeen of these acceptances remained in force and, under the term of its Statute, were transferred to the International Court of Justice.

In addition, nine nations accepted the Court's compulsory jurisdiction during the period covered in the *Yearbook of the United Nations, 1946-47*, while a further eight nations did so during the period under review in this volume, bringing to 34 the total number of states that have accepted

unconditionally, or with certain reservations, the compulsory jurisdiction of the International Court of Justice. All but one (Switzerland) of these states are also Members of the United Nations.

The table on the opposite page shows the states which, as of September 21, 1948, had deposited with the Secretary-General of the United Nations the declaration recognizing the Court's jurisdiction as compulsory or had already accepted the jurisdiction of the Permanent Court of International Justice as compulsory for a period which had not then yet expired.

E. CORFU CHANNEL CASE

On May 22, 1947, the United Kingdom addressed an Application to the International Court of Justice instituting proceedings with regard to the incidents in the Corfu Channel.¹⁴

The claim of the United Kingdom in the Application was: (1) that the Albanian Government either caused to be laid, or had knowledge of the laying of, mines in its territorial waters in the Strait of Corfu, without notifying the existence of these mines, as required by Articles 3 and 4 of the Hague Convention No. 8 of 1907, by the principles of international law and by the ordinary dictates of humanity; (2) that two destroyers of the Royal Navy were damaged by the mines so laid, resulting in the loss of lives of 44 personnel of the Royal Navy and serious injury to the destroyers; (3) that the loss and damage was due to the failure of the Albanian Government to fulfil its international obligations and to act in accordance with the dictates of humanity; (4) that the Court should decide that the Albanian Government was internationally responsible for the said loss and injury and was under an obligation to make reparation or pay compensation to the Government of

the United Kingdom; and (5) that the Court should determine the reparation or compensation.

The Government of the United Kingdom, in the Application, contended that the Court had jurisdiction under Article 36, paragraph 1, of its Statute, as being a matter which was one specially provided for in the Charter of the United Nations, on the grounds: (a) that the Security Council of the United Nations, at the conclusion of proceedings in which it dealt with the dispute under Article 36 of the Charter, by a resolution decided to recommend both the Government of the United Kingdom and the Albanian Government to refer the dispute to the International Court of Justice; (b) that the Albanian Government accepted the invitation of the Security Council under Article 32 of the Charter to participate in the discussion of the dispute and accepted the condition laid down by the Security Council, when conveying the invitation, that Albania accepted in the present case all the obligations which a Member of the United Nations would have to assume in a similar case;

¹⁴See *Yearbook of the United Nations, 1946-47*, p. 596.

and (c) that Article 25 of the Charter provided that the Members of the United Nations agree to accept and to carry out the decisions of the Security Council in accordance with the Charter.¹⁷

Notice of the Application was given on May 22, 1947, by the Registrar of the Court to the Albanian Government by telegram and by letter.¹⁸ On the same day, the Application was transmitted by the Registrar to the Secretary-General of the United Nations in order that he might notify the Members of the United Nations and any other states entitled to appear before the Court.

On July 23, 1947, the Albanian Government deposited with the Registry of the Court a letter dated at Tirana, July 2, 1947, which confirmed the receipt of the Application, and requested the Registrar to bring a statement to the knowledge of the Court. This statement said, *inter alia*, that the Government of the United Kingdom, in instituting proceedings before the Court, had not complied with the recommendation adopted by the Security Council on April 9, 1947, and the Albanian Government, therefore, considered that the Government of the United Kingdom was not entitled to refer this dispute to the Court by unilateral application.

The letter went on to state that it appeared that the United Kingdom endeavored to justify its proceeding by invoking Article 25 of the Charter of the United Nations. In the opinion of Albania, that Article did not apply to recommendations made by the Council with reference to the pacific settlement of disputes, since such recommendations were not binding. Consequently, Albania maintained that Article could not afford an indirect basis for the compulsory jurisdiction of the Court.

The letter also declared that Albania considered that the United Kingdom, before bringing the case before the Court, should have reached an understanding with Albania regarding the conditions under which the two parties should submit their dispute to the Court.

In these circumstances, the letter stated, Albania was justified in its conclusion that the United Kingdom had not proceeded in conformity with the Council's recommendation, with the Statute of the Court or with the recognized principles of international law.

The Albanian Government, for its part, the letter continued, fully accepted the recommendation of the Security Council and was prepared, notwithstanding the irregularity in action taken by the Government of the United Kingdom, to appear before the Court.

Nevertheless, the letter concluded, Albania made

the most explicit reservations respecting the manner in which the United Kingdom brought the case before the Court, and emphasized that its acceptance of the Court's jurisdiction for this case could not constitute a precedent for the future.

The President of the Court—as the Court was not sitting—made on July 31, 1947, an Order in which he fixed October 1 and December 10, 1947, respectively, as the final dates for the presentation of the Memorial of the United Kingdom and the Counter-Memorial of Albania.

The Memorial of the United Kingdom, presented within the time limit fixed by the Order, contained statements and submissions with regard to the incidents which occurred on October 22, 1946, in the Corfu Channel. These statements and submissions developed the points indicated in the Application as constituting the claim of the United Kingdom.

Within the time limit fixed for the presentation of the Counter-Memorial, Albania, by a document dated December 1 and filed in the Registry on December 9, 1947, submitted a Preliminary Objection to the Application on the ground of inadmissibility.

In the Preliminary Objection, the Court was requested, in the first place, to place on record that, in accepting the Security Council's recommendation of April 9, 1947, the Albanian Government had only undertaken to submit the dispute to the Court in accordance with the provisions of the Statute and, in the second place, to give judgment that the Application of the United Kingdom was inadmissible because it contravened the provisions of Articles 40 and 36 of the Statute.

The Albanian Preliminary Objection was transmitted on December 9 to the United Kingdom and was communicated on December 11 to the Members of the United Nations.

By an Order made on December 10, 1947, the President of the Court, as the Court was not sitting, fixed January 20, 1948, as the time limit for the presentation by the United Kingdom of a written statement of its observations and submissions in regard to the Preliminary Objection.

This statement, dated January 19, 1948, and received in the Registry on the same date, contained a number of arguments and concluded by stating that the Preliminary Objection submitted by Albania should be dismissed, and that Albania

¹⁷International Court of Justice Yearbook, 1946-47, pp. 121-22.

¹⁸For details on this and succeeding paragraphs, see International Court of Justice. *Reports of Judgments, Advisory Opinions and Orders. The Corfu Channel Case (Preliminary Objection)*, Judgment of March 23rd, 1948.

should be directed to comply with the terms of the President's Order and to deliver a Counter-Memorial on the merits of the dispute without further delay.

As the Court did not have upon the bench a judge of Albanian nationality, Albania availed itself of the right provided by the Court's Statute, and designated Igor Daxner, President of a Chamber of the Supreme Court of Czechoslovakia, as judge *ad hoc*.

In the course of public sittings, held on February 26, 27 and 28 and on March 1, 2 and 5, 1948, the Court heard oral arguments on behalf of the respective parties: Kahreman Ylli, Agent, and Professor Vladimir Vochoc, Counsel, for Albania; and W. E. Beckett, Agent, and Sir Hartley Shawcross, Counsel, for the United Kingdom.

On March 25, 1948, the Court delivered a judgment rejecting the Albanian objection on the grounds, *inter alia*, that the Albanian Government's letter of July 2, in the opinion of the Court, constituted a voluntary and indisputable acceptance of the Court's jurisdiction. The Court held that there was nothing to prevent the acceptance of jurisdiction, as in the present case, from being effected by two separate and successive acts, instead of jointly and beforehand by a special agreement. The Court also held that the reservations stated in the Albanian Government's letter were intended only to maintain a principle and prevent the establishment of a precedent for the future. The Court maintained that the reservation of Albania therefore did not enable Albania to raise a preliminary objection based on an irregularity of procedure, or to dispute thereafter the Court's jurisdiction on the merits.

The Court, by 15 votes against 1, rejected the Preliminary Objection submitted by Albania on December 9, 1947, and decided that proceedings on the merits should continue. It fixed the time limits for the filing of subsequent pleadings as follows: (a) June 15, 1948, for the Counter-Memorial of Albania; (b) August 2, 1948, for the Reply of the United Kingdom; and (c) September 20, 1948, for the Rejoinder of Albania.

Judge Basdevant, Vice-President, and Judges Alvarez, Winarski, Zoricic, De Visscher, Badawi Pasha and Krylov, while agreeing with the judgment of the Court, stated in a separate opinion appended to the judgment that they wished that the Court had also passed upon the merits of the United Kingdom claims that the case be treated as one falling within the compulsory jurisdiction of the Court on the grounds that the Security Council's recommendation was a decision binding

upon the parties. The arguments presented on behalf of the United Kingdom had not convinced these judges that this was a new case of compulsory jurisdiction.

Igor Daxner, judge *ad hoc*, declared that he was unable to concur in the judgment of the Court and appended to the judgment a statement of his separate opinion.

Immediately after the delivery of judgment, the Agents for the Albanian and United Kingdom Governments announced to the Court the conclusion between their respective Governments of a Special Agreement, drawn up as a result of the resolution of the Security Council of April 9, 1947, for the purpose of submitting to the Court for decision the following questions

"1. Is Albania responsible under international law for the explosions which occurred on the 22nd October 1946 in Albanian waters and for the damage and loss of human life which resulted from them and is there any duty to pay compensation?"

"2. Has the United Kingdom under international law violated the sovereignty of the Albanian People's Republic by reason of the acts of the Royal Navy in Albanian waters on the 22nd October and on the 12th and 13th November 1946 and is there any duty to give satisfaction?"

The Court, in an Order of March 26, 1948,¹⁷ stated:

"... Whereas this Special Agreement now forms the basis of further proceedings before the Court in this case, and states the questions which the Parties have agreed to submit to the Court for decision,

"Whereas the United Kingdom Government, on October 1st, 1947, that is within the time-limit fixed by the Court, filed a Memorial with statements and submissions relating to the incident that occurred on October 22nd, 1946,

"Whereas the Agents for the Parties, having in view the filing of the Memorial and having been consulted by the President, declared in his presence that they agreed in requesting that the order and time-limits for the filing of the subsequent pleadings as fixed by the Judgment of March 25th, 1948, be maintained,

"The Court
"confirms the time-limits for the filing of the subsequent pleadings as follows

"(a) for the Counter-Memorial of the Albanian Government, Tuesday, June 15th, 1948,

"(b) for the Reply of the United Kingdom Government, Monday, August 2nd, 1948,

"(c) for the Rejoinder of the Albanian Government, Monday, September 20th, 1948 . . ."

The parties filed their documents within the time limits prescribed by the Court.¹⁸

¹⁷See International Court of Justice. *Reports of Judgments, Advisory Opinions and Orders. The Corfu Channel Case, Order of March 26th, 1948.*

¹⁸The oral hearings in the Corfu Channel Case (Merits) opened in the Peace Palace on November 9, 1948.

F. ADVISORY OPINIONS

1. *Organs and Agencies Authorized to Request Advisory Opinions*

The General Assembly and the Security Council are explicitly authorized in the Charter to request advisory opinions from the International Court of Justice on any legal question. Other organs of the United Nations, as well as the specialized agencies may, if authorized to do so by the General Assembly, request advisory opinions from the Court on legal questions arising within the scope of their activities.

The following organs of the United Nations and specialized agencies had by September 21, 1948, been authorized by the General Assembly to request such advisory opinions:

Economic and Social Council
Trusteeship Council
International Labour Organisation (ILO)
Food and Agriculture Organization of the United Nations (FAO)
United Nations Educational, Scientific and Cultural Organization (UNESCO)
International Civil Aviation Organization (ICAO)
International Bank for Reconstruction and Development
International Monetary Fund
International Telecommunication Union (ITU)
World Health Organization (WHO)

2. *Advisory Opinion on Admission to Membership in the United Nations*

a. REQUEST FROM THE GENERAL ASSEMBLY FOR AN ADVISORY OPINION

In a resolution adopted on November 17, 1948 (113(II)B), the General Assembly addressed to the International Court of Justice a request for an advisory opinion concerning the conditions of admission of a state to membership in the United Nations.¹⁹ It was the first request for an advisory opinion to be addressed to the Court.

Certified true copies of the resolution, dispatched by the Secretary-General, reached the Registry of the Court on December 12, 1947, and the request of the Assembly was entered on the same date in the Court's General List under No. 3.²⁰

On the same day, the Registrar gave notice of the request for an advisory opinion to all states entitled to appear before the Court and notified the Governments of Members of the United Nations that the Court was prepared to receive from

them written statements on the issue in question, before February 9, 1948. By the date thus fixed, written statements had been received by the Court from the following states: China, El Salvador, Guatemala, Honduras, India, Canada, United States, Greece, Yugoslavia, Belgium, Iraq, Ukrainian S.S.R., U.S.S.R. and Australia. These statements were communicated to all Members of the United Nations, who were informed that the President of the Court had fixed April 15, 1948, as the opening date of the oral proceedings. A statement from the Government of Siam, dated January 30, 1948, which was received in the Court's Registry on February 14 (i.e., after the expiration of the time limit) was accepted by decision of the President and was also transmitted to the other Members of the United Nations.

The Government of the Philippines also deposited a declaration, which, however, arrived too late to be taken into consideration.

b. ORAL PROCEEDINGS

The opening of the oral proceedings was eventually postponed for a week, the hearings actually taking place on April 22, 23, and 24, 1948.

In the course of these hearings, oral statements were presented to the Court by the representative of the Secretary-General of the United Nations and by representatives of the Governments of France, Yugoslavia, Belgium, Czechoslovakia and Poland.

The two questions put to the Court by the Assembly's resolution of November 17, 1947 (113(II)B), read as follows:

"Is a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations, juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article? In particular, can such a Member, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State?"

Of the fifteen Governments which had submitted

¹⁹See *General Assembly*, p. 44. For discussions by the General Assembly on the need for greater use by the United Nations and its organs of the International Court of Justice, see pp. 185-87.

²⁰No. 1 concerned the Corfu Channel Case (Merits) and No. 2 the Corfu Channel Case (Preliminary Objection).

written statements in connection with these questions, twelve declared that the answer to the first question should be in the negative. These twelve were: Australia, Belgium, Canada, China, El Salvador, Greece, Guatemala, Honduras, India, Iraq, Siam and United States. The other three Governments—the Ukrainian S.S.R., the U.S.S.R., Yugoslavia—held that the questions addressed to the Court by the Assembly were essentially political rather than juridical, and were therefore beyond the Court's competence.

In the oral proceedings, the competence of the Court, on the same basis, was again challenged by the representatives of Czechoslovakia, Poland and Yugoslavia, while the representatives of France and Belgium upheld the Court's competence to deal with the two questions, declaring that the problem involved was legal, not political, in its essence.

The French representative argued that the answer to the first question should be in the affirmative, i.e., that a state was entitled to exercise its own discretion in voting on the application of another state for membership in the United Nations. The French representative, however, held that the answer to the second question should be in the negative, since in his opinion it would be an arbitrary action for a Member State to make its affirmative vote for the admission of a state dependent upon the admission of other states, and since such an arbitrary action would go beyond the discretion reasonably allowed a Member State.

The Belgian representative was of the opinion that the answer to both questions should be in the negative.

c. ADVISORY OPINION

Having heard the oral statements, the Court considered the problem in private sittings and delivered its advisory opinion (A/597)²¹ on May 28, 1948. It read as follows:

"The Court,

"by nine votes to six,

"is of the opinion that a Member of the United Nations which is called upon, in virtue of Article 4 of the Charter, to pronounce itself by its vote, either in the Security Council or in the General Assembly, on the admission of a State to membership in the United Nations is not juridically entitled to make its consent to the admission dependent on conditions not expressly provided by paragraph 1 of the said Article;

"and that, in particular, a Member of the Organization cannot, while it recognizes the conditions set forth in that provision to be fulfilled by the State concerned, subject its affirmative vote to the additional condition that other States be admitted to membership in the United Nations together with that State."

The majority consisted of the following judges: José Gustavo Guerrero (President), Alejandro Alvarez, Isidro Fabela Alfaro, Green H. Hackworth, Charles De Visscher, Helge Klaestad, Abdel Hamid Badawi Pasha, Hsu Mo and José Philadelpho de Barros e Azevedo. Judges Alvarez and Azevedo, while concurring in the advisory opinion, availed themselves of the right conferred upon judges by Article 57 of the Statute and appended statements of their individual opinions.

The dissenting opinions were those of Judges Jules Basdevant (Vice-President), Bohdan Winiarski, Sir Arnold Duncan McNair and John E. Read, who issued a joint statement of their dissenting opinion, and of Judges Milovan Zoricic and Sergei Borisovitch Krylov, who each issued individual statements of their respective dissenting opinions.

In its opinion,²² the Court began by defining the question in the following words:

"The request for an opinion does not refer to the actual vote. Although the Members are bound to conform to the requirements of Article 4 in giving their votes, the General Assembly can hardly be supposed to have intended to ask the Court's opinion as to the reasons which, in the mind of a Member, may prompt its vote. Such reasons, which enter into a mental process, are obviously subject to no control. Nor does the request concern a Member's freedom of expressing its opinion. Since it concerns a condition or conditions on which a Member 'makes its consent dependent', the question can only relate to the statements made by a Member concerning the vote it proposes to give."

The Court also observed that it was clear that it was not called upon either to define the meaning and scope of the conditions on which admission is made dependent, or to specify the elements which may serve in a concrete case to verify the existence of the requisite conditions.

The Court then dealt with the question of its own jurisdiction. It stated that the question was a purely legal one, and further that it had competence to deal with questions couched in abstract terms.

It rejected the claim that it was not competent to deal with an interpretation of the Charter, in the following words:

"Nowhere is any provision to be found forbidding the Court, 'the principal judicial organ of the United Nations', to exercise in regard to Article 4 of the Charter, a multilateral treaty, an interpretative function which falls within the normal exercise of its judicial powers."

²¹Admission of a State to the United Nations (Charter, Article 4), Advisory Opinion; I.C.J. Reports 1948, p. 57-65.

²²The following summary of the Advisory Opinion is taken from International Court of Justice Yearbook, 1947-48, pp. 62-64.

The Court then considered paragraph 1 of Article 4, which reads as follows:

"Membership in the United Nations is open to all other peace-loving States which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

The Court was of opinion that the English and French texts have the same meaning and that it was impossible to find any conflict between them. The meaning also was quite clear, so that it was not necessary to resort to a study of the preparatory work of the Charter.

"The terms 'Membership in the United Nations is open to all other peace-loving States which . . . and *'Peuvent devenir Membres des Nations Unies sous autres Etats pacifiques'*, indicate that States which fulfil the conditions stated have the qualifications requisite for admission. The natural meaning of the words used leads to the conclusion that these conditions constitute an exhaustive enumeration and are not merely stated by way of guidance or example. The provision would lose its significance and weight, if other conditions, unconnected with those laid down, could be demanded. The conditions stated in paragraph 1 of Article 4 must therefore be regarded not merely as the necessary conditions, but also as the conditions which suffice.

"Nor can it be argued that the conditions enumerated represent only an indispensable minimum, in the sense that political considerations could be superimposed upon them, and prevent the admission of an applicant which fulfils them. Such an interpretation would be inconsistent with the terms of paragraph 2 of Article 4, which provide for the admission of *'tout Etat remplissant ces conditions—any such State'*. It would lead to conferring upon Members an indefinite and practically unlimited power of discretion in the imposition of new conditions. Such a power would be inconsistent with the very character of paragraph 1 of Article 4 which, by reason of the close connexion which it establishes between membership and the observance of the principles and obligations of the Charter, clearly constitutes a legal regulation of the question of the admission of new States. To warrant an interpretation other than that which ensues from the natural meaning of the words, a decisive reason would be required which has not been established.

"Moreover, the spirit as well as the terms of the paragraph preclude the idea that considerations extraneous to these principles and obligations can prevent the admission of a State which complies with them. If the authors of the Charter had meant to leave Members free to import into the application of this provision considerations extraneous to the conditions laid down therein, they would undoubtedly have adopted a different wording."

The Court added that this opinion was confirmed by Rule 60, paragraph 1, of the provisional Rules of the Security Council, which reads as follows:

"The Security Council shall decide whether in its judgment the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership."

The Court went on to state that the exhaustive character of paragraph 1 of Article 4

"does not forbid the taking into account of any factor which it is possible reasonably and in good faith to connect with the conditions laid down in that Article. The taking into account of such factors is implied in the very wide and very elastic nature of the prescribed conditions; no relevant political factor—that is to say, none connected with the conditions of admission—is excluded."

Later in the Opinion, the Court stated that paragraph 2 of Article 4 is of a purely procedural character and cannot in any way be adduced to prove that the terms laid down in Article 4, paragraph 1, are not exhaustive. Further, the political character of the Security Council does not in any way release it from the observance of the treaty provisions of the Charter, when such provisions constitute limitations on the Council's powers, or criteria for its judgment. Nor can the political responsibilities assumed by the Security Council in virtue of Article 24—in the absence of any provision—affect the special rules for admission which emerge from Article 4.

In dealing with the second part of the question, which it also answered in the negative, the Court referred to the demand on the part of a Member that its consent to the admission of an applicant should be dependent on the admission of other applicants, and observed that:

"Judged on the basis of the rule which the Court adopts in its interpretation of Article 4, such a demand clearly constitutes a new condition, since it is entirely unconnected with those prescribed in Article 4. It is also in an entirely different category from those conditions, since it makes admission dependent, not on the conditions required of applicants, qualifications which are supposed to be fulfilled, but on an extraneous consideration concerning States other than the applicant State.

"The provisions of Article 4 necessarily imply that every application for admission should be examined and voted on separately and on its own merits; otherwise it would be impossible to determine whether a particular applicant fulfils the necessary conditions. To subject an affirmative vote for the admission of an applicant State to the condition that other States be admitted with that State would prevent Members from exercising their judgment in each case with complete liberty, within the scope of the prescribed conditions. Such a demand is incompatible with the letter and spirit of Article 4 of the Charter."

d. DISSENTING OPINIONS "

(1) *Opinion of Judge Alvarez*

While concurring with the opinion of the Court, Judge Alejandro Alvarez, of Chile, included his

²²This résumé of opinions is taken from an article by Assistant Secretary General Ivan Kerno (representative

individual opinion because he did not agree with the method adopted by the Court. He was of the opinion that in answering the questions asked by the General Assembly it was not sufficient to clarify the text of the Charter; recourse must be had "to the great principles of the new international law".

The Court had decided that the question on which its advisory opinion was asked was a legal one because it concerned the interpretation of the Charter of the United Nations, but Judge Alvarez believed that the question was both legal and political, not so much because it involved an interpretation of the Charter but because it was concerned "with the problem whether States have a right to membership in the United Nations Organization if they fulfil the conditions required by the Statute of the Organization". The United Nations has a mission of universality, Judge Alvarez pronounced; and, therefore, once states have fulfilled the conditions required by Article 4 they have a right to membership. Nevertheless, Judge Alvarez pointed out that there may be some exceptions. Cases may arise in which the admission of a state is liable to disrupt the international situation. In such cases the question is no longer juridical and therefore not within the competence of the Court.

Further, while agreeing that when the conditions of Article 4 are fulfilled by an applicant, a Member cannot subject its affirmative vote to the condition that other states may be admitted together with the applicant, Judge Alvarez believed that in exceptional circumstances, for example when two or more states are created by the division of one state, applications of the new states should be considered at the same time.

(2) *Opinion of Judge Azevedo*

Judge José Philadelpho de Barros e Azevedo, of Brazil, also agreed with the findings of the Court, and the purpose of his remarks was to explain further the nature and function of an advisory opinion. He was of the opinion that in the exercise of its advisory function it might be preferable that the Court should ignore disputes that have given rise to any particular question, and thus make a purely theoretical study of the question and give an opinion of which "the effects would be applicable to all Members of the Organization".

(3) *Joint Dissenting Opinion*

Judge Jules Basdevant, of France, Judge Bohdan Winiarski, of Poland, Judge Sir Arnold D. McNair, of the United Kingdom, and Judge John M. Read, of Canada, concurred with the opinion of the

majority of the Court as to the legal character of the first question and as to the competence of the Court to give an interpretation of the Charter. But they were unable to concur in the answer given by the majority to both questions asked by the General Assembly. Their first conclusion from reading Article 4 was that the Charter does not follow the model of multilateral treaties which created international unions and provided clauses for subsequent accession. On the contrary, the Charter specifies that a state must be admitted by the General Assembly upon the recommendation of the Security Council. In the working of this system the Charter requires the intervention of two principal political organs of the United Nations, one for the purpose of making recommendations and the other for the purpose of effecting the admission. The consent of the organization is expressed by a vote. The dissenting judges pointed out that the provisions of paragraph 2 of Article 4 would be meaningless if they had been restricted to mere procedural form.

A decision in regard to membership involves an examination of political factors in order to ascertain if the state fulfils the conditions prescribed by Article 4. Upon the Security Council, whose duty is to make the recommendation, rests the responsibility for the maintenance of international peace and security. The dissenting judges felt that the admission of a new Member was pre-eminently a political act and that the political organs making the decisions must consider questions of all sorts, political as well as juridical. Therefore, these organs are juridically entitled to base their vote upon political considerations even though not specifically prescribed by Article 4.

The judges pointed out that the conditions enumerated in paragraph 1 of Article 4 of the Charter are essential, but there is no specific statement that they are sufficient. If the Charter had considered them as sufficient, it would not have failed to say so. They felt that Members are not legally bound to admit the applicant state if the conditions are fulfilled. They based this argument on a detailed examination of the *travaux préparatoires* of the San Francisco Conference. In examining these records, they found no indication of intention to impose upon the organization a legal obligation to admit states which possess the qualifications mentioned in Article 4. On the contrary,

(Footnote 23, continued)

of the Secretary-General at the public hearing of the Court), in the *United Nations Bulletin*, Vol. 4, No. 12 (June 15, 1948), pp. 492-94. See also *Admission of a State to the United Nations (Charter, Article 4). Advisory Opinion*. I.C.J. Reports 1948. (Quoted material is from the I.C.J. Report.)

Court then considered paragraph 1 of Article 4 and reads as follows:

Membership in the United Nations is open to all peace-loving States which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

The Court was of opinion that the English and French texts have the same meaning and that it is possible to find any conflict between them. The meaning also was quite clear, so that it was unnecessary to resort to a study of the preparatory work of the Charter.

The terms 'Membership in the United Nations is open to all other peace-loving States which . . . and *devenir Membres des Nations Unies sous autres conditions*', indicate that States which fulfil the conditions stated have the qualifications requisite for membership. The natural meaning of the words used leads to the conclusion that these conditions constitute an exhaustive enumeration and are not merely stated by way of illustration or example. The provision would lose its force and weight, if other conditions, unconnected with those laid down, could be demanded. The conditions enumerated in paragraph 1 of Article 4 must therefore be regarded not merely as the necessary conditions, but as the conditions which suffice.

It can be argued that the conditions enumerated constitute only an indispensable minimum, in the sense that political considerations could be superimposed upon and prevent the admission of an applicant which would otherwise be admissible. Such an interpretation would be inconsistent with the terms of paragraph 2 of Article 4, which provides for the admission of *'tout Etat remplissant ces conditions—any such State'*. It would lead to conferring upon the Security Council an indefinite and practically unlimited power of discretion in the imposition of new conditions which would be inconsistent with the very character of paragraph 1 of Article 4 which, by reason of its connection with the establishment of membership, is a condition of admission. The observance of the principles and obligations of the Charter, clearly constitutes a legal regulation of the conditions of the admission of new States. To warrant an admission other than that which ensues from the observance of the words, a decisive reason would be required which has not been established.

Moreover, the spirit as well as the terms of the Charter preclude the idea that considerations extraneous to the principles and obligations can prevent the admission of a State which complies with them. If the authors of the Charter had meant to leave Members free to refuse to admit an applicant on the basis of considerations extraneous to the conditions laid down therein, they would undoubtedly have adopted a different wording.

The Court added that this opinion was confirmed by Rule 60, paragraph 1, of the provisional rules of procedure of the Security Council, which reads as follows:

The Security Council shall decide whether in its opinion the applicant is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, and accordingly whether to recommend the applicant State for membership."

The Court went on to state that the exhaustive character of paragraph 1 of Article 4

"does not forbid the taking into account of any factor which it is possible reasonably and in good faith to connect with the conditions laid down in that Article. The taking into account of such factors is implied in the very wide and very elastic nature of the prescribed conditions; no relevant political factor—that is to say, none connected with the conditions of admission—is excluded."

Later in the Opinion, the Court stated that paragraph 2 of Article 4 is of a purely procedural character and cannot in any way be adduced to prove that the terms laid down in Article 4, paragraph 1, are not exhaustive. Further, the political character of the Security Council does not in any way release it from the observance of the treaty provisions of the Charter, when such provisions constitute limitations on the Council's powers, or criteria for its judgment. Nor can the political responsibilities assumed by the Security Council in virtue of Article 24—in the absence of any provision—affect the special rules for admission which emerge from Article 4.

In dealing with the second part of the question, which it also answered in the negative, the Court referred to the demand on the part of a Member that its consent to the admission of an applicant should be dependent on the admission of other applicants, and observed that:

"Judged on the basis of the rule which the Court adopts in its interpretation of Article 4, such a demand clearly constitutes a new condition, since it is entirely unconnected with those prescribed in Article 4. It is also in an entirely different category from those conditions, since it makes admission dependent, not on the conditions required of applicants, qualifications which are supposed to be fulfilled, but on an extraneous consideration concerning States other than the applicant State.

"The provisions of Article 4 necessarily imply that every application for admission should be examined and voted on separately and on its own merits; otherwise it would be impossible to determine whether a particular applicant fulfils the necessary conditions. To subject an affirmative vote for the admission of an applicant State to the condition that other States be admitted with that State would prevent Members from exercising their judgment in each case with complete liberty, within the scope of the prescribed conditions. Such a demand is incompatible with the letter and spirit of Article 4 of the Charter."

d. DISSENTING OPINIONS²²

(1) Opinion of Judge Alvarez

While concurring with the opinion of the Court, Judge Alejandro Alvarez, of Chile, included his

²²This résumé of opinions is taken from an article by Assistant Secretary General Ivan Kerno (representative

of the United States) in the *Yearbook of the United Nations*, 1950, Vol. V, No. 2, p. 100.

The Court has held that the conditions of admission are not exhaustive, and that the Security Council may take into account any factor which it is possible reasonably and in good faith to connect with the conditions laid down in Article 4. The Court has also held that the conditions of admission are not exhaustive, and that the Security Council may take into account any factor which it is possible reasonably and in good faith to connect with the conditions laid down in Article 4.

(1) Judge Alvarez, of Chile, included his dissenting opinion in the majority opinion of the Court, and stated that the conditions of admission are not exhaustive, and that the Security Council may take into account any factor which it is possible reasonably and in good faith to connect with the conditions laid down in Article 4.

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individual opinion because he did not agree with the method adopted by the Court. He was of the opinion that in answering the questions asked by the General Assembly it was not sufficient to clarify the text of the Charter; recourse must be had "to the great principles of the new international law".

The Court had decided that the question on which its advisory opinion was asked was a legal one because it concerned the interpretation of the Charter of the United Nations, but Judge Alvarez believed that the question was both legal and political, not so much because it involved an interpretation of the Charter but because it was concerned "with the problem whether States have a right to membership in the United Nations Organization if they fulfil the conditions required by the Statute of the Organization". The United Nations has a mission of universality, Judge Alvarez pronounced; and, therefore, once states have fulfilled the conditions required by Article 4 they have a right to membership. Nevertheless, Judge Alvarez pointed out that there may be some exceptions. Cases may arise in which the admission of a state is liable to disrupt the international situation. In such cases the question is no longer juridical and therefore not within the competence of the Court.

Further, while agreeing that when the conditions of Article 4 are fulfilled by an applicant, a Member cannot subject its affirmative vote to the condition that other states may be admitted together with the applicant, Judge Alvarez believed that in exceptional circumstances, for example when two or more states are created by the division of one state, applications of the new states should be considered at the same time.

(2) *Opinion of Judge Azevedo*

Judge José Philadelpho de Barros e Azevedo, of Brazil, also agreed with the findings of the Court, and the purpose of his remarks was to explain further the nature and function of an advisory opinion. He was of the opinion that in the exercise of its advisory function it might be preferable that the Court should ignore disputes that have given rise to any particular question, and thus make a purely theoretical study of the question and give an opinion of which "the effects would be applicable to all Members of the Organization".

(3) *Joint Dissenting Opinion*

Judge Jules Basdevant, of France, Judge Bohdan Winiarski, of Poland, Judge Sir Arnold D. McNair, of the United Kingdom, and Judge John M. Read, of Canada, concurred with the opinion of the

majority of the Court as to the legal character of the first question and as to the competence of the Court to give an interpretation of the Charter. But they were unable to concur in the answer given by the majority to both questions asked by the General Assembly. Their first conclusion from reading Article 4 was that the Charter does not follow the model of multilateral treaties which created international unions and provided clauses for subsequent accession. On the contrary, the Charter specifies that a state must be admitted by the General Assembly upon the recommendation of the Security Council. In the working of this system the Charter requires the intervention of two principal political organs of the United Nations, one for the purpose of making recommendations and the other for the purpose of effecting the admission. The consent of the organization is expressed by a vote. The dissenting judges pointed out that the provisions of paragraph 2 of Article 4 would be meaningless if they had been restricted to mere procedural form.

A decision in regard to membership involves an examination of political factors in order to ascertain if the state fulfils the conditions prescribed by Article 4. Upon the Security Council, whose duty is to make the recommendation, rests the responsibility for the maintenance of international peace and security. The dissenting judges felt that the admission of a new Member was pre-eminently a political act and that the political organs making the decisions must consider questions of all sorts, political as well as juridical. Therefore, these organs are juridically entitled to base their vote upon political considerations even though not specifically prescribed by Article 4.

The judges pointed out that the conditions enumerated in paragraph 1 of Article 4 of the Charter are essential, but there is no specific statement that they are sufficient. If the Charter had considered them as sufficient, it would not have failed to say so. They felt that Members are not legally bound to admit the applicant state if the conditions are fulfilled. They based this argument on a detailed examination of the *travaux préparatoires* of the San Francisco Conference. In examining these records, they found no indication of intention to impose upon the organization a legal obligation to admit states which possess the qualifications mentioned in Article 4. On the contrary,

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of the Secretary-General at the public hearing of the Court), in the *United Nations Bulletin*, Vol. 4, No. 12 (June 15, 1948), pp. 492-94. See also *Admission of a State to the United Nations (Charter, Article 4). Advisory Opinion*. I.C.J. Reports 1948. (Quoted material is from the I.C.J. Report.)

the Conference reports showed that wide discretionary powers were conferred upon the political organs of the United Nations with respect to the admission of Members.

The dissenting judges concluded, however, that the Members of the organization do not enjoy unlimited freedom in the choice of political considerations, but since no "concrete case has been submitted to the Court which calls into question the fulfilment of the duty to keep within these limits; so the Court need not consider what it would have to do if a concrete case of this kind were submitted to it".

Having thus concluded that a Member of the United Nations is legally entitled to put forth considerations "foreign to the qualifications specified in paragraph 1 of Article 4, and, assuming these qualifications to be fulfilled, to base its vote upon such considerations", the dissenting judges declared that a Member in participating in a political discussion is also legally entitled to make its consent to the admission of a state dependent on the admission of other states.

(4) *Dissenting Opinion of Judge Zorivic*

Judge Milovan Zorivic, of Yugoslavia, agreed with the Court's opinion as regards its competence to interpret the Charter, but could not support the opinion because he considered that the Court should have refrained from answering the questions put, and, secondly, because he could not accept the conclusions of its reply. In substance, he agreed with the joint opinion expressed by the Dissenting Opinion.

The Assembly's resolution and the documents submitted to the Court by the Secretary-General showed that the request for an advisory opinion originated in a divergence of views as to the admission of certain states. The views expressed were of a political nature and, moreover, the circumstances under which the request was made to the Court were put forth for a definite "political purpose". In the first place, it was quite clear to him that the conditions of Article 4 were minimum conditions that must be fulfilled by new Members, but it was undeniable that there were other conditions to be considered. He did not think "that the powers and duties of the Council under Article 24 . . . can be limited merely by a restrictive interpretation of Article 4". He queried how the Security Council could be limited from declaring against the admission of a state even where it would be quite obvious that such admission "would have serious consequences for general international stability and consequently the maintenance of peace". He thus concluded that in the

supreme interest of the organization, the members of the Council must "have a wide discretion", and consequently the discretionary right of vote implies the right to vote without giving reasons for it.

In connection with the second question asked by the Assembly, he pointed out that although stated in the abstract, the evidence referred to a concrete case, namely, the discussion of the admission of the ex-enemy states. The arguments used by a permanent member of the Security Council that it would vote for the admission of two ex-enemy states on condition that the other three ex-enemy states be admitted was founded on a legal basis. The permanent member "maintained its interpretation of the Declaration of Potsdam and of the peace treaties". He concluded that what was fundamental was not the correctness of the interpretation made by that state but "the right of that State to rely on it. . . . This right is guaranteed by the principle of sovereign equality of States which underlies the organization of the United Nations."

(5) *Dissenting Opinion of Judge Krylov*

Judge Sergei Borisovitch Krylov, of the U.S.S.R., was unable to concur in the opinion of the Court. He held that it was impossible to eliminate the political element from the question put to the Court and to consider it in abstract form for, in fact, it was a question "designed to censure the reasons given by a permanent member of the Security Council".

He pointed out that the Permanent Court of International Justice was never asked to give an interpretation of the Covenant of the League of Nations in the abstract. The questions asked of the Permanent Court, regarding the interpretation of the Covenant dealt with concrete situations because, in his view, it was not desired to involve the Court in political disputes. He was of the opinion that in some cases it might be against the interest of the Court to urge that it should deal with disputes in which legal relations between parties are subordinated to the political considerations involved, and that in this case the Charter should have been interpreted rather by the political organs themselves than by the Court. He therefore concluded that it would have been better if the Court had not answered the questions put.

Judge Krylov then referred to a statement in the majority opinion that no relevant political factor is excluded and said that this means that a Member has the right of discretionary and political appreciation. He also considered the practice followed by the political organs of the United Nations with regard to the admission of new Members

and noted that both political and legal considerations had been put forth to show that a state should or should not be admitted to membership. He added, however, that political considerations were not warranted if they were inconsistent with the principles of the Charter and therefore stated that a Member is not justified in basing his opposition on arguments which relate to matters falling essentially within the domestic jurisdiction of the applicant state.

In connection with the admission of ex-enemy states, he believed that a bloc or composite vote is not forbidden by the Charter. Consequently, when it is a case of admitting states whose applications are presented in identical circumstances, particu-

larly since the applications for admission to the United Nations of the five ex-enemy states were favored by participants of the Potsdam Agreement and by the signatories of the peace treaties, it was stated by Judge Krylov, "there was no warrant for an unjustified discrimination between the five candidates on the ground of their domestic régime".

Judge Krylov concluded therefore that a Member is entitled to declare, during the discussion and before the vote, that it takes into account "(1) the legal criteria prescribed in paragraph 1 of the said Article [Article 4], and (2) political considerations consistent with the Purposes and Principles of the United Nations".

G. OBSERVATION OF TENDE AND LA BRIGUE (TENDA-BRIGA) PLEBISCITE

In response to a request of the French Government, the President of the International Court of Justice on July 24, 1947, designated three neutral persons to participate as observers in the plebiscite held in the Tende and La Brigue (Tenda-Briga) districts, ceded to France by Italy as provided in the Italian Peace Treaty. The three neutral ob-

servers were Dr. J. A. van Hamel, President of the Special Court of Justice (War Crimes) of Amsterdam; François Perréard, Counsellor of State of Geneva and National Counsellor of the Swiss Confederation; and Eric Sjöborg, Minister Plenipotentiary, Swedish Foreign Office. The plebiscite was held on October 12, 1947.²⁴

ANNEX: STATES ACCEPTING COMPULSORY JURISDICTION²⁵

BELGIUM:

Date of Signature: June 10, 1948.

Date of Deposit of Ratification: June 25, 1948.

Conditions:

Ratification.

Reciprocity.

5 years.

For any legal dispute which may arise after ratification with regard to any situation or fact arising after such ratification.

Except in cases where the parties have agreed or agree to employ other means of peaceful settlement.

BOLIVIA:

Date of Signature: July 5, 1948.

Conditions:

5 years.

BRAZIL:

Date of Signature: February 12, 1948.

Conditions:

Reciprocity.

5 years (as from March 12, 1948).

HONDURAS:

Date of Signature: February 2, 1948.

Conditions:

Reciprocity.

6 years (as from February 10, 1948).

For all legal disputes concerning:

- (a) the interpretation of a treaty;
- (b) any question of international law;
- (c) the existence of any fact which, if established, would constitute a breach of an international obligation;
- (d) the nature or extent of the reparation to be made for the breach of an international obligation.

MEXICO:

Date of Signature: October 23, 1947.

Conditions:

Reciprocity.

5 years (as from March 1, 1947), and thereafter until notice of termination is given.

For any future legal dispute arising out of events subsequent to October 23, 1947.

The declaration does not apply to disputes arising from matters that, in the opinion of the Mexican Government, are within the domestic jurisdiction of the United States of Mexico.

PAKISTAN:

Date of Signature: June 22, 1948.

Conditions:

Reciprocity.

²⁴International Court of Justice *Yearbook*, 1947-48, pp. 44-45.

²⁵See footnotes 10-13, p. 792.

5 years (and thereafter until the expiration of six months after notice of abrogation).

For all future disputes concerning:

- (A) the interpretation of a treaty;
- (B) any question of international law,
- (C) the existence of any fact which, if established, would constitute a breach of an international obligation;
- (D) the nature or extent of the reparation to be made for the breach of an international obligation; provided, that this declaration shall not apply to
 - (a) disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future, or
 - (b) disputes with regard to matters which are essentially within the domestic jurisdiction of the Government of Pakistan as determined by the Government of Pakistan; or
 - (c) disputes arising under a multilateral treaty unless
 - (1) all parties to the treaty affected by the decision are also parties to the case before the Court, or
 - (2) the Government of Pakistan specially agrees to jurisdiction

PARAGUAY:

Date of Signature: May 11, 1933.

Conditions:

(Unconditionally.)

PHILIPPINES:

Date of Signature: July 12, 1947.

Conditions:

Reciprocity.

10 years (as from July 4, 1946), and thereafter until notification of abrogation.

For all cases enumerated in paragraph 2, Article 36, of the Statute of the Court.

SWITZERLAND:

Date of Signature: July 6, 1948.

Conditions:

Reciprocity.

Until the expiration of a year's notice of termination

For all legal disputes concerning:

- (a) the interpretation of a treaty,
- (b) any question of international law,
- (c) the existence of any fact which, if established, would constitute a breach of an international obligation,
- (d) the nature or extent of the reparation to be made for the breach of an international obligation.

To take effect from the date on which Switzerland became a party to the Court's Statute [i.e., July 28, 1948].

VIII. *The Secretariat*

A. THE CHARTER AND THE SECRETARIAT¹

The Charter establishes the Secretariat as a principal organ of the United Nations.

The Secretariat comprises a Secretary-General and such staff as the United Nations may require.

The Secretary-General acts in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council and of the Trusteeship Council, and performs such other functions as are entrusted to him by these organs. The Secretary-General makes an annual report to the General Assembly on the work of the organization.

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

The Secretary-General, with the consent of the Security Council, notifies the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council. He similarly notifies the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

The Secretary-General receives from those Members of the United Nations which have responsibilities for the administration of Non-Self-Governing Territories statistical and other information of a technical nature relating to economic, social and educational conditions in such of those Non-Self-Governing Territories as are not placed

under the International Trusteeship System.

Every treaty and every international agreement entered into by any Member of the United Nations after the coming into force of the Charter is registered as soon as possible with the Secretariat and published by it.

In the performance of their duties the Secretary-General and the staff may not seek or receive instructions from any government or from any other authority external to the organization. They are to refrain from any action which might reflect on their position as international officials responsible only to the organization. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

A staff is appointed by the Secretary-General under regulations established by the General Assembly. Appropriate staffs are permanently assigned to the Economic and Social Council, the Trusteeship Council and, as required, to other organs of the United Nations. These staffs form a part of the Secretariat.

The paramount consideration in the employment of the staff and in the determination of the conditions of service is the necessity of securing the highest standards of efficiency, competence and integrity. Due regard is paid to the importance of recruiting the staff on as wide a geographical basis as possible.

B. ADMINISTRATIVE ORGANIZATION OF THE SECRETARIAT

(As of September 21, 1948)

1. *The Secretary-General*

The Secretary-General is the chief administrative officer of the United Nations. He is appointed by the General Assembly upon the recommendation of the Security Council.

The first Secretary-General of the United Nations, appointed on the recommendation of the

Security Council by the General Assembly on February 1, 1946, is Trygve Lie

¹This section is a summary of the Charter provisions relating to the Secretariat. The main provisions are contained in Chapter XV, Articles 97-101. Other provisions are to be found in Articles 7, 12, 20, 73, 102, 103 and 110 of the Charter and Articles 5, 7, 13, 14, 18, 36, 40, 67 and 70 of the Statute of the International Court of Justice.

The General Assembly on January 24, 1946, decided that the terms of the appointment of the Secretary-General should be such as to enable a man of eminence and high attainment to accept and maintain the position, and that the first Secretary-General should be appointed for five years, the appointment being open at the end of that period for a further five-year term. The General Assembly noted that the General Assembly and the Security Council were free to modify the terms of office of future Secretaries-General and that, because the Secretary-General was a confidant of many governments, it was desirable that no Member should offer him, immediately upon retirement, any governmental position, and that he, on his part, should refrain from accepting any such position.²

2. General Structure of the Secretariat

The eight principal divisions of the Secretariat are:

- Department of Security Council Affairs
- Department of Economic Affairs
- Department of Social Affairs
- Department of Trusteeship and Information from Non-Self-Governing Territories
- Department of Public Information
- Legal Department
- Conference and General Services
- Administrative and Financial Services

Each of these departments is headed by an Assistant Secretary-General. One of the Assistant Secretaries-General is designated by the Secretary-General to deputize for him when he is absent or unable to perform his functions. The Secretary-General is authorized to take whatever steps may be required to ensure co-ordination between the Departments of Economic Affairs and of Social Affairs and the maintenance of appropriate administrative relationships between those Departments and the Economic and Social Council and the specialized agencies. To ensure this co-ordination, a Joint Division of Co-ordination and Liaison was established.

3. Executive Office of the Secretary-General

In addition to the eight departments of the Secretariat which fulfil functions in specific fields, the Secretary-General has at his disposal an Executive Office consisting of a small staff of advisers and assistants, under the direction of an Executive Assistant.

The Executive Office assists the Secretary-General in the performance of those functions which he does not delegate to the departments and for which he retains personal responsibility. These functions include consultation with governments and the heads of the specialized agencies and the supervision of special projects such as the United Nations Appeal for Children.

The Executive Office assists the Secretary-General in the formulation of policy, and reports to him on its implementation by the Secretariat.

The activities of the departments and the relations of the Secretariat with the specialized agencies are co-ordinated in the Executive Office.

As the central secretariat for the General Assembly, the Executive Office directs the departments in their work for the Assembly and assists the Secretary-General in the organization of its schedule.

In addition, the Executive Office advises on matters of protocol and maintains diplomatic liaison with delegations at the interim headquarters.

4. Department of Security Council Affairs

This department serves the Security Council in the fulfilment of its continuous functions under the Charter. It assists the Secretary-General in the performance of his responsibilities under Article 99 of the Charter (under which he is empowered to bring to the attention of the Security Council matters which in his opinion may threaten international peace and security). It also provides documentation for the General Assembly when it considers questions relating to the maintenance of peace and security.

The department arranges for such services as notification of meetings and preparation of agenda and reports for the Security Council, its commissions (including the Atomic Energy Commission) and committees (excluding the Military Staff Committee) and for the First (Political and Security) Committee of the General Assembly. In co-operation with Conference and General Services, it arranges for such services as verbatim records, summary records, translation of records and translation of proceedings for these bodies.

The department also performs the following functions. It:

obtains information and prepares reports with reference to threats to the maintenance of international peace and security, the pacific settlement of disputes, and the general principles of co-operation;

²See *Yearbook of the United Nations*, 1946-47, p. 82.

advises the Security Council on rules of procedure; prepares studies on the political aspects of military agreements, and assists in the negotiation of such agreements in co-operation with the Secretariat of the Military Staff Committee;

prepares studies on the size of armaments and traffic in arms; participates in investigations and advises on the security aspects of Trusteeship Agreements for strategic areas;

formulates plans with reference to non-military enforcement measures; and

participates with the secretariat of the Military Staff Committee in work related to the application of military enforcement measures.

This department is organized into the following units:

Office of the Assistant Secretary-General
General Political Division
Administrative and General Division
Armaments and Enforcement Measures Section
Atomic Energy Commission Group

To the Office of the Assistant Secretary-General is attached the Special Unit for Trieste.

The General Political Division comprises the following five sections:

General Political
European Affairs
Middle East and African Affairs
Asia and Pacific Affairs
Western Hemisphere Affairs

The Administrative and General Division comprises the Services to the Security Council Section, the Services to the Security Council Section, the Services to the Committees Section and the Administrative Section.

a. MILITARY STAFF COMMITTEE SECRETARIAT

The secretariat of the Military Staff Committee serves the Committee in its various functions as defined by the Security Council. It is organized as an independent unit of the Secretariat because of the particular status of the Committee.

The secretariat of the Military Staff Committee is organized in three small sections dealing with administration, languages and documents.

5. Department of Economic Affairs

This department is responsible for providing such services and assistance as are required by the organs of the United Nations in respect of the economic and statistical problems with which they have to deal. These organs include particularly the Second (Economic and Financial) Committee of the General Assembly, the Economic and Social Council and the various advisory commissions,

both functional and regional, which the Council has established to help it in its work. The department also provides other branches of the Secretariat with any economic and statistical information and advice which they may need. In addition, the department undertakes the publication of certain economic studies and reports.

In carrying out its responsibilities in the economic field, the department maintains close touch with the various specialized agencies established in the fields of labor, food and agriculture, trade, transport and communications, banking and finance. The department is responsible further for servicing international conferences in these fields convened under the auspices of the United Nations.

The department also undertakes to arrange the provision of expert assistance to Member Governments, in accordance with a resolution of the Economic and Social Council.³ This assistance is particularly intended for those countries whose economies stand in need of development.

The substantive work in connection with these responsibilities is performed through four units of the department at the interim headquarters, namely, the Division of Economic Stability and Development, the Fiscal Division, the Transport and Communications Division, and the Statistical Office; in addition, the secretariats of the Economic Commissions for Europe, Asia and the Far East, and Latin America, located respectively at Geneva, Shanghai and Santiago de Chile, form part of the Department of Economic Affairs. Over-all control in all cases is exercised by the office of the Assistant Secretary-General in charge of Economic Affairs.

The office of the Assistant Secretary-General consists of his immediate staff and, in addition, of a unit which serves as the secretariat to the Interim Co-ordinating Committee for International Commodity Arrangements.

The Division of Economic Stability and Development consists of the following main units:

Office of the Director
Economic Stability Section
Economic Development Section
International, Financial and Commercial Relations Section
Geographical Area Units Section

The Transport and Communications Division consists of four main units

Office of the Director
Inland Transport and Travel Section
World-wide Transport and Communications Section
Research and Documentation Section

³Resolution 51 (IV); see *Yearbook of the United Nations*, 1946-47, p. 340.

The Statistical Office is divided into five main units:

Office of the Director

Collection, Analysis and Publication of Statistics Unit
Research and Promotion of Internationally Comparable Statistics Unit

International Centre of Statistics Unit

Co-ordination of the Statistical Activities of the United Nations and Specialized Agencies Unit

a. JOINT DIVISION OF CO-ORDINATION AND LIAISON

The Joint Division of Co-ordination and Liaison was established to deal with a series of problems common to the Departments of Economic Affairs and Social Affairs. The major functions and responsibilities of the division are to provide secretariat services to the Economic and Social Council, to establish and maintain relations between the United Nations and the specialized agencies; to maintain liaison with the non-governmental organizations which apply for consultative status with the Economic and Social Council and to maintain relations with such organizations as have been granted consultative status. The division is organized on the basis of three sections, namely, the Economic and Social Council Secretariat, the Specialized Agencies Section and the Non-Governmental Organizations Section.

6. Department of Social Affairs

This department is responsible for the secretariat of the Third (Social, Humanitarian and Cultural) Committee of the General Assembly; of the Economic and Social Council in so far as it deals with problems of human rights, status of women, narcotic drugs, population and other social problems including health, refugees, education and cultural activities; and that of the commissions, sub-commissions and committees of the Council covering these fields, in particular the Social Commission, the Commission on Human Rights and its sub-commissions, the Commission on Narcotic Drugs, the Population Commission and the Commission on the Status of Women.

It prepares the meetings and work programs of all these organs and carries out, according to instructions received from them, any studies and reports or other technical assignments in the social field. It keeps in touch, through exchange of documentation and, whenever possible, through reciprocal representation, with the specialized agencies and other inter-governmental organizations in the fields of labor, health, education, science

and culture, refugees and displaced persons, and connected fields, and with the non-governmental organizations working in the social field.

The department services international conferences convened under the auspices of the United Nations in these fields, assists in the preparation, drafting, and implementation procedures of international conventions on all subjects connected with its field and reports on these activities to the Economic and Social Council and to the General Assembly.

It drafts and prepares for printing by the United Nations studies or reports of a lasting value, the publication of which has been recommended by the organs of the United Nations.

It advises the Secretary-General on all questions falling within its field and keeps him, and through him the interested organs of the United Nations, informed of all major developments in this field throughout the world.

The department is organized into the following units:

Office of the Assistant Secretary-General

Division of Human Rights

Division of Narcotic Drugs

Division of Population

Division of Social Activities

To the office of the Assistant Secretary-General is attached the Section of Cultural Activities.

The Division of Human Rights is organized into an Office of the Director and five sections: the Commission's Secretariat, the General Section, the Communications Section, the Section on Freedom of Information and the Press and the Section on the Status of Women.

The Division of Narcotic Drugs consists of three sections: one servicing the Commission on Narcotic Drugs, and the other two dealing with international conventions (one with the implementation of existing conventions and one with the preparation and drafting of additional conventions).

The Division of Population is split up as and when required into specialized teams for specific assignments.

The Division of Social Activities is composed of the following units: Office of the Director, Operational Services and Technical Services.

7. Department of Trusteeship and Information from Non-Self-Governing Territories

This department serves the Trusteeship Council and the Fourth (Trusteeship) Committee of the

General Assembly, as well as the Special Committee on information transmitted under Article 73 e of the Charter; informs the Secretary-General of problems and developments in the field of Trusteeship and Non-Self-Governing Territories; supplies other organs of the United Nations and departments of the Secretariat with information concerning Trust Territories, Non-Self-Governing Territories and non-security aspects of strategic areas; and provides documentation for the General Assembly for its consideration of questions arising under Chapters XI, XII and XIII of the Charter.

The substantive work of this department is performed by two divisions through the Office of the Assistant Secretary-General, (1) Trusteeship and (2) Non-Self-Governing Territories.

The Division of Trusteeship provides required studies and documentation for the Trusteeship Council. It assists the Trusteeship Council in: drafting and consideration of Trusteeship Agreements; formulation of questionnaires concerning each Trust Territory; examination of annual reports of Administering Authorities; acceptance and examination of petitions; and periodic official visits and surveys.

The Division of Trusteeship consists of a Director's Office and five sections: Questionnaires, Petitions, Visits, Agreements and Research.

The Division of Non-Self-Governing Territories classifies, summarizes and analyzes information transmitted under Article 73 e of the Charter and other supplemental official information for the consideration of the General Assembly and the Special Committee, set up under the General Assembly resolution of November 3, 1947. The Division undertakes studies on economic, social and educational matters in territories coming under Article 73 e in order that the information available may be included in relevant programs of the specialized agencies and other departments of the United Nations. It issues an annual publication comprising summaries of the information transmitted by the Administering Powers during the preceding year, analyses of the information and an account of developments in relation to Article 73 e.

The Division of Non-Self-Governing Territories is organized as a Director's Office and four sections: Specialists' Unit, Africa Section, Pacific-Asia Section and Caribbean Section.

The department assists the Department of Security Council Affairs with respect to political, economic, social and educational matters in strategic areas; and obtains the assistance of the

Economic and Social Council and the specialized agencies on matters within their fields.

8. Department of Public Information

This department advises the Secretary-General on information policy; and, working with the specialized agencies, it:

- supervises and maintains facilities at headquarters for representatives of all information media;

- maintains Information Centres away from headquarters, to disseminate United Nations information throughout the world;

- provides services for press coverage of United Nations activities and issues informative publications;

- organizes sales and distribution throughout the world of all informative material issued by the United Nations;

- broadcasts accounts of United Nations activities and provides facilities for commercial and governmental broadcasting services;

- working with the United Nations Film Board, produces and encourages the production of films on subjects connected with the United Nations and the specialized agencies;

- maintains and encourages film and photographic coverage of United Nations activities and maintains files of prints for publication purposes;

- provides United Nations information material and related services to educational agencies, lecturers and non-governmental organizations;

- prepares surveys of press and radio opinion on United Nations activities; and

- maintains the library and reference services of the United Nations.

The department is organized into the following units:

- Office of the Assistant Secretary-General and Executive Office

- Press and Publications Bureau

- Radio Division

- Films and Visual Information Division

- Special Services

- External Services

- Library Services

The Office of the Assistant Secretary-General and Executive Office consists of the immediate staff of the Assistant Secretary-General, the Executive Office and a section which carries out the sales arrangements for United Nations publications and distribution and printing operations that are performed by this department.

The Press and Publications Bureau is organized into two main services, namely, the Central Information and Press Services and the Publications and Periodicals Services.

The Films and Visual Information Division consists of the Director's Office and two sections, the Films and Television Section and the Visual Information Section.

Special Services is organized in the following sections: Lecture Services and Educational Liaison, Non-Governmental Organizations, Specialized Agencies and Admission Office.

Library Services is organized into the Office of the Director and four sections: Reference and Documentation Section (with a Documents Index Unit), Processing Section, Research Section and Opinion Survey Section.

9. *Legal Department*

This department advises the Secretariat and other organs of the United Nations on legal and constitutional questions, encourages the progressive development of international law and its codification, and maintains liaison with the International Court of Justice.

In fulfilling these functions, the department prepares legal opinions on the interpretation and application of the Charter of the United Nations; assists in the negotiation and drafting of treaties and international agreements;

serves as legal adviser to the United Nations, its Commissions, Committees, and other organs;

advises and assists in the drafting of resolutions of the General Assembly and other organs of the United Nations and renders opinions on the interpretation of such resolutions,

advises and assists other departments with respect to legal problems involved in their work;

advises on legal aspects of contracts for buildings, and services and supplies,

advises on legal aspects of disputes and claims in the field of private law involving the United Nations;

prepares studies and recommendations and promotes conferences with respect to the development and codification of international law;

assists in the analysis and interpretation of national laws and decrees of interest to the United Nations;

interprets legal instruments of an international law character, such as international treaties and agreements, more especially if their subject is being studied by organs of the United Nations;

negotiates and drafts conventions relating to privileges and immunities and deals with any dispute or question arising out of the application of such conventions;

registers, classifies, and publishes treaties and international agreements; and

maintains liaison with the International Court of Justice with respect to legal functions of the Court.

The department comprises the Office of the Assistant Secretary-General and three divisions: General Legal Questions, Development and Codification of International Law, and Privileges and Immunities and Registration of Treaties.

10. *Conference and General Services*

This department makes arrangements and provides services for meetings of the General Assem-

bly, the Councils, commissions, committees and special conferences held under the auspices of the United Nations.

In fulfilling these functions, the department:

co-operates with the departments concerned in scheduling conferences and meetings;

co-ordinates the service activities and provides translation, interpretation, reproduction and graphic presentation services for conferences and for the Secretariat;

edits and publishes the journals and official records of conferences and meetings;

provides general services such as purchasing, stores and warehousing, commercial arrangements with regard to the printing of publications, transportation arrangements, hotel accommodations and buildings management;

handles mail, cables, telephone and telegraph services and supervises registries and files.

Conference and General Services consists of the Office of the Assistant Secretary-General, the Bureau of Documents, with five divisions and the Documents Control Staff, and the Bureau of General Services with four divisions.

The Office of the Assistant Secretary-General consists of his immediate staff, an Overseas Offices Division and a Conference Division. The Conference Division is composed of three sections: Conference Management Section, Planning and Estimates Section and Accounts Control Section.

The Bureau of Documents consists of an Office of the Director, Documents Control Staff, Reproduction and Distribution Division, Interpretation Division, Printing Liaison Division, Translation Division and Official Records Division.

The Reproduction and Distribution Division comprises the Director's Office and two sections: Reproduction Section and Distribution Section.

The Printing Liaison Division is composed of an Office of the Director and three sections: Copy Preparation Section, Printing Control Section and Presentation Section.

The Translation Division comprises a divisional office, a Terminology Section, a Documentation and Reference Section and one Translation Section for each official language.

The Official Records Division comprises the Office of the Director, English Section, French Section, Russian Unit and Spanish Unit.

The Bureau of General Services consists of the Office of the Director, Communications and Records Division, Maintenance and Engineering Division, Purchase and Supply Division and Transportation Division.

The Communications and Records Division is composed of an administrative staff and four sections: Archives Section, Cable and Wireless

Mail and Messenger Section and Registry

The Maintenance and Engineering Division is of the Office of the Chief and four sections: Space and Telephone Control Section, Section, Sound and Recording Section and Section.

The Transportation Division is composed of an staff, and four sections: Freight Authorization and Passport Section, Passenger Section and Local Transportation Section.

11. Administrative and Financial Services

This department plans and executes the per- budgetary and fiscal programs of the Nations.

It provides data required by the General As- the Councils and Committees with respect administrative, financial and budgetary ques- and maintains relationship with all depart- of the Secretariat, the Registrar of the Court of Justice and the specialized on these questions. It advises the Sec- on proposed programs of the or- ganization prior to their adoption with respect to

their personnel, budgetary and financial implica- tions.

It is responsible for arranging with Member nations for the payment of their contributions.

Administrative and Financial Services is org- anized into the following units.

Office of the Assistant Secretary-General
Bureau of Administrative Management and Budget
Bureau of the Comptroller
Bureau of Personnel

To the Office of the Assistant Secretary-General is attached the Headquarters Planning Office.

The Bureau of Administrative Management and Budget is organized as follows: Office of the Director, Budget Administration Division, Esti- mates and Organization Division and Management Engineering Division.

The Bureau of the Comptroller is organized as follows: Office of the Comptroller, Expenditure Control Division, Staff Accounts Division, Treasury Division, General Accounts Division, Audit Division and Tax Division.

The Bureau of Personnel is organized as fol- lows: Office of the Director, Appointment and Staff Relations Division, Housing Division, Staff Pensions Division, Staff Regulations and Policies Division and Training Division.

C. DEVELOPMENT OF THE SECRETARIAT FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

1. Organizational Changes

A detailed survey of all departments was made by the Management Engineering Division of the Bureau of Administrative Management and Budget. The results of this survey formed the basis for organizational changes in a number of depart- ments. The more important changes that occurred in the responsibilities and functions of the main units of the Secretariat during the period covered by the present *Yearbook* are briefly outlined in the following paragraphs (A/565).

a. DEPARTMENT OF ECONOMIC AFFAIRS

During the period under review, the principal development in the organization of this department was the establishment and organization of the staffs of the regional economic commissions: the Economic Commission for Europe, the organiza-

tion of which was virtually completed by the end of 1947; the Economic Commission for Asia and the Far East, established during 1947; and the Economic Commission for Latin America, estab- lished during 1948.

b. DEPARTMENT OF PUBLIC INFORMATION

As of January 1, 1948, the library was re-org- anized and all existing library and reference ser- vices except the language reference services were centralized for the time being in the Department of Public Information. This re-organized service comprises the Library and the Documents Index Unit, formerly under Conference and General Services, the reference and related services pre- viously performed by the Reference and Pub- lications Division of the Department of Public Information, and certain library and reference activities transferred from other departments. The

Geneva library was placed under the general policy direction of the headquarters library.

Sales of all publications of the United Nations, as well as the technical operations connected with the printing of publications of the Department of Public Information, were transferred from Conference and General Services to the former Department, and are now performed by a section attached to the Executive Office of the Department of Public Information.

To the six Information Centres existing in the first half of 1947, six more were added, due consideration being given to their geographical distribution all over the world. As of September 21, 1948, the network consisted of the following Centres. Copenhagen (for Denmark, Iceland, Norway and Sweden); Geneva (at the United Nations European Office); London (for the United Kingdom, Ireland and the Netherlands); Moscow (for the U.S.S.R., the Byelorussian S.S.R. and the Ukrainian S.S.R.); Mexico City (for Mexico and Central America), New Delhi (for India, Burma and Ceylon); Paris (for France, Belgium, Luxembourg and the French Commonwealth), Prague (for Czechoslovakia and Yugoslavia); Rio de Janeiro (for Brazil); Shanghai (for China, the Philippines and Siam), Warsaw (for Poland); and Washington (for the United States).

c. CONFERENCE AND GENERAL SERVICES

In the Department of Conference and General Services, a thorough re-organization of the structure and operations of the former Bureau of Technical Services, which became the Bureau of Documents, was put into effect in April 1948. It consisted of the integration of the services responsible for producing the official records of meetings in such a way that the manuscript of those records would be completed in the working languages within a single administrative unit. Secondly, a Documents Control Staff was established to review all documents submitted for issue and to record the statistics of all divisions of the Bureau of Documents.

d. ADMINISTRATIVE AND FINANCIAL SERVICES

A re-organization of the Administrative and Financial Services was planned. Under the scheme, it was proposed to merge the Bureau of Administrative Management and Budget and the Bureau of the Comptroller, and to regroup the functions presently performed by these two bureaux into four divisions.

The second feature of the re-organization plan was the proposed establishment of an Inspection Serv-

ice, comprising the present Internal Audit Division of the Comptroller's Office and the Management Engineering Division of the Bureau of Administrative Management and Budget.

Thirdly, the internal organization and procedures of the Bureau of Personnel were being revised.

The re-organization plan outlined above was to become fully operative by January 1949.

e. GENEVA OFFICE

Re-organization of the Geneva office was completed during the period under review in accordance with the suggestion, made by the Advisory Committee on Administrative and Budgetary Questions in its report on the 1948 budget (A/336), that both the system of control by headquarters and the internal organization of the office could be simplified. Greater flexibility and speed of operation were secured through a clarification of responsibilities and line of communication with headquarters, through the delegation of a considerable measure of local authority in matters of administration and finance and through the regrouping of certain services. In particular, the Director of the Geneva office was given full administrative authority over all United Nations elements of the Geneva office. Further, Conference and General Services in both the Geneva office and at the interim headquarters now have corresponding functions. The Head of Administrative and Financial Services at Geneva was given an overall responsibility for all matters relating to personnel, budget and finance. At the same time, the functions of the Geneva office were clearly defined. They may be briefly described as follows:

(1) To provide office accommodation and services for units of the United Nations Secretariat located in Geneva (the staff of the Economic Commission for Europe, the joint secretariat of the Permanent Central Opium Board and Narcotic Drugs Supervisory Body, a unit of the Department of Social Affairs, representatives of the Department of Trusteeship and of the Joint Division of Co-ordination and Liaison and the Information Centre);

(2) To act as a European centre for the holding of conferences, both of the United Nations and of specialized agencies;

(3) To provide facilities of a temporary character for United Nations commissions operating in Europe;

(4) To provide, on a reimbursable basis, office space and certain services for specialized agencies with secretariats in Geneva.

2. Staff Policies

a. RECRUITMENT AND APPOINTMENTS

Recruitment from outside the United States continued, principally through United Nations recruitment representatives who covered the European area and 23 countries in other regions of the world. These recruitment representatives, appointed by the Secretary-General, have been maintained in: Buenos Aires (for Argentina, Paraguay and Uruguay); Melbourne (for Australia); Rio de Janeiro (for Brazil); Ottawa (for Canada); Shanghai (for China); Bogotá (for Colombia); San José (for Costa Rica, Nicaragua and Panama, for part of the year); Havana (for Cuba, the Dominican Republic and Haiti); Guatemala City (for Guatemala, Honduras and El Salvador); New Delhi (for India); Mexico City (for Mexico); Wellington (for New Zealand); Karachi (for Pakistan); Lima (for Peru); and Pretoria (for the Union of South Africa). Honorary committees were also established in Ecuador, the Philippines and Venezuela.

The Chief of the European Recruitment Centre made a recruitment trip to Member countries in the Middle Eastern area. As a result, a register of qualified candidates from these countries has been established at headquarters and in the Geneva office.

Progress was made in the system of recruitment and promotion by competitive examination, including:

(1) Plans for recruiting by competitive examination about twenty young trainees for junior professional and administrative posts from India and Latin America were formulated. Examinations will be held during 1949 in Argentina, Brazil, Colombia, India and Pakistan.

(2) Over one thousand candidates for linguistic posts (translator and précis writer) were examined in New York, Paris, London, Geneva, Brussels, Moscow, Prague and Stockholm. In addition, examinations were held for such diverse posts as statisticians, economists, radio operators, proof-readers, Chinese calligraphers, verbatim reporters, administrative assistants and clerical workers. Nearly three thousand candidates were examined in all.

(3) An examination was held within the Secretariat to find young people well fitted for advancement to junior administrative posts.

One special problem has been the staffing of missions. Partly by transfer of existing staff members and partly by initial recruitment, 248 staff

members were sent—during the period covered by the *Yearbook*—on mission assignments with the United Nations Special Committee on the Balkans, the Committee of Good Offices on the Indonesian Question, the United Nations Commission for India and Pakistan, the United Nations Temporary Commission on Korea, the United Nations Truce Commission for Palestine and the Visiting Mission to East Africa.

The Personnel Selection Committee, established by the Secretary-General in the summer of 1946 for the purpose of considering and reviewing the qualifications of personnel recommended by department heads for permanent appointment in the Secretariat, had held 109 meetings by September 21, 1948, and had considered 1,180 nominations.

As of August 31, 1948, 775 members of the Secretariat had indeterminate appointments, and 237 indeterminate appointments were pending.

b. GEOGRAPHICAL DISTRIBUTION

As of August 31, 1948, there were 3,982 members of the Secretariat.⁴ Their geographic distribution is represented in the table (A/652) on pages 812-13.

c. SALARIES AND ALLOWANCES

The salaries of the Secretariat members were not changed. An increased cost of living allowance was granted, however.

d. JOINT STAFF PENSION SCHEME

As of September 21, 1948, there was an active membership of 1,789 employees in the Staff Pension Scheme.⁵

e. STAFF TRAINING

The program of training and information for members of the staff emphasized special orientation for newcomers, language training and general orientation lectures.

Language training in all five official languages was developed in courses graded according to standards of proficiency. A total of 973 staff members attended the classes.

The orientation lectures included a series on American life, given in co-operation with Columbia University; a series on United Nations activities; and an informational series for staff going to Paris for the third regular session of the General Assembly.

⁴The figures given here are from the edited document, which appears in the *Official Records of the Third Session of the General Assembly, Annexes to the plenary meetings*.

⁵For further information, see pp. 180-81.

INTERNATIONALLY RECRUITED GLOBAL STAFF

Nationality by Official Station

(August 31, 1948)

Nationality	Totals	New York	European Office	Information Centres	ECAFE ^a	ECLA ^a	Advisory Social Welfare Program
Afghanistan	1	1	—	—	—	—	—
Argentina	10	9	—	1	—	—	—
Australia	23	20	1	—	1	—	1
Austria (non-member)	2	1	1	—	—	—	—
Belgium	29	20	6	2	—	—	1
Bolivia	3	3	—	—	—	—	—
Brazil	19	16	—	1	—	1	1
Bulgaria (non-member)	2	2	—	—	—	—	—
Burma	1	1	—	—	—	—	—
Byelorussian S.S.R.	—	—	—	—	—	—	—
Canada	46	45	—	—	—	—	1
Chile	7	7	—	—	—	—	—
China	56	53	—	1	2	—	—
Colombia	5	5	—	—	—	—	—
Costa Rica	2	1	—	—	—	1	—
Cuba	6	4	—	—	—	2	—
Czechoslovakia	30	21	7	1	—	—	1
Denmark	20	16	2	2	—	—	—
Dominican Republic	2	2	—	—	—	—	—
Ecuador	6	6	—	—	—	—	—
Egypt	8	8	—	—	—	—	—
El Salvador	1	—	—	—	—	1	—
Ethiopia	—	—	—	—	—	—	—
France	97	64	29	2	—	—	2
Greece	10	7	3	—	—	—	—
Guatemala	1	1	—	—	—	—	—
Haiti	3	2	—	—	—	1	—
Honduras	2	2	—	—	—	—	—
Hungary (non-member)	3	2	1	—	—	—	—
Iceland	1	1	—	—	—	—	—
India	24	20	—	1	3	—	—
Iran	6	6	—	—	—	—	—
Iraq	1	1	—	—	—	—	—
Italy (non-member)	1	—	1	—	—	—	—
Lebanon	2	2	—	—	—	—	—
Liberia	—	—	—	—	—	—	—
Luxembourg	3	2	1	—	—	—	—
Mexico	8	7	—	1	—	—	—
Netherlands	28	22	6	—	—	—	—
New Zealand	12	11	1	—	—	—	—
Nicaragua	—	—	—	—	—	—	—
Norway	24	22	—	2	—	—	—
Pakistan	2	2	—	—	—	—	—
Panama	2	1	1	—	—	—	—
Paraguay	3	3	—	—	—	—	—
Peru	4	3	—	—	—	1	—
Philippines	5	3	—	1	1	—	—
Poland	34	23	9	2	—	—	—
Saudi Arabia	—	—	—	—	—	—	—
Siam	1	1	—	—	—	—	—
Spain (non-member)	1	1	—	—	—	—	—
Sweden	24	22	1	1	—	—	—
Switzerland (non-member)	25	5	20	—	—	—	—
Syria	4	4	—	—	—	—	—
Turkey	4	4	—	—	—	—	—
Ukrainian S.S.R.	3	3	—	—	—	—	—
Union of South Africa	10	9	1	—	—	—	—
U.S.S.R.	21	16	2	2	—	—	1

[Table continued on opposite page]

Nationality	Totals	New York	European Office	Information Centres	ECAFE*	ECLA†	Advisory Social Welfare Program
United Kingdom	179	130	40	5	3	—	1
United States ..	353	321	17	3	2	2	8
Uruguay	4	4	—	—	—	—	—
Venezuela	1	1	—	—	—	—	—
Yemen	—	—	—	—	—	—	—
Yugoslavia	8	5	3	—	—	—	—
Stateless and Undetermined	5	5	—	—	—	—	—
Totals	1198	979	153	28	12	9	17
NOT INCLUDED IN ABOVE TOTALS:							
Grades 1-7 (inclusive)	1872	1471	355	29	8	7	2
Posts with language requirements	424	368	52	—	3	1	—
Consultants and special appointments (including conference appointments in the European Office)	202	53	149	—	—	—	—
Hourly	286	172	114	—	—	—	—
Grand Totals	3982	3043	823	57	23	17	19

*Economic Commission for Asia and the Far East.

†Economic Commission for Latin America.

f. INTERNE TRAINING

An eight-week internship program, enabling students (local university graduates) to receive a close insight into the workings of an international organization, was conducted from January 15 to March 5, 1948. The internees worked in the Secretariat during their vacation periods, without salary or allowances.

A similar eight-week program commenced on July 12, 1948, with 43 students from 33 countries and eleven internees chosen on a scholarship basis by Rotary International, the School of International Affairs of Columbia University, the University of Pennsylvania and Stanford and Alfred Universities.

While the internees received no remuneration for their work, arrangements were made to provide a daily living allowance and to house the whole group at Adelphi College, not far from the interim headquarters. This was made possible through the generous financial support of Rotary International, the Carnegie Endowment for International Peace and the Hugh Moore Memorial Fund.

Most of the internees worked as research assistants in the Departments of Economic Affairs, Social Affairs and Public Information; but some were assigned to the Legal, Trusteeship and Security Council Affairs Departments and to the Bureau of Personnel in Administrative and Financial Services and the Bureau of Documents in Conference and General Services.

A course of lectures and seminars, given by senior members of the Secretariat, was part of the program. These included discussions of the history and organization of the United Nations; practical problems of work and adjustment; the growth and development of international co-operation; the Palestine question, as an example of the problems which arise in the settlement of international disputes; particular problems of departments of the Secretariat; specific techniques of international organization; the international civil service; problems of information about the United Nations; and the development of the internship program.

ANNEX: PRINCIPAL MEMBERS OF THE UNITED NATIONS SECRETARIAT

(As of September 21, 1948)

Secretary-General:
TRYGVE LIE

EXECUTIVE OFFICE OF SECRETARY-GENERAL

Executive Assistant to the Secretary-General:
Andrew W. Cordier
Special Advisers to the Secretary-General:
Martin Hill
Colonel A. Roscher Lund
William H. Stoneman

DEPARTMENT OF SECURITY COUNCIL AFFAIRS
Assistant Secretary-General: Arkady A. Sobolev
Principal Director:
Director of General Political Division: A. G. Robles
Director of Administrative and General Division:
D. Proutch

DEPARTMENT OF ECONOMIC AFFAIRS
Assistant Secretary-General: David Owen
Top-Ranking Director: Antoine Goldet

* See footnotes on p. 814.

Director of Division of Economic Stability of Development: David Weintraub
Director of Transport and Communications Division: Branko Lukac
Director of Fiscal Division: Paul Deperon
Director of Interim Commission for International Trade Organization: Eric Wyndham White

DEPARTMENT OF SOCIAL AFFAIRS

Assistant Secretary-General: Henri Laugier
*Top-Ranking Director:*¹⁰
Consultant-Director of Population Division: F. W. Notestein
Director of Social Activities Division: Sir Raphael Cilento
Director of Narcotics Division: Leon Steing
Director of Human Rights Division: J. P. Humphrey

DEPARTMENT OF TRUSTEESHIP AND INFORMATION FROM NON-SELF-GOVERNING TERRITORIES

Assistant Secretary-General: Victor Chi-Tsai Hoo
Top-Ranking Director of Division of Trusteeship: Ralph Bunche
Director of Division of Non-Self-Governing Territories: Wilfrid Benson

DEPARTMENT OF PUBLIC INFORMATION

Assistant Secretary-General: Benjamin Cohen
Top-Ranking Director: Tor Gjesdal
Director of Press and Publications Bureau: Wilder Foote
Director of Press Relations: George Barnes
Director of Radio Division: Peter Aylen
Chief Communications Engineer: Brig-General Frank E. Stoner
Director of Films and Visual Information Division: J. Benoit-Levy
Director of Library Services: Carl H. Milam
Director of Special Services: W. Bryant Mumford
Director of External Services: Jerzy Szapito

LEGAL DEPARTMENT

Assistant Secretary-General: Ivan Kerno
Top-Ranking Director and General Counsel: Abraham H. Feller
Director of Division for the Development and Codification of International Law: Yuen-Li Liang
Director of Division of Privileges and Immunities and Registration of Treaties: Hanna Saba

CONFERENCE AND GENERAL SERVICES

Assistant Secretary-General: Adrian Pelt
Top-Ranking Director: David B. Vaughan
Director of Conference Division: Charles M. Fonck
Acting Director of Bureau of Documents: Charles Le Bosquet
Director of Printing Liaison Division: David Zabłodowsky
Director of Official Records Division: Emile Delavenay
Director of Interpreters Division: Georges Rabinovitch
Director of Translation Division: Georges J. Mathieu
Director of Distribution-Reproduction Division: D. De Walt
Director of Bureau of General Services: Byron F. Wood
Director of Purchase and Supply Division: F. A. Mapes

ADMINISTRATIVE AND FINANCIAL SERVICES

Assistant Secretary-General: Byron Price
Director of Planning, Headquarters Planning Office: W. K. Harrison

Director, Bureau of Administrative Management and Budget: H. C. Andersen
Director, Bureau of Personnel: Georges Palthey
Comptroller, Bureau of the Comptroller: H. C. Elvina

UNITED NATIONS APPEAL FOR CHILDREN

Acting Executive Director: Manfred Simon¹¹

UNITED NATIONS INTERNATIONAL CHILDREN'S EMERGENCY FUND

Executive Director: Maurice Pate
EUROPEAN OFFICE OF THE UNITED NATIONS, GENEVA
Director representing the Secretary-General: Vladimir Moderow

INFORMATION CENTRES

Director of Copenhagen Office: Viggo A. Christensen
Director of Geneva Office: V. Duckworth-Barker
Acting Director of London Office: William Tanzer
Director of Mexico City Office: Rafael Fusoni
Acting Director of Moscow Office: Michael S. Vavilov
Director of New Delhi Office: B. Leitzger
Acting Director of Paris Office: Louis B. Ges
Director of Prague Office: Olav Rytter
Director of Rio de Janeiro Office: Paul Vanorden Shaw
Director of Shanghai Office: Henri Fast
Acting Director of Warsaw Office: Julian Stawiski
Director of Washington Office: Arthur Sweetser

ECONOMIC COMMISSION FOR EUROPE

Executive Secretary: Gunnar Myrdal
ECONOMIC COMMISSION FOR ASIA AND THE FAR EAST
Executive Secretary: Palamalai S. Lokanathan

ECONOMIC COMMISSION FOR LATIN AMERICA

*Executive Secretary:*¹²

UNITED NATIONS SPECIAL COMMITTEE ON THE BALKANS

Principal Secretary: Raoul Aglion
UNITED NATIONS TEMPORARY COMMISSION ON KOREA
Head of Secretariat: Assistant Secretary-General Victor Chi-Tsai Hoo
Principal Secretary: Coert Binnerts

UNITED NATIONS COMMISSION FOR INDIA AND PAKISTAN

Personal Representative of the Secretary-General: Erik Colban
Principal Secretary: Arnold V. Kunst

UNITED NATIONS COMMITTEE OF GOOD OFFICES IN INDONESIA

Acting Principal Secretary: H. J. Timperley¹³
TRUSTEESHIP COUNCIL VISITING MISSION TO AFRICA
Principal Secretary: Jean de la Roche

¹⁰Martin Hill was appointed Deputy Executive Assistant to the Secretary-General and Director of Co-ordination for Specialized Agencies and Economic and Social Matters on October 1, 1948.

¹¹D. Protitch was appointed Principal Director on October 3, 1948.

¹²Jan Stanczyk was Top-Ranking Director until July 31, 1948.

¹³Aake Ording, former Executive Director, resigned in Sept. 1948 to work for the continuation of UNAC.

¹⁴Gustavo Martinez Cabañas was appointed to this post on December 15, 1948.

¹⁵T. G. Narayanan, Principal Secretary, was stationed temporarily at the headquarters of the United Nations.

PART TWO

THE SPECIALIZED AGENCIES

- I. The International Labour Organisation
- II. The Food and Agriculture Organization of the United Nations
- III. The United Nations Educational, Scientific and Cultural Organization
- IV. The International Civil Aviation Organization
- V. The International Bank for Reconstruction and Development
- VI. The International Monetary Fund
- VII. The Universal Postal Union
- VIII. The World Health Organization
- IX. The International Telecommunication Union
- X. The International Refugee Organization
- XI. The Inter-Governmental Maritime Consultative Organization
(Not yet established)
- XII. The International Trade Organization
(Not yet established)
- XIII. The World Meteorological Organization
(Not yet established)

I. *The International Labour Organisation*¹

A. ORIGIN

The International Labour Organisation was established on April 11, 1919, as an autonomous institution associated with the League of Nations. The original Constitution of the Organisation was adopted as Part XIII of the Treaty of Versailles

and formed part of other treaties of peace.

The original Members of ILO were the original Members of the League, and thereafter membership in the League carried with it, but was not necessary for, membership in the Organisation.

B. PURPOSES AND FUNCTIONS

The Preamble of the Organisation's Constitution states that universal peace "can be established only if it is based upon social justice"; that unjust conditions of labor imperil "the peace and harmony of the world"; and that an improvement in such conditions "is urgently required: as, for example, by the regulation of the hours of work, including the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of equal remuneration for work of equal value, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures".

The 26th session of the General Conference (also called the International Labour Conference), held at Philadelphia in April and May 1944, adopted a "Declaration concerning the Aims and Purposes of the International Labour Organisation", generally known as the Declaration of Philadelphia. Under an amendment to the Constitution adopted by the 29th session of the Conference in October 1946, the objects set forth in this Declaration are included among those to be promoted by the Organisation, and the text of the Declaration is annexed to the Constitution.

The Declaration redefines the functions and responsibilities of the Organisation. It reaffirms the fundamental principles upon which the Organisation is based and, in particular, that

"(a) labour is not a commodity;

"(b) freedom of expression and of association are essential to sustained progress;

"(c) poverty anywhere constitutes a danger to prosperity everywhere;

"(d) the war against want requires to be carried on with unrelenting vigour within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of Governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare."

The Declaration affirms that "all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity", and adds that the "attainment of the conditions in which this shall be possible must constitute the central aim of national and international policy". The Declaration maintains that "it is a responsibility of the International Labour Organisation to examine and consider all international economic and financial policies and meas-

¹For further information, see *Yearbook of the United Nations*, 1946-47, pp. 661-70; first and second reports of ILO to the United Nations (E/586 and Add.1 and E/810); report of the Director-General to the 31st session of the General Conference, 1948; proceedings of the General Conference, 1947 and 1948. See also *Bibliography of this Yearbook*, Appendix III.

ures in the light of this fundamental objective", and that, in discharging the tasks entrusted to it, the Organisation, "having considered all relevant economic and financial factors, may include in its decisions and recommendations any provisions which it considers appropriate".

The Declaration recognizes the solemn obligation of the Organisation to promote programs to

achieve full employment and the raising of standards of living, recognition of the right of collective bargaining, extension of social security, etc. It embodies a pledge that the Organisation will co-operate with other international bodies in the achievement of the objectives it sets forth and in the promotion of the health, education and well-being of all peoples.

C. ORGANIZATION

The organs of ILO are the General Conference of representatives of the Members, the Governing Body and the International Labour Office, which is controlled by the Governing Body.

The General Conference meets at least once a year. It is composed of four representatives of each Member State, of whom two are government delegates and the other two are delegates representing, respectively, the employers and the workers of each Member. The non-government delegates are appointed in agreement with the organizations which are most representative of employers and workers. Each delegate may be accompanied by not more than two advisers for each item on the agenda of the session.

New Members are admitted into the Organisation, if they are Members of the United Nations, by communicating to the Director-General of ILO their formal acceptance of the obligations of the ILO Constitution. Other states, to become Members of ILO, require in addition a two-thirds vote of the delegates to the Conference, including two thirds of the votes cast by government delegates to the Conference.*

Each delegate has one vote in the Conference. Except as otherwise provided by the ILO Constitution, the Conference makes decisions by a simple majority of the votes cast. Decisions of the Conference mainly take the form of Conventions and Recommendations, which require a two-thirds majority of the Conference for adoption. Under the ILO Constitution, a Member is required to bring a Convention adopted by the Conference to the attention of its competent national authority for ratification. If a country ratifies a Convention, it assumes an obligation to apply the provisions of that Convention to all the territories under its administration, including Non-Self-Governing Territories; it also assumes an obligation to report annually on the measures it has taken to bring its

legislation into line with these provisions. Supervisory machinery available within ILO provides not only for measures to promote the ratification of Conventions, but also for a complaint procedure in the event of violations of a Convention. With regard to Recommendations, Members of ILO are under the obligation to consider them with a view to giving effect to their provisions by legislation or other action. Member States are further required to report periodically on the position of their law and practice in relation to unratified Conventions and Recommendations.

As of September 21, 1948, a total of 90 Conventions² and 83 Recommendations had been adopted by the Conference. Collectively, the Conventions and Recommendations form an International Labour Code,³ which embodies international standards of policy.

The Governing Body is composed of 32 members. Sixteen of these represent governments, eight the employers and eight the workers. Eight of the sixteen government representatives are appointed by the eight Member States of chief industrial importance; and eight are appointed by Member States chosen by the other government delegates to the Conference in an election held every three years. The employer and worker members are elected, respectively, by the employer and worker delegates to the Conference. The Governing Body's responsibilities include the selection of items for the agenda of the Conference, the appointment of the Director-General of the International Labour Office, the general supervision of the Office and of the various committees and commissions of the Organisation, and the consideration of proposals for the Organisation's budget.

*See list of International Labour Conventions adopted by the Conference to date, pp. 828-30.

²International Labour Code 1939. 920 pp. International Labour Office, Montreal, 1941.

The International Labour Office provides the secretariat of the Conference and of the Governing Body, prepares documents on the items of the agenda of the Conference and of the Governing Body, collects and distributes information on all subjects within the Organisation's competence, assists governments in the drafting of legislation and regulations, conducts such special investigations as may be ordered by the Conference or by the Governing Body, provides machinery to assist in ensuring the effective application of Conventions, and issues a variety of periodical and other publications dealing with problems of industry and employment. The Office also acts as the secretariat for the Inter-American Social Security Conference, organized in 1940 to promote social security in the Americas, and for the International Social Security Association, a private international association of social security institutions founded in 1927 with the support of the International Labour Office.

A number of commissions and committees exist to further the work of the Organisation in specific fields. In addition to the Governing Body committees, these include the Committee of Experts on the Application of Conventions, the Joint Maritime Commission, the Advisory Committee on Salaried Employees and Professional Workers, the Advisory Committee on Cooperation, the Permanent Agricultural Committee, the Committee of Social Security Experts and its Sub-committee of Experts on Actuarial Questions, the Correspondence Committee on Accident Prevention, the Correspondence Committee on Industrial Hygiene and

its Sub-committee on Silicosis, the Correspondence Committee of Women's Work, the Advisory Committee on Juvenile Work, the Correspondence Committee on Recreation, the Joint Commission on Industrial Hygiene, the Joint Commission on Provision for Medical Care and Health Services, the Committee on Social Policy in Non-Metropolitan Territories, the Permanent Migration Committee, the International Development Works Committee, the Sub-committee on Automatic Coupling of Railway Vehicles, the Committee of Statistical Experts and the Committee on Indigenous Labour. There are industrial committees for the following eight industries: Coal Mines; Textiles; Building, Civil Engineering and Public Works, Metal Trades; Iron and Steel Production; Inland Transport; Petroleum Production and Refining; Chemicals.

In addition to the principal working centre of the International Labour Office at Geneva, ILO maintains a Liaison Office with the United Nations in New York, and branch offices in Canada, China, France, India, Italy, the United Kingdom and the United States.

Correspondents or agents for the sale of publications are maintained in the following countries: Argentina, Australia, Belgium-Luxembourg, Bolivia, Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Ecuador, Egypt, Greece, Guatemala, Ireland, Mexico, Peru, Poland, Sweden, Syria, Uruguay and Venezuela. The correspondents serve as information centres, and distribute and sell publications.

D. ACTIVITIES PRIOR TO JULY 1, 1947

Throughout the years between its establishment and the outbreak of the Second World War, the Organisation played a leading role in promoting the improvement of labor conditions throughout the world.

From 1919 to July 1, 1947, 29 sessions of the General Conference had been held and the 30th was in session, 102 sessions of the Governing Body had been held. Five of the Conference sessions were concerned exclusively with improving social conditions in the maritime industry. The first Conference of the Organisation was held in Washington, D. C., in 1919, and the second in Genoa, Italy, in 1920. Thereafter, until 1939,

sessions of the Conference were held at the Organisation's seat in Geneva.

In 1940, in order to ensure that the International Labour Office should be able to continue to function freely, a working centre was established at Montreal. The transfer to Geneva of the services temporarily located in Canada was approaching completion in September 1948. During the war years, ILO devoted its energies to assisting the cause of the Allies. A special Conference of ILO, which marked the first large-scale meeting of Allied representatives since the outbreak of war, was held in New York in 1941, and a series of seven meetings of United States

and Canadian representatives concerned with manpower mobilization problems was organized during 1941 and 1942. A meeting of the Governing Body was held in 1941, a session of the Emergency Committee of the Governing Body in 1942 and regular Governing Body sessions were resumed in 1943. Regular sessions of the General Conference were resumed in 1944, after a five-year interval, with the 26th session, held in Philadelphia. At this session, ILO considered its postwar status, policy and program and adopted the Declaration of Philadelphia, which redefined the aims and purposes of the Organisation. The Conference met again in Paris in 1945, in Seattle and Montreal in 1946 and in Geneva in 1947.

The ILO Constitution was amended by the Paris session in 1945 and again in 1946 by the Montreal session of the Conference in order to strengthen the procedure for ensuring a strict application of conventions adopted by ILO, to make the Organisation independent of the League of Nations machinery after the dissolution of the League and to facilitate full co-operation with the United Nations.⁴

An Agreement bringing the ILO into relationship with the United Nations, in accordance with Article 63 of the Charter, and defining its status as a specialized agency was unanimously approved

by the 29th session of the General Conference October 2, 1946. The Agreement came into force upon its approval by the General Assembly of United Nations on December 14, 1946.⁵

ILO gradually brought its activities back to their prewar level; the Organisation again began working towards the improvement of the working conditions of seafarers, agricultural and industrial workers, salaried employees and professional workers, and towards the improvement of conditions in Non-Self-Governing Territories. ILO found it necessary to extend its activities to meet regional needs. It began to hold regional conferences to deal with the special problems of the American continent, and especially of Latin America, as early as 1936, and in 1947 began to develop its regional activities in Asia and the East and in the Near and Middle East.

The Organisation further recognized the need for new machinery to deal with the specific labor and social problems of individual industries of great international importance. It therefore decided to set up in 1945 industrial committees for the world's leading industries. The Committees bring together representatives of government, management and labor to discuss the specific problems of these industries.

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

During this period, ILO has held one session of its General Conference and three sessions of its Governing Body. The Governing Body met for its 103rd session in Geneva in December 1947, its 104th session in Geneva in March 1948 and its 105th and 106th sessions in San Francisco in June and July 1948.

The 31st session of the General Conference, which met at San Francisco from June 17 to July 10, 1948, was attended by 443 delegates and advisers from 51 of ILO's Member States.

The Conference admitted Ceylon to membership in ILO. Since the previous session, Burma, El Salvador, Pakistan, the Philippines and Syria had become Members by notifying ILO of their acceptance of the obligations imposed by the Constitution.

The Conference appointed the eight government, eight labor and eight employer members holding elective seats on the Governing Body.

Earlier, the Governing Body had agreed that the United States, the United Kingdom, France, India, China and Canada should retain the seats previously held as the countries of chief industrial importance. It was decided that Brazil should replace the Netherlands among these eight States. Subsequently, to review, it was agreed that Belgium should continue to occupy the eighth non-elective seat.

The agenda of the Conference included: a session

⁴The Instrument for the Amendment of the Constitution, 1945, came into force on September 26, 1946. The Instrument for the Amendment of the Constitution, 1946, came into force on April 20, 1948. For a more detailed account of the provisions of these amendments see *Yearbook of the United Nations*, 1946-47, pp. 670-679. For text of Constitution, as amended, see *ibid.*, 670-79.

⁵For text, see *ibid.*, pp. 679-83.
⁶On the decision of the 107th session of the Governing Body in December 1948, Belgium was replaced by Italy. Belgium was appointed to fill the elective seat previously held by Italy, subject to confirmation by the next session of the General Conference.

of technical questions on vocational guidance; employment service organization and revision of the Convention concerning fee-charging employment agencies, 1933; wages; freedom of association and protection of the right to organize; industrial relations; and revision of Conventions, adopted at earlier sessions of the Conference, on the employment at night of women and young persons. As a result of decisions of the Conference, the total number of International Labour Conventions adopted by the Organisation was brought to 90 and the total number of Recommendations to 83.

The main activities of the Organisation, together with relevant decisions of the General Conference and the Governing Body, are summarized below.

Decisions of the Conference other than those referred to below included a request that the Governing Body examine for possible action a resolution proposing that various specific rights in respect of living and working conditions should be considered as essential rights of the workers in all parts of the world, and that recognition of these rights should be fundamental to the work of ILO. The Governing Body was asked to arrange for a further study of working conditions in all branches of the glass industry and to undertake the ten-yearly review of the Conventions adopted on the question in 1934 and 1935, in order to consider whether their revision is necessary. The Conference requested that a study be undertaken, in consultation with ICAO, on working conditions of persons employed on aircraft engaged in the transport of passengers and goods. It agreed on points to be covered at its next session in the consideration of international minimum standards governing vocational guidance, labor clauses in public contracts, and the prompt payment of workers' wages. Among its other decisions, the Conference asked the Governing Body to consider placing on the agenda of an early session of the General Conference the questions of a guaranteed wage and of the status and employment of domestic workers.

1. Manpower

ILO has greatly expanded and intensified its activities in dealing with the urgent question of manpower. At its 104th session held in Geneva in March 1948, the Governing Body authorized the International Labour Office to undertake an emergency manpower program for Europe. This pro-

gram has been developed in co-operation with the United Nations Economic Commission for Europe, which, at a meeting of its Sub-Committee on Manpower in March 1948, invited ILO to undertake a number of tasks in the field of manpower as part of the emergency reconstruction program. ILO is also working with the Organization for European Economic Co-operation and the International Co-ordination Committee for European Migratory Movements.

The Office is acting as a centre for the exchange of information on vocational training and retraining. It is issuing a periodic annotated bibliography on vocational guidance and training, and is publishing a series of national monographs on vocational training schemes operating in selected countries. It has also begun the collection and the exchange of information concerning manpower needs and surpluses (from the point of view of migration) and, in order to facilitate the necessary interchange of workers, a list of definitions and classifications of the occupations concerned. The list of definitions of occupations used by the International Refugee Organization for classifying refugees and displaced persons was used as a practical basis, and a number of improvements suggested by ILO were adopted by IRO.

Requests for ILO assistance in dealing with the manpower problems of Asia and the Far East were made in resolutions adopted by the ILO Preparatory Asian Regional Conference in 1947, and at the second session of the United Nations Economic Commission for Asia and the Far East held in November and December 1947. In 1948 the Office loaned an expert to ECAFE to survey the training facilities of that region. Meanwhile, ECAFE, at its third session in May and June 1948, reiterated its request that machinery be set up to deal with questions of training.

In the light of the progress made with the ILO manpower program for Europe, and in response to requests for assistance from Asia and the Far East, the Near and Middle East and Latin America, the Director-General prepared for submission to the 107th session of the Governing Body, scheduled to meet in Geneva in December 1948, a comprehensive picture of the work undertaken by ILO in the field of manpower, migration and technical training, together with proposals for further action to intensify this work on a world-wide basis, and to adapt it to meet the special needs of the different regions of the world.⁷

⁷The Governing Body in December endorsed these proposals and took steps to meet the requests for assistance.

2. Migration

Proposals for the revision of the Migration for Employment Convention, 1939, and of related Recommendations were considered by the Permanent Migration Committee of ILO, which met in Geneva from February 23 to March 2, 1948. The Committee also examined questions concerning a draft model migration agreement, technical selection and training of migrants and co-operation of ILO in measures for the co-ordination of international responsibilities in the field of migration.

On the basis of recommendations made to it by the Committee, the 104th session of the Governing Body placed on the agenda of the General Conference the revision of the 1939 Convention and Recommendations on migration. In addition to the principles concerning methods of recruitment, introduction and placement of migrants for employment included in the present Convention, the proposed revisions provide, *inter alia*, for more fully formulated principles concerning equality of treatment, and other aspects of the protection of the economic and social rights of migrants than now appear in the text. The Governing Body approved the Committee's proposal that there should be one Convention, one Recommendation and a Model Bilateral Agreement to be annexed to the Recommendation. Among its other decisions on migration, the Governing Body authorized the International Labour Office to take appropriate action to co-ordinate international responsibility in the field of migration, in consultation with the United Nations and other international agencies. In this connection, an agreement had already been reached between the United Nations and ILO defining the sphere of competence of the two organizations on migration questions.

The Governing Body further authorized the Office to develop its migration activities on a regional basis, and in particular to speed up its information service and to adapt the Model Agreement to present European conditions. At its 31st session, the General Conference referred to the Governing Body for appropriate action a resolution concerning the rights of migrants with respect to social security.

3. Public Employment Services

Recognizing that adequate machinery for organizing employment to meet national and local needs was required for the solution of manpower problems, the 30th session of the General Confer-

ence, meeting in June and July 1947, decided on a series of points suitable for inclusion in international regulations relating to employment service organization. After circulation of draft texts to Member Governments, the 31st session of the Conference adopted, in July 1948, a Convention requiring all states which ratify it to maintain free public employment services and approved a formal Recommendation designed to supplement the provisions of the employment service Convention.

The question of revising the 1933 Convention on fee-charging employment agencies, discussed by the 31st session, is to be considered again by the 32nd session of the Conference in 1949.

4. Night Work

The 31st session of the General Conference approved two Conventions, revising Conventions adopted at earlier sessions of the Conference to limit the employment at night of women and young persons.⁸ The revisions made more flexible the term "night" in order to facilitate the working of a double day shift, required in certain Member countries to increase production. The Conference also agreed to the substitution of the revised Conventions in the Schedule to the Labour Standards (Non-Metropolitan Territories) Convention, 1947.

5. Equal Pay

The question of international regulations requiring equal pay for work of equal value by men and women, referred to ILO by the Economic and Social Council,⁹ was discussed by the 31st session of the Conference. The Conference adopted a resolution drawing the attention of Member States to the importance of taking appropriate measures to secure the effective application of the principle of equal remuneration. It requested the Governing Body to consider placing the question of international regulations on the agenda of an early session of the Conference, preferably the 32nd. The International Labour Office was instructed to continue its studies on the subject and the Governing Body was asked to take any additional action required to secure a more widespread and effective application of the principle.

⁸No. 4, Night Work (Women), 1919, No. 41, Night Work (Women), (Revised), 1934, and No. 6, Night Work (Young Persons), 1919.

⁹See pp. 605-6.

6. Freedom of Association

The fifth session of the Economic and Social Council had requested ILO to consider the question of freedom of association.¹⁰ The 30th session of the General Conference, on July 11, 1947, after discussing the matter, adopted a resolution laying down the fundamental principles on which freedom of association should be based. It stated that both employers and workers should have the inviolable right to establish or join organizations of their own choosing without previous authorization. Such organizations should have the right to determine their functions and activities without restrictive interference from public authorities and should not be liable to be dissolved or have their activities suspended by administrative authority. They should also be entitled to establish federations and confederations, to which the same rights should apply, and to affiliate with international organizations of employers and workers.

The Conference proposed measures for safeguarding freedom of association. It suggested, among other measures, that organized employers and workers agree mutually to respect the exercise of the right of association. If necessary, appropriate steps should be taken to provide guarantees for the exercise of the right of freedom of association so that the employment of a worker should not be conditional on his not joining or on his withdrawing from a trade union or that he should not be dismissed or discriminated against because he is a union member or official. Guarantees, if necessary, should also be provided for the exercise of the right of association by workers' organizations in such a way as to prevent any acts on the part of the employer, employer organizations or their agents with the object of: furthering the establishment of trade unions under employers' domination; interfering with the formation or administration of a trade union or contributing to its support; or refusing to give effect to the principles of trade union recognition and collective bargaining. It was agreed that a provision in a freely concluded collective agreement requiring membership in a certain trade union prior to employment or for continued employment should not be subject to the terms of the Conference resolution.

The 31st session of the General Conference again considered the question and, on July 6, 1948, adopted a Convention on freedom of association and the protection of the right to organize, which will require the governments ratifying it to make effective the right of workers and employers to

form and join organizations of their own choosing. The Conference agreed on a number of points, relating to protection against wrongful interference or coercion, and supervisory measures, to be covered at its next session in considering international minimum standards governing the application of the principles of the right to organize.

It also adopted a resolution requesting the Governing Body to enter into consultations with the United Nations to examine "what developments to existing international machinery may be necessary to ensure the safeguarding of freedom of association". The Constitution of ILO already provides for a procedure for the enforcement of ratified Conventions.

7. Maritime Labor

The ILO Joint Maritime Commission held its fourteenth session in Geneva from December 2 to 5, 1947. It asked that steps be taken to speed up the ratification of the nine International Labour Conventions adopted at the maritime conference of ILO in 1946. It requested the International Labour Office to continue to study various aspects of the welfare of seafarers. The Commission adopted a resolution drawing the attention of governments and of shipowners' and seafarers' organizations to the potential danger of the transfer of vessels to foreign flags, and asked the Office to continue its study of the subject. It also examined the question of relations with other organizations.

8. Agricultural Labor

The Permanent Agricultural Committee of ILO, which had first met before the Second World War, held its second session at Geneva from August 4 to 9, 1947. It considered a general survey of developments since the first session and discussed the order of priority of problems of agricultural labor. It also examined the questions of minimum wage regulations in agriculture, medical examination of children and young persons for fitness for employment and security of employment and occupation in agriculture.

The ILO regional conferences in New Delhi and Istanbul, as noted below, took decisions designed to raise the standard of living in the rural areas of Asia and the Near and Middle East.

¹⁰See pp. 583-86.

9. Statistics

The Sixth International Conference of Labour Statisticians was held by ILO in Montreal from August 4 to 12, 1947. Its agenda included the topics of employment and payroll statistics, unemployment statistics, cost-of-living statistics, amendments to the resolution on statistics of industrial accidents adopted at an earlier Conference and inland transport statistics. The meeting adopted resolutions which set new international standards for statistics in three major fields—employment and labor force, cost-of-living and industrial injuries.

10. Industrial Committees

Since July 1, 1947, two of ILO's eight Industrial Committees have held their second sessions, and one, the Chemicals Industries Committee, held its first session during this period.

The Committees on Iron and Steel and on the Metal Trades met in Stockholm from August 20 to 29 and September 3 to 12, 1947, respectively. They discussed the regularization of production and employment, minimum income security, and labor-management co-operation in the industries concerned. The Committees also examined general reports submitted to each Industrial Committee on action taken in the various countries to give effect to decisions reached at previous meetings, and recent events and developments in the industry.

The Chemicals Industries Committee, which met in Paris from April 7 to 16, 1948, considered the problems of the chemical industries in the light of recent events and developments, and working conditions and the organization of industrial relations in these industries.

11. Regional Activities

ILO regional activities in Asia and in the Near and Middle East to deal with the specific problems of those areas began in 1947.

A Preparatory Asian Regional Conference met in New Delhi from October 27 to November 8, 1947, prior to the first Asian Regional Conference, which was to meet in China in 1949. The Conference dealt with a wide range of questions concerning social security; labor policy in general, including the enforcement of labor measures; an action program for the enforcement of social standards embodied in ILO Conventions and Recommendations;

and the general economic background of social policy, including problems of industrialization. The Conference adopted a series of resolutions on social security, labor policy, labor management co-operation, attainment of ILO social objectives, relations between Japan and ILO and ILO assistance to Asian countries. Through the Governing Body, the Conference called to the attention of the Economic and Social Council, the Economic Commission for Asia and the Far East, FAO and ITO the need for the provision of industrial employment for excess agricultural population, expansion of agricultural production, fair distribution of agricultural income and fair terms of exchange for export of primary products. It also suggested measures to improve existing conditions by international action.

A Regional Meeting for the Near and Middle East was held in Istanbul from November 24 to 29, 1947. Questions examined by the Meeting included conditions of life and work of the agricultural workers, and methods and machinery for the protection of industrial and commercial workers. The Meeting considered a report by the Director-General dealing with, among other questions, industrialization, the development of national resources, vocational training, industrial relations and the application of decisions of the General Conference. The Meeting adopted resolutions concerning the development of the work of ILO in the Near and Middle East, labor policy, social security, conditions of life and work of the agricultural workers and economic policies designed to further in the Near and Middle East the social objectives of ILO. As in the case of the New Delhi Conference, the measures recommended require co-ordinated action by various other international organizations.

12. Advisory Missions

A number of missions have been sent to Member countries of ILO at the request of their respective governments.

In August and September 1947 and again in March 1948, an ILO official visited Czechoslovakia and advised the Government on the reconstruction of its social insurance system into a national insurance scheme.

A mission of experts in industrial relations, trade union law, social insurance and conditions of work visited Greece in October and November 1947 to assist the Greek Government in the examination and revision of its labor legislation, including the

legislation governing trade unions. The mission recommended extensive revision of the laws and regulations governing such questions as the organization and conditions of employment, social insurance services, trade unions and administrative services.

In January 1948, an ILO official went to Shanghai and Nanking to make recommendations to the Chinese Government on the questions of employment service organization and youth training.

An ILO official visited Iran from December 1947 to February 1948 and made detailed recommendations to that Government on the introduction of co-operative organizations in Iran. Two additional officials visited Iran in March and April 1948 to advise the Government on questions concerning the protection of children and young workers, the employment of women and social insurance.

In September 1948, an official of the Industrial Committees Section went to Venezuela to advise the Government on labor statistics. The Government asked that he return to Venezuela in 1949.

13. Publications

Since July 1, 1947, ILO has continued issuing its periodical publications, records of meetings, including the *Minutes of the Governing Body* and

Documents of the International Labour Conference, and various studies, reports and pamphlets covering a wide range of social and economic questions.

The periodical publications of ILO include: the *International Labour Review*, published monthly in English, French and Spanish, covering economic and social topics, current events affecting industry and labor, statistics of employment and wages, cost of living, etc.; the *Official Bulletin*, in English and French; the *Legislative Series*, a bi-monthly publication of reprints and translations of laws and regulations, in English and French; the quarterly *Industrial Safety Survey*, in English, French and Spanish; the *Yearbook of Labour Statistics*, in English, French and Spanish; and the *Report of the International Labour Organization to the United Nations*, in English, French and Spanish.

Among the technical studies published by the Office since July 1, 1947, are the following: *The Chilean Development Corporation*; *Labour-Management Co-operation in United States War Production*; *Housing and Employment*; *Labour-Management Co-operation in France*; *Second Session of the Permanent Migration Committee*; *Training Problems in the Far East*; *The Sixth International Conference of Labour Statisticians*; *Employment, Unemployment and Labour Force Statistics*; *Cost-of-living Statistics*; and *Methods of Statistics of Industrial Injuries*.

F. BUDGET

The budget of the Organisation is approved by a two-thirds vote of the General Conference. The 30th session of the Conference, which met in Geneva from June 19 to July 11, 1947, approved a budget totalling \$4,425,930 to cover the expenses of ILO during 1948. The budget for the year 1949, as approved by the 31st session of the Conference, meeting in San Francisco from June 17 to July 10, 1948, totals \$5,185,539. The main details of the expenditures covered by these budgets follow:

	1948	1949
PART I. ORDINARY BUDGET:		
Ordinary Expenditure:		
Sessions of the Conference and the Governing Body and other Conferences	\$ 380,724	\$ 423,156
General Services of the International Labour Office	3,448,989	4,039,990

	1948	1949
Permanent Equipment, etc.	58,411	63,083
Capital Expenditure	234	100
Unforeseen Expenditure	58,411	55,000
Reserve Fund:		
Allocation 1949	175,234	175,000
Refund of Withdrawal 1947	—	98,321
TOTAL	4,122,003	4,854,650
Deduct:		
Supplementary Receipts	23,365	30,000
NET TOTAL OF PART I	4,098,638	4,824,650
PART II. STAFF PENSIONS FUND	109,706	135,027
PART III. STAFF RETIREMENT AND PROVIDENT FUND	217,586	225,862
TOTAL	\$4,425,930	\$5,185,539

The above expenses were divided into units and allocated among Members of ILO in both instances by a committee of government representatives to the Conference, as follows:

MEMBER STATES	UNITS	
	1948	1949
Afghanistan	1	1
Argentina	21	21
Australia	23	23
Austria	3	3
Belgium	19	19
Bolivia	2	2
Brazil	24	29
Bulgaria	4	4
Burma	—	4
Canada	35	35
Ceylon	—	5
Chile	6	6
China	26	26
Colombia	5	5
Costa Rica	1	1
Cuba	5	5
Czechoslovakia	7	9
Denmark	10	10
Dominican Republic	1	1
Ecuador	1	1
Egypt	12	12
El Salvador	—	1
Ethiopia	1	1
Finland	4	4
France	80	80
Greece	3	3
Guatemala	1	1
Haiti	1	1
Hungary	4	4
Iceland	1	1
India	48	39
Iran	5	5
Iraq	3	3
Ireland	10	10
Italy	20	30
Liberia	1	1
Luxembourg	1	1
Mexico	11	11
Netherlands	10	10
New Zealand	8	8
Norway	8	8
Pakistan	—	8
Panama	1	1
Peru	5	5
Philippines	—	6
Poland	10	10
Portugal	8	8
Siam	5	5
Sweden	19	19
Switzerland	17	17
Syria	—	2
Turkey	10	10
Union of South Africa	16	16
United Kingdom	108	108
United States	150	150
Uruguay	4	4
Venezuela	4	4
Yugoslavia	1	457 ¹¹
	784	817.4575

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF ILO		
Afghanistan	Ecuador	New Zealand
Albania	Egypt	Norway
Argentina	El Salvador	Pakistan
Australia	Ethiopia	Panama
Austria	Finland	Peru
Belgium	France	Philippines
Bolivia	Greece	Poland
Brazil	Guatemala	Portugal
Bulgaria	Haiti	Siam
Burma	Hungary	Sweden
Canada	Iceland	Switzerland
Ceylon	India	Syria
Chile	Iran	Turkey
China	Iraq	Union of South Africa
Colombia	Ireland	United Kingdom
Costa Rica	Italy	United States
Cuba	Liberia	Uruguay
Czechoslovakia	Luxembourg	Venezuela
Denmark	Mexico	Yugoslavia ¹²
Dominican Republic	Netherlands	

MEMBERS OF THE GOVERNING BODY

As a result of the elections which took place during the 31st session of the Conference, the Governing Body is constituted as follows:

GOVERNMENT REPRESENTATIVES:

<i>Eight states of chief industrial importance</i>	<i>Representatives</i>
United States	—
United Kingdom	Sir Guildhaume Myrddin-Evans
France	Paul Ramadier
India	S. Lall
China	Li Ping-heng
Canada	A. MacNamara
Brazil	Helio Lobo
Belgium ¹³	Léon Eli Troclet

<i>Elected states:</i>	<i>Representatives:</i>
Argentina	E. R. Stafforini
Australia	—
Cuba	—
Denmark	H. H. Koch
Italy	M. Cingolani
Peru	Luis Alvarado
Poland	Henryk Altman
Turkey	F. H. Sur

¹¹On the basis of 1 unit to date of expiration of notice of withdrawal: June 16, 1949.

¹²The Government of Yugoslavia, in June 1947, gave notice that it would cease in two years to be a Member of ILO. This decision was to become effective on June 16, 1949.

¹³On the decision of the 107th session of the Governing Body in December 1948, Belgium was replaced by Italy. Belgium was then appointed to fill the elective seat previously held by Italy, subject to confirmation by the next session of the General Conference.

Deputy Members:

Nilio Mannio (Finland)
Frantisek Kraus (Czechoslovakia)
Miss G. J. Sternberg (Netherlands)

EMPLOYERS' MEMBERS:

Pedro A. Chapa (Mexico)
William Gemmill (Union of South Africa)
B. C. Mehta (India)
H. C. Oersted (Denmark)
Julio B. Pons (Uruguay)
Pierre Waline (France)
Sir John Forbes Watson (United Kingdom)
J. David Zellerbach (United States)

Deputy Members:

Pietro Campanella (Italy)
L. E. Cornil (Belgium)
A. G. Fennema (Netherlands)
M. G. Ghayour (Iran)
C. Kuntschen (Switzerland)
Lieu Ong-sung (China)
A. Calheiros Lopes (Portugal)
Harry Taylor (Canada)

Substitutes:

Gulamali Allana (Pakistan)
Juan Borgonovo (Argentina)
Fritz Hoynigg (Austria)

WORKERS' MEMBERS:

Aftab Ali (Pakistan)
Frank C. Fenton (United States)
Paul C. Finet (Belgium)
D. Ibañez Aguila (Chile)
Léon Jouhaux (France)
A. E. Monk (Australia)
Konrad Nordahl (Norway)
Alfred Roberts (United Kingdom)

Deputy Members:

Percy R. Bengough (Canada)
A. Cofinó (Cuba)
Liu Sun-san (China)
Jean Mori (Switzerland)
S. de Azevedo Pequeno (Brazil)
F. Santi (Italy)
P. J. S. Serrarens (Netherlands)
A. Soelven (Sweden)

OFFICERS OF THE GOVERNING BODY

Chairman:

Luis Alvarado (Peru)

Vice-Chairmen:

Sir John Forbes Watson (United Kingdom)
Léon Jouhaux (France)

OFFICERS OF THE INTERNATIONAL
LABOUR OFFICE

Director-General:

David A. Morse¹⁴ (United States)

Assistant Directors-General:

Jef Rens (Belgium)
G. A. Johnston (United Kingdom)
M. Viple (France)
Raghunath Rao (India)

Legal Adviser:

C. W. Jenks

HEADQUARTERS, LIAISON AND BRANCH
OFFICES

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Telephone: Manhasset 3116, Flushing 7-9185
Cable Address: INTERLAB GREATNECKNY

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Telephone: 7567
Cable Address: INTERLAB NEW DELHI

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1825 Jefferson Place, N.W.
Washington, D. C.
Telephone: District 8736
Cable Address: INTERLAB WASHINGTON

Address: International Labour Office
3450 Drummond Street
Montreal, Canada
Telephone: Plateau 7801
Cable Address: INTERLAB MONTREAL

¹⁴Mr. Morse was elected Director-General of the International Labour Office on June 12, 1948, by the 105th session of the Governing Body. He assumed office on September 7, 1948, replacing Edward Phelan (Ireland), who had served in that capacity since February 15, 1941.

ANNEX II

INTERNATIONAL LABOUR CONVENTIONS

The International Labour Conventions adopted by the Conference as of September 21, 1918, with the number of ratifications of each, follow:

No.	Title	Effective Date and No. of Ratifications
FIRST SESSION, 1919		
1.	Limiting hours of work in industrial undertakings to eight in day and forty-eight in week	June 13, 1921 25
2.	Concerning unemployment	June 14, 1921 32
3.	Concerning employment of women before and after childbirth	June 13, 1921 17
4.	Concerning employment of women during night (Revised by Conventions No. 41 and No. 89)	June 13, 1921 32
5.	Fixing minimum age for admission of children to industrial employment	June 13, 1921 30
6.	Concerning night work of young persons employed in industry (Revised by Convention No. 90)	June 13, 1921 31
SECOND SESSION, 1920		
7.	Fixing minimum age for admission of children to employment at sea (Revised by Convention No. 58)	Sept. 27, 1921 34
8.	Concerning unemployment indemnity in case of loss or foundering of the ship	Mar. 16, 1923 28
9.	Establishing facilities for finding employment for seamen	Nov. 23, 1921 28
THIRD SESSION, 1921		
10.	Concerning age for admission of children to employment in agriculture	Aug. 31, 1923 21
11.	Concerning rights of association and combination of agricultural workers	May 11, 1923 34
12.	Concerning workmen's compensation in agriculture	Feb. 26, 1923 23
13.	Concerning use of white lead in painting	Aug. 31, 1923 27
14.	Concerning the application of the weekly rest in industrial undertakings	June 19, 1923 35
15.	Fixing minimum age for admission of young persons to employment as trimmers or stokers	Nov. 20, 1922 32
16.	Concerning compulsory medical examination of children and young persons employed at sea	Nov. 20, 1922 33

No.	Title	Effective Date and No. of Ratifications
SEVENTH SESSION, 1925		
17.	Concerning workmen's compensation for accidents	Apr. 1, 1927 20
18.	Concerning workmen's compensation for occupational diseases (Revised by Convention No. 42)	Apr. 1, 1927 30
19.	Concerning equality of treatment for national and foreign workers as regards workmen's compensation for accidents	Sept. 8, 1926 38
20.	Concerning night work in bakeries	May 26, 1928 12
EIGHTH SESSION, 1926		
21.	Concerning simplification of inspection of emigrants on board ship	Dec. 29, 1927 22
NINTH SESSION, 1926		
22.	Concerning seamen's articles of agreement	Apr. 4, 1928 27
23.	Concerning repatriation of seamen	Apr. 16, 1928 18
TENTH SESSION, 1927		
24.	Concerning sickness insurance for workers in industry and commerce and domestic servants	July 15, 1928 18
25.	Concerning sickness insurance for agricultural workers	July 15, 1928 11
ELEVENTH SESSION, 1928		
26.	Concerning creation of minimum wage-fixing machinery	July 14, 1930 24
TWELFTH SESSION, 1929		
27.	Concerning marking of weight on heavy packages transported by vessels	Mar. 9, 1932 35
28.	Concerning protection against accidents of workers employed in loading or unloading ships (Revised by Convention No. 32)	Apr. 1, 1932 4
FOURTEENTH SESSION, 1930		
29.	Concerning forced or compulsory labor	May 1, 1932 22
30.	Concerning regulation of hours of work in commerce and offices	Aug. 29, 1933 10
FIFTEENTH SESSION, 1931		
31.	Limiting hours of work in coal mines ¹⁰	1

¹⁰Not yet in force.

No.	Title	Effective Date and No. of Ratifications	No.	Title	Effective Date and No. of Ratifications
SIXTEENTH SESSION, 1932					
32.	Concerning protection against accidents of workers employed in loading and unloading ships (Revised)	Oct. 30, 1934 11	46.	Limiting hours of work in coal mines (Revised) ^{1a}	2
33.	Concerning age for admission of children to non-industrial employment	June 6, 1935 7	47.	Concerning reduction of hours of work to forty a week ^{1a}	1
			48.	Concerning establishment of an international scheme for maintenance of rights under invalidity, old-age and widows' and orphans' insurance	Aug. 10, 1938 5
SEVENTEENTH SESSION, 1933					
34.	Concerning fee-charging employment agencies	Oct. 18, 1936 6	49.	Concerning reductions of hours of work in glass-bottle works	June 10, 1938 6
35.	Concerning compulsory old-age insurance for persons employed in industrial or commercial undertakings, in liberal professions, and for out-workers and domestic servants	July 18, 1937 5	TWENTIETH SESSION, 1936		
36.	Concerning compulsory old-age insurance for persons employed in agricultural undertakings	July 18, 1937 4	50.	Concerning regulation of certain special systems of recruiting workers	Sept. 8, 1939 5
37.	Concerning compulsory invalidity insurance for persons employed in industrial or commercial undertakings, in liberal professions, and for out-workers and domestic servants	July 18, 1937 5	51.	Concerning reduction of hours of work on public works ^{1a}	1
38.	Concerning compulsory invalidity insurance for persons employed in agricultural undertakings	July 18, 1937 4	52.	Concerning annual holidays with pay	Sept. 22, 1939 4
39.	Concerning compulsory widows' and orphans' insurance for persons employed in industrial or commercial undertakings, in liberal professions, and for out-workers and domestic servants	Nov. 8, 1946 2	TWENTY-FIRST SESSION, 1936		
40.	Concerning compulsory widows' and orphans' insurance for persons employed in agricultural undertakings ^{1a}	1	53.	Concerning minimum requirement of professional capacity for masters and officers on board merchant ships	Mar. 29, 1939 11
EIGHTEENTH SESSION, 1934			54.	Concerning annual holidays with pay for seamen ^{1a}	4
41.	Concerning employment of women during the night (Revised by Convention No. 89)	Nov. 22, 1936 18	55.	Concerning liability of ship-owner in case of sickness, injury or death of seamen	Oct. 29, 1939 4
42.	Concerning workmen's compensation for occupational diseases (Revised)	June 17, 1936 16	56.	Concerning sickness insurance for seamen ^{1a}	1
43.	Regulation of hours of work in automatic sheet-glass works	Jan. 13, 1938 7	57.	Concerning hours of work on board ship and manning ^{1a}	4
44.	Ensuring benefit or allowances to involuntarily unemployed	June 10, 1938 4	TWENTY-SECOND SESSION, 1936		
NINETEENTH SESSION, 1935			58.	Fixing minimum age for admission of children to employment at sea (Revised)	Apr. 11, 1939 8
45.	Concerning employment of women on underground work in mines of all kinds	May 30, 1937 26	TWENTY-THIRD SESSION, 1937		
			59.	Fixing minimum age for admission of children to industrial employment (Revised)	Feb. 21, 1941 3
			60.	Concerning age for admission of children to non-industrial employment (Revised) ^{1a}	1
			61.	Concerning reduction of hours of work in textile industry ^{1a}	1
			62.	Concerning safety provisions in building industry	July 4, 1942 3
			TWENTY-FOURTH SESSION, 1938		
			63.	Concerning statistics of wages and hours of work in principal mining and manufacturing industries, including building and construction, and in agriculture	June 22, 1940 14

^{1a}Not set in force.

¹²Not yet in force.

<i>No.</i>	<i>Title</i>	<i>Effective Date and No. of Ratification</i>	<i>No.</i>	<i>Title</i>	<i>Effective Date and No. of Ratification</i>
TWENTY-FIFTH SESSION, 1939					
64	Concerning regulation of written contracts of employment of indigenous workers	July 8, 1948 3		persons for fitness for employment in non-industrial occupations ¹⁸	
65	Concerning penal sanctions for breaches of contracts of employment by indigenous workers	July 8, 1948 2	79.	Concerning restriction of night work of children and young persons in non-industrial occupations ¹⁸	1
66	Concerning recruitment, placing and conditions of labor of migrants for employment ¹⁸	0	80.	Concerning final articles revision	May 28, 1947 24
67	Concerning regulation of hours of work and rest periods in road transport ¹⁸	0	THIRTIETH SESSION, 1947		
TWENTY-EIGHTH SESSION, 1946			81.	Concerning labor inspection in industry and commerce ¹⁸	0
68	Concerning food and catering for crews on board ship ¹⁸	0	82.	Concerning social policy in non-metropolitan territories ¹⁸	0
69	Concerning certification of ships' cooks ¹⁸	0	83.	Concerning application of international labor standards to non-metropolitan territories ¹⁸	0
70	Concerning social security for seafarers ¹⁸	0	84	Concerning right of association and settlement of labor disputes in non-metropolitan territories ¹⁸	0
71.	Concerning seafarers' pensions ¹⁸	0	85	Concerning labor inspectorates in non-metropolitan territories ¹⁸	0
72.	Concerning vacation holidays with pay for seafarers ¹⁸	0	86	Concerning maximum length of contracts of employment of indigenous workers ¹⁸	0
73	Concerning medical examination of seafarers ¹⁸	0	THIRTY-FIRST SESSION, 1948		
74.	Concerning certification of able seamen ¹⁸	0	87.	Concerning freedom of association and protection of the right to organize ¹⁸	0
75.	Concerning crew accommodation on board ship ¹⁸	1	88.	Concerning employment service organization ¹⁸	0
76	Concerning wages, hours of work on board ship and manning ¹⁸	0	89.	Concerning employment of women during the night (Revised) ¹⁸	0
TWENTY-NINTH SESSION, 1946			90.	Concerning night work of young persons employed in industry (Revised) ¹⁸	0
77.	Concerning medical examination for fitness for employment in industry of children and young persons ¹⁸	1	¹⁸ Not yet in force.		
78	Concerning medical examination of children and young	1			

II. *The Food and Agriculture Organization of the United Nations*¹

A. ORIGIN

The Food and Agriculture Organization of the United Nations was the first of the permanent United Nations organizations to be launched after the war. The United Nations Conference on Food and Agriculture was held in May 1943 at Hot Springs, Virginia, on the invitation of President Franklin D. Roosevelt. The 44 nations represented at this Conference agreed to work together to banish hunger and establish a stable world agriculture.

On the recommendation of the Hot Springs Conference, the United Nations Interim Commission on Food and Agriculture was set up in July 1943 to make plans for a permanent organization which would deal not only with food and agriculture but with forestry and fisheries as well. Each of the gov-

ernments which attended the Conference appointed a representative on the Interim Commission. The Commission prepared a Constitution for FAO and submitted it to governments, more than twenty of which indicated their acceptance, thus making the establishment of FAO possible under the terms of its Constitution.² The Interim Commission also prepared a report on the suggested structure and functions of the Organization.

FAO officially came into being with the signing of its Constitution on October 16, 1945. This ceremony took place at the opening meeting of the first session of the Conference, which was held in Quebec, Canada, from October 16 to November 1, 1945.

B. PURPOSES AND FUNCTIONS

The preamble to the Constitution of FAO tells the reason for its existence in a few words:

"The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of

"raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

"securing improvements in the efficiency of the production and distribution of all food and agricultural products,

"bettering the condition of rural populations,

"and thus contributing toward an expanding world economy,

"hereby establish the Food and Agriculture Organization of the United Nations . . . through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above."

The functions of the Organization are described in Article 1 of the Constitution as follows:

"1. The Organization shall collect, analyze, interpret, and disseminate information relating to nutrition, food and agriculture.

"2. The Organization shall promote and, where ap-

propriate, shall recommend national and international action with respect to

"(a) scientific, technological, social, and economic research relating to nutrition, food and agriculture,

"(b) the improvement of education and administration relating to nutrition, food and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

"(c) the conservation of natural resources and the adoption of improved methods of agricultural production;

"(d) the improvement of the processing, marketing, and distribution of food and agricultural products,

"(e) the adoption of policies for the provision of

¹For further details on the origin and early activities of FAO, see *Yearbook of the United Nations, 1946-47*, pp. 685-93. For details on later activities, see FAO reports to the United Nations (E/597 and Add.1 and E/797), and the reports of the Director-General to the third and fourth sessions of the FAO Conference, *Report of the Third Session of the Conference*, and reports of missions and special conferences. See also Bibliography of this *Yearbook*, Appendix III.

²The text of the Constitution of FAO is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 693-98.

adequate agricultural credit, national and international;

"(f) the adoption of international policies with respect to agricultural commodity arrangements.

"3. It shall also be the function of the Organization

"(a) to furnish such technical assistance as governments may request;

"(b) to organize, in co-operation with the govern-

ments concerned, such missions as may be needed to assist them to fulfill the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

"(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble."

C. ORGANIZATION

FAO consists of a Conference, a Council of FAO and a staff headed by a Director-General.

The Conference is composed of one representative from each Member nation. Each Member has one vote in the Conference, which meets at least once each year to review the work of the Organization, determine its policy and approve the budget for the following year. The Conference, by decision of its third session in August 1947, also reviews the food and agriculture situation and the programs and plans of Member Governments. On the basis of this annual review, the Conference recommends inter-governmental collaboration and action necessary to realize the objectives of the Organization. Decisions of the Conference are taken by a simple majority vote, except that in some instances, such as the admission of new Members or the adoption of amendments to the FAO constitution, a two-thirds majority is required.

Between sessions of the Conference, the Council of FAO, also known as the World Food Council, supervises the work of the Organization. The Council consists of eighteen Member nations elected by the Conference, each of which appoints one representative. The Council keeps the world food and agriculture situation under constant review and makes whatever recommendations it considers necessary to Member Governments, international commodity authorities and other specialized international agencies. It also directs the policy of the International Emergency Food Committee, which recommends the allocation of agricultural commodities in short world supply. Among the other standing committees of the Council are the Committee on Financial Control and the Committee on Relations with International Organizations.

The Director-General of FAO, appointed by the Conference, has full power and authority to direct the work of the Organization, subject to the general supervision of the Conference and the Council of FAO. He appoints the staff of the Organization and directs its work.

With the advice of the Council, he is responsible for analyzing, on a regional basis, regional and national plans and needs in food and agriculture, and for synthesizing this analysis into a world summary. This summary indicates trends in production, consumption and trade, and relates the proposed imports and exports of each region to the proposed global exports and imports. It forms the basis for the annual review of food and agricultural policies by the Conference.

Standing advisory committees of world experts on agriculture, economics, statistics, fisheries, forestry and forest products, nutrition, and rural welfare advise the Director-General on the work of FAO's several technical divisions.

The chairmen of these standing advisory committees, together with the chairmen of the Council and of the Committee on Financial Control, constitute the Coordinating Committee appointed by the Council, in conformity with Article V of the Constitution, to tender advice on the co-ordination of the technical work of the Organization.

National FAO Committees, established in 44 Member countries, serve as the primary points of contact between FAO and governmental and non-governmental agencies in the fields of the Organization's interests.

In addition to its temporary headquarters in Washington, D.C., FAO maintains a European regional office at Rome, the headquarters of the former International Institute of Agriculture.³ At Geneva there is a Forestry and Forest Products Office, and a temporary technical group co-operating with the Economic Commission for Europe. In February 1948, a regional office for the Near East was established at Cairo.⁴

³The International Institute of Agriculture was liquidated on January 28, 1948, its assets becoming on that date the property of FAO.

⁴A regional office for Asia and the Far East is to be opened at Bangkok, Siam, early in 1949.

D. ACTIVITIES PRIOR TO JULY 1, 1947

Since its creation in October 1945 through June 1947, FAO has endeavored to promote national and international action to improve the world food situation. In the spring of 1946 the Special Meeting on Urgent Food Problems, called by FAO to meet in Washington, D.C., resulted in the creation of the International Emergency Food Council (I.E.F.C.) and the adoption by 22 nations of specific recommendations for making the best use of the slender food supplies then available.

The principal function of the I.E.F.C. was that of recommending the allocation of agricultural commodities in short supply for the duration of the emergency. This body continued to operate until January 1, 1948, when its allocation functions were transferred to the International Emergency Food Committee, operating under the Council of FAO.

Following the Special Meeting on Urgent Food Problems, the Director-General, recognizing the need for longer-term efforts toward preventing both shortages and surpluses, presented Proposals for a World Food Board, for consideration by the FAO Conference. The major objectives of these Proposals were endorsed by the second session of the FAO Conference meeting in September 1946 in Copenhagen. The Conference restated these objectives as follows:

"(a) developing and organizing production, distribution, and utilization of the basic foods to provide diets on a health standard for peoples of all countries;

"(b) stabilizing agricultural prices at levels fair to producers and consumers alike."

On the recommendation of the Conference, a Preparatory Commission on World Food Proposals, comprising seventeen nations, met in Washington, D.C., from October 1946 to January 1947. The Commission recommended co-ordinated national

programs and international agreements for individual commodities as the most practicable course under prevailing world conditions to attain the objectives of the Proposals. It also recommended the establishment of a World Food Council, or Council of FAO, to co-ordinate this work between sessions of the full FAO Conference, as well as to supervise the affairs of the Organization itself.

To consider measures for overcoming the European timber shortage, FAO called an International Timber Conference which met at Mariánské Lázně, Czechoslovakia, in April and May 1947. The ECE Timber Committee, whose secretariat is provided by FAO, has followed up the recommendations of the Mariánské Lázně timber conference, which resulted in a ten per cent increase in European timber production and improved exports to meet the severe shortage.

The agricultural advisory services initiated by UNRRA were assumed by FAO early in 1947; under this program, FAO supplied technical assistance to increase food production in a number of war-devastated countries.

An FAO mission spent three months in Greece (May-August 1946) to work out long-term plans for restoring and improving Greek agriculture. The *Report of the FAO Mission for Greece*, published in March 1947, recommended a comprehensive 25-year development program based on the full-scale development of water and land resources.

On December 14, 1946, FAO was formally brought into relationship with the United Nations as a specialized agency, with the approval of an agreement between the two organizations by the United Nations General Assembly.⁵ The agreement had previously been approved by the FAO Conference (September 13, 1946).

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

The third session of the FAO Conference met in Geneva from August 25 to September 11, 1947, and amended the Constitution of FAO to provide for the creation of a Council of FAO to replace the former Executive Committee of the Organization.⁶ It admitted five new Members into the Organization: Austria, Burma, Finland, Pakistan and Siam.

A special session of the Conference was held in

Washington, D.C., from April 6 to 14, 1948, to appoint a new Director-General of FAO. The Conference named Norris E. Dodd (United States)

⁵The text of the Agreement between the United Nations and the Food and Agriculture Organization of the United Nations is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 698-702.

⁶The amendments to the Constitution adopted by the Geneva Conference are reproduced on pp. 841-42.

to replace Sir John Boyd Orr (United Kingdom), who had served as Director-General of FAO since the Organization came into being. The Conference also admitted Ceylon and Turkey to membership in FAO.⁷

A summary of the activities of FAO, together with applicable decisions of the Conference, appears under the subject headings below.

1. Cereals

Because of the serious world deficit of grains for the winter of 1947-48, FAO, at the request of the International Emergency Food Council, called a Special Conference on Cereals to meet in Paris on July 9, 1947. Agricultural officials of 40 countries attending this Conference stressed the urgency of the need for special measures. They recommended, in particular, that the supplies of principal cereals be used entirely, and secondary cereals as far as possible, for human consumption and that no increase in bread or cereal rations be authorized unless necessary to satisfy minimum human requirements. They also recommended other measures directed towards a more economical use of grain since the world grain outlook had further deteriorated by the time of the annual FAO Conference in August 1947. Member Governments of both importing and exporting countries were urged at this Conference to make extraordinary new efforts to reinforce their measures of crop collection, to economize the use of grain and to limit the feeding of grain to livestock.

2. International Allocation

During this period of extreme food shortage, an important FAO responsibility has been that of recommending allocations of scarce foods.

One of the most important decisions taken by the third session of the FAO Conference was the acceptance of the recommendations of the Preparatory Commission on World Food Proposals for establishing the Council of FAO and for formally reviewing the international food and agriculture situation.

The Conference also recommended that the functions and responsibilities of the International Emergency Food Council be assumed by the new Council. I.E.F.C. members therefore approved the dissolution of this body, and its functions of recommending allocations for export and import of foods and fertilizers in short supply were taken over by

the Council of FAO on January 1, 1948. The Council, at its first session in November 1947, established an International Emergency Food Committee to carry out these functions. Six commodity committees, after assessing world supplies and needs, recommend to countries allocations for export and import of cereals,⁸ rice, feeds,⁹ cocoa beans, fats and oils,¹⁰ and nitrogen fertilizer. Although FAO has no power to enforce these recommendations, the Organization reported that as of March 1948 participating governments had secured over 90-per-cent conformance with the recommendations through the governmental regulation of exports and imports of commodities under allocation. Allocations of the following commodities recommended by commodity committees of the International Emergency Food Committee and its predecessor have been discontinued since July 1, 1947: seeds, meat and meat products, sugar, and beans and peas.

3. Regional Conferences

During 1948, a number of regional conferences arranged by FAO have been held: (a) in Cairo, a conference to plan agricultural development for the Near East; (b) in Baguio, Philippines, a series of four conferences on nutrition, fisheries, rice and regional organization in the Far East; (c) in Rome, a conference to study the program and organization of FAO activities in Europe during 1948; and (d) in Latin America, a conference on forestry and forest products and one on nutrition.

(a) The FAO Near East Conference, meeting in Cairo from February 2 to 14, 1948, considered the plans of Member Governments in this region for developing their natural agricultural resources and their immediate material requirements for the implementation of these development plans. These plans set out the areas to be irrigated and drained in the immediate future; the equipment, particularly that concerned with deep-well irrigation, required; and tentative estimates of the increase in food production that would result from the imple-

⁷Saudi Arabia, the 58th nation to join FAO, was admitted by the fourth session of the Conference, held in Washington, D.C., November 15 to 29, 1948.

⁸Coarse grains and rye were de-allocated on December 9, 1948, on the recommendation of the Cereals Committee, leaving wheat and wheat flour the only commodities still allocated by this Committee.

⁹The Committee on Feeds was disbanded on December 31, 1948.

¹⁰Flaxseed and linseed oil were de-allocated on November 4, 1948, on the recommendation of the Committee on Fats and Oils.

mentation of these plans. With regard to long-range programs, the Conference recommended that Iraq, Syria and Turkey prepare plans on an international basis for the development of the Tigris and Euphrates Rivers.

A special Nutrition Committee set up by the Near East Conference reported to the Conference that from 60 to 80 per cent of the population in the Near East showed signs of malnutrition; to deal with this situation, the Conference advocated, as a short-term policy, the importation of foods at present in deficit, the improvement of existing rationing systems and the extension of government arrangements for feeding vulnerable groups.

(b) The Nutrition Conference, meeting in Baguio from February 23 to 28, 1948, studied means for the retention of nutrients in rice, the comparative nutritional value of different varieties of rice, methods of determining the thiamine content of rice and methods of supplementing rice diets. In the report of this Conference, published in English, French and Spanish in June 1948 and entitled *Nutrition Problems of Rice-eating Countries in Asia*, it was recommended that a committee of experts on nutrition and allied subjects meet annually, the experts to be appointed by FAO Members in the Far East.

Meeting concurrently, the Fisheries Conference agreed on the establishment of an Indo-Pacific Fisheries Council, in accordance with a recommendation of the third annual session of the Conference of FAO in 1947, and drew up a draft agreement for the Council. The Indo-Pacific Fisheries Council will be concerned with the development and proper utilization of living aquatic resources in the Indo-Pacific area. FAO will provide the secretariat for the Council and for its four interim committees on hydrology, taxonomy, biology and technology. The Council will come into being on acceptance of the agreement by five Member Governments.¹¹

FAO is planning the establishment of similar fisheries councils for other regions for the further development of fisheries and more efficient utilization of fish.

An International Rice Conference met at Baguio from March 1 to 13, 1948, as a result of the recommendations of an FAO Rice Study Group which met at Trivandrum, India, in May 1947. The Conference reviewed national programs already undertaken or about to be undertaken by six Member countries for the expansion of rice production. This represented the first attempt to assemble and compare the plans and programs for production and

distribution in the principal rice-producing countries of the Far East. The Conference recommended the establishment of an International Rice Commission and drew up a constitution for the proposed Commission. The Council of FAO at its second session, held in Washington, D.C., in April 1948, approved this recommendation of the Conference. The Rice Commission will come into existence upon the acceptance of its constitution by ten Member Governments of FAO representing at least one half of world rice production.¹² It will be primarily concerned with bringing about co-operative action on production, distribution and consumption of rice, exclusive of international trade to be governed by the proposed International Trade Organization. A report of this meeting was published in June 1948 in English, French and Spanish.

The Conference on Regional Organization held in Baguio from March 13 to 15, 1948, considered the form of organization that FAO might set up in the Far East to serve its Members individually and collectively on a regional basis. As a result of its recommendations, an FAO Regional Office for Asia and the Far East will be opened early in 1949.

(c) Seventeen European National FAO Committees met in Rome from February 17 to 21, 1948. This meeting recommended an over-all plan for increased European food production; ever-increasing co-operation between Eastern and Western European countries, and between FAO and the Economic Commission for Europe; and increased milk production for children of war-damaged countries. The meeting further suggested that FAO furnish European Member countries with additional expert advice and that a permanent FAO regional office be established in Rome with jurisdiction extending to the African dependencies of European countries.

(d) The Latin American Forestry and Forest Products Conference, the first conference in that region concerned solely with those matters, was held at Teresopolis, Brazil, from April 19 to 30, 1948. It laid out a program of forestry development during the following ten years designed to contribute a great deal to the economic welfare of Latin American countries. Among other things, the Conference recommended that governments that have not already done so should draw up detailed development plans. The Conference also

¹¹The Council came into being on November 9, 1948, and its inaugural meeting was scheduled for March 1949 at Singapore.

¹²The International Rice Commission came into being on December 17, 1948.

decided that forest inventories were needed to obtain much more detailed knowledge of existing resources, and statistics in general needed to be gradually enlarged and improved. Foresters and other technicians needed to be brought in, and a research and training centre was needed to educate and train many technicians of Latin America. Primitive methods of forest exploitation in use needed to be modernized. Capital and equipment had to be found and expert service made available not only for this purpose but to start whole new forest industries where none existed, and to expand existing industries.

The Teresopolis meeting recommended that a regional working group of FAO staff technicians be stationed in Latin America. This was to be done early in 1949. It also recommended that a Latin American Forestry and Forest Products Commission, consisting of representatives of all interested Latin American Governments, be established to implement the recommendations of the Conference and promote suitable regional policies. This Commission will meet for the first time in 1949.

The Latin American Forestry and Forest Products Conference was the second in a series of regional timber conferences sponsored by FAO. FAO planned to hold a third timber conference in the Far East early in 1949. A preliminary survey of South and East Asia and of the South Pacific has been carried out by an FAO forestry expert to examine the particular problems which this conference might study.

The Latin American Nutrition Conference, attended by nutrition experts from nineteen Member countries, met in Montevideo, Uruguay, from July 18 to 30, 1948. The Conference, after considering the nature and extent of nutrition problems, recommended practical measures for improving the diets of the Latin American populations. It suggested that a Latin American regional FAO office be established to deal with, among other matters, nutrition. As a result of a recommendation of the Conference to hold a similar meeting of nutrition experts every two years, FAO planned to hold a second nutrition conference in Brazil in 1950.

Co-ordinated action to alleviate the food crisis in Latin America through the development of agricultural production has been undertaken by FAO and the United Nations Economic Commission for Latin America. A joint FAO-ECLA working party was to begin in October 1948 a field survey of existing supply shortages which limit the production and distribution of food in the Latin American republics.

4. *Technical Advice and Assistance*

Preparatory work for regional conferences is often carried out by technical experts assigned to the region by FAO. For example, in December 1947, prior to the FAO Near East Conference in Cairo, four experts were sent to the Near East Office. An irrigation engineer examined the feasibility of a series of deep-well irrigation projects. A specialist on crop production under irrigated conditions determined what new crops could be grown on irrigated land in the region and what further plant-breeding experiments were needed to produce the best varieties. A drainage engineer was concerned with means of utilizing local materials and manpower for drainage projects. A technician was charged with investigating the possibilities of improving the breed of sheep for those areas which could not be brought under irrigation.

Technical assistance is also furnished Member countries as a result of conferences. For example, an FAO European Commission on Forestry and Forest Products was organized in 1948 in accordance with recommendations made at the Marianske Lazne conference of 1947. It is composed of government representatives and is concerned with long-term problems, including co-ordination of national forest policies, increased production through better forestry, expansion of forest areas and reduction of waste in timber cutting and use.

The first meeting of the Commission was held in July. It compiled a tentative balance sheet of European timber resources and needs, and made proposals for reorientation of forest policies intended in the long run to bring Europe as near as possible to self-sufficiency in timber supplies.

The Commission will, further, be the focal organization around which will be centred the work of other more specialized international bodies, such as the International Poplar Commission and the proposed International Chestnut Commission. The European Forestry and Forest Products Commission recommended the establishment of a sub-commission on Mediterranean questions.

Work on Europe's timber problems has also been carried out successfully by FAO in co-operation with ECE. Following the International Timber Conference held at Marianske Lazne in 1947, a European Timber Committee, staffed by FAO, was set up at Geneva within the ECE framework.

At its first meeting this Committee reported that all the major wood-producing countries of Europe which had been represented at the Conference were carrying out the Marianske Lazne recommendation to increase the output of lumber by

ten per cent. As a result, the timber-importing countries received 2.7 million standards of softwood in 1947, an increase of nearly one million standards over 1946.

At its second session in January 1948 the Committee made a preliminary assessment of the timber procurable for Europe in 1948, from both domestic production and imports. On the basis of these figures it set voluntary buying limits for the first half of the year so that available timber supplies would be equitably distributed. The Committee also discussed a proposal for increasing European timber production in 1948 and 1949 through arrangements for provision of needed equipment and supplies. The plan involved a request to the International Bank for Reconstruction and Development from several countries for credit which would make available additional export supplies of timber and pitprops valued at over \$120,000,000. Sweden agreed to increase exports in 1948 provided it could obtain an additional allocation of domestic coke. Arrangements for meeting this request were therefore made through the ECE Coal Committee.

At its third session held at the end of June 1948, the Timber Committee revised the buying limits to be effective for the balance of the year, and further discussed the credit proposals. As a result of previous discussions with both the importing and exporting countries carried out through the FAO-ECE secretariat, a preliminary agreement was reached by the Committee as to the basis on which these credit proposals could be organized. The Committee recessed to enable exporting countries to compile final lists of specific equipment requirements and importing countries to prepare statements of those categories of equipment which might be purchased in Europe with European currencies. The Committee was convened in mid-September for further discussions with representatives of the Bank and developed further the details of terms and conditions of the credit proposals.

Technical assistance has also been made possible by an UNRRA grant to FAO of more than \$1,000,000 to finance agricultural advisory services in countries that formerly received aid from UNRRA. These services have been continued since July 1947 in Austria, China, Czechoslovakia, Ethiopia, Greece, Hungary, Italy, Poland and Yugoslavia.

In China, former UNRRA technicians have been advising the Chinese Government on matters relating to livestock rehabilitation and disease control, the production and utilization of farm implements, the manufacture and use of fertilizers, crop production and allied fields, flood control and fisheries rehabilitation. A hybrid corn school, held

by FAO in Italy in July and August 1947, demonstrated the latest maize-breeding techniques to scientists from nine European nations. Early in 1948, FAO arranged for hybrid corn seed to be sent to experimental stations in sixteen countries, including the leading corn-producing countries of Europe.

Since January 1948, FAO has been sending seed samples of newly developed or improved varieties of crops to Austria, China, Czechoslovakia, Hungary, Italy, Poland and Yugoslavia. Seeds of trees, vegetables, forage crops, grasses, legumes, potatoes, sugar beets, cereals, sorghum, sunflower, soybeans and flax had already been sent by June 1948. Results of the 1948 tests, available only for maize by September 1948, indicated an increased yield of 35 to 50 per cent for some of the best adapted varieties.

Other technical schools were held by FAO during 1947 and 1948. An artificial insemination school, attended by European scientists, was held in Italy in August 1947. In September 1947 European veterinarians attended an FAO demonstration school in England dealing with the production of vaccines and serums. Demonstrations on the latest food preservation techniques were given during 1947 in Czechoslovakia, Greece and Italy; in November 1947 a refrigeration engineer was sent to Czechoslovakia to help officials of the Ministry of Food review the final plans for the construction of large refrigeration plants for fruit, vegetables, meat and fish. Experts from a number of European and Near East countries attended a soil conservation meeting convened by FAO on September 13, 1948, in Florence, Italy, to study and compare information on the latest scientific developments and techniques in soil conservation. At a meeting on infestation control and storage of grain held from September 7 to 18, also in Florence, experts from ten Member countries studied methods of combating food pests, such as rats, insects and fungi, and attended demonstrations conducted by FAO of modern techniques and equipment.

In July 1947, FAO, in association with the Interim Commission of the World Health Organization, convened a Committee on Child Nutrition to advise the United Nations International Children's Emergency Fund (UNICEF). This Committee was composed of seventeen experts in nutrition and child health drawn from almost as many countries. The report which it prepared has been the basis of the UNICEF feeding program in Europe. It was this Committee which recommended that dried skim milk should be the most important item among the foods supplied. Later the

Nutrition Division of FAO provided further technical advice and assistance to UNICEF both at headquarters and in the field. In Europe an FAO regional nutrition representative has acted as Nutrition Consultant to UNICEF, and in this capacity visited many of the countries in which UNICEF was operating and advised on feeding programs. Another FAO nutrition worker, stationed in Greece, helped to organize UNICEF work in that country.

Preliminary arrangements have been made for co-operation between FAO and WHO in various fields. A Joint Nutrition Committee to advise both Organizations was to meet in 1949. Consideration has also been given to co-operation between FAO and WHO in programs for the simultaneous control of malaria and the development of agricultural production.

a. SPECIAL MISSIONS

At the request of the Polish Government, FAO sent a mission to Poland to study the economic and technical problems involved in the rehabilitation and development of agriculture and forestry. The FAO mission, comprising ten agricultural and forestry scientists, spent nine weeks in Poland, from July to September 1947. It studied the economic and technical problems involved in the rehabilitation and development of agriculture and forestry and gave special attention to methods of improving the nutrition of the Polish people.

In its report, published in May 1948, the mission recommended changes in the government agricultural policy, such as the centralization of agricultural activities, rationing, and downward adjustments of farm taxation. In addition to making numerous recommendations for long-term action by the Polish Government, the mission stressed the urgency of short-term needs in reconstruction and suggested measures to improve food distribution. Among the immediate requirements, as indicated in the report, were: fertilizers; seeds; equipment for restoring and modernizing dairy plants, meat plants and fruit and vegetable processing plants; equipment for agricultural and forestry research and educational institutions; materials for plant and animal protection; equipment for the fertilizer industry and for forestry and related industries. The mission expressed conviction that food production in Poland could be increased as much as 50 per cent above prewar levels in a few years if the Government supported the recommended policies and if farmers were encouraged and assisted to adopt improved practices. Although the mission suggested that the Polish Government

finance as large a part of the program as possible by making adjustments to its National Economic Plan, it recognized that short-term international loans might be necessary to carry out all its recommendations. To put into effect the most urgent recommendations of the mission, the Polish Government announced that it proposed to seek an international loan of \$3,000,000.

In January 1948, a mission of eight agricultural and forestry specialists was sent to Siam, at the request of that Government, to advise on the best methods of increasing rice production and exports, developing and controlling water supplies, improving statistical services and the marketing and distribution of farm products, and developing Siam's forest resources.¹³ The report of this mission was issued in September 1948.

Another FAO mission, comprising three agricultural scientists, was sent to Venezuela in January 1948. This mission studied the possibilities of exploiting industrially the wild oil-bearing palm nuts and of introducing cultivated oil-seed plants that would thrive under local conditions.

b. INFESTATION

To discuss the world-wide problem of food loss through infestation and the most advanced methods of combating it, FAO convened an International Meeting on Infestation of Foodstuffs, which met in London in August 1947, attended by experts from 27 Member nations. The recommendations of the Meeting for positive action by governments were endorsed by the third session of the FAO Conference. The London Meeting also recommended that FAO arrange for the collaboration of experts through regional conferences. The problem of infestation was accordingly examined by governments attending the International Rice Conference in Baguio (see above). FAO had earlier estimated that cumulative losses of rice from the rice field to final consumption in the home amounted to a minimum of from eleven to twelve million tons annually, or more than twice the total amount of rice under international allocation. The Rice Conference recommended that FAO sponsor a campaign to publicize the urgency of conservation measures and that governments themselves take specific measures for infestation control, improved storage and efficient milling. The Council of FAO in April 1948 endorsed these recommendations.

¹³In November 1948, a two-man fisheries mission was sent to Siam to advise on extension services for the development of fish culture production. Recommendations were also made on brackish and marine fisheries and marketing and distribution.

At the request of the Polish Government, an entomologist spent two months in that country during the summer of 1947 assisting in the control of insects attacking crops. The Government followed up this work by establishing a central office for general research on methods of control against the Colorado beetle, a leading potato pest. In February 1948, an entomologist was sent to Egypt to advise the Egyptian Government on the best methods of controlling rats, insects and fungi that destroy stored foods.

The Council of FAO recognized that, while national governments were responsible for controlling many localized plant pests and animal diseases, the control of such livestock diseases as rinderpest and the protection of crops from locusts were beyond the power of national governments and required international action. Accordingly, following recommendations relating to locust control made by the Near East Conference in Cairo, FAO planned to hold an international meeting in 1949 on problems concerning the Moroccan locust affecting European and Near Eastern countries. In preparation for this meeting a staff entomologist of FAO spent three months in Lebanon, Syria, Turkey and Iraq studying the locust problem at first hand. A similar study was made in Central America late in 1948 while a locust control campaign was in progress. FAO was preparing to hold a meeting in Central America during 1949 to encourage a larger measure of co-operation between countries in that area.

c. STATISTICS

In order to assist its Member Governments in setting up or improving their statistical services prior to the 1950 World Census of Agriculture, FAO is holding technical training schools for statisticians. A Training School for Agricultural Statistics, providing a six-weeks course, was established in Baghdad in February 1948 by an FAO technician. Altogether, 40 trainees were sent by the Member Governments of the region to the school. Similarly, the first Training Centre for Statistics in Latin America was set up in Mexico City in September 1948. At this Centre, four-month training courses were to be provided by FAO and the Government of Mexico in co-operation with the United Nations and the Inter-American Statistical Institute, and with the assistance of the Governments of Panama and the United States. Courses were to cover preparation for the 1950 Census of Agriculture, current agriculture statistics and general census administration. During Septem-

ber 1948, FAO also began assisting the Chinese Government to conduct its own statistical training school in China. At the request of the Governments of Greece and Turkey a statistician was sent to these countries to advise them on their statistical programs.

5. Publications

A basic activity of FAO is that of collecting and disseminating information covering statistics and consumption of foods and other agricultural products, or technical information along specific lines fundamental to effective action by nations or groups of nations. Most of FAO's publications are issued in three languages, English, French and Spanish. Statistical books and periodicals are bilingual English-French with Spanish explanatory notes. During the period under review, FAO published one European and two world reviews of food and agriculture: *European Programs of Reconstruction and Development* and the first edition of the *State of Food and Agriculture*, published in 1947; and the second edition of *State of Food and Agriculture*, published in September 1948. In addition to the Conference and Council reports of this period, the third annual report of the Director-General, entitled *Work of FAO—1947/48*, was published in September 1948.

The *Yearbook of Food and Agricultural Statistics—1947*, the 26th in a series originated by the International Institute of Agriculture at Rome in 1910, was published for the first time by FAO in 1948. The 1948 yearbook was in preparation. Also in the statistical field, the Organization began publishing, in July 1948, a *Monthly Bulletin of Food and Agriculture Statistics*. Other periodicals are the *Fisheries Bulletin*, issued monthly; and *Unasylva*, a bi-monthly review of forestry and forest products. The first *Yearbook of Fisheries Statistics* and the first *Yearbook of Forest Products Statistics—1947* appeared in 1948. The 1948 forestry yearbook was in preparation.

Beginning in 1948, *Commodity Bulletins* were issued on wheat, dairy products, poultry and eggs, vegetables and fruits, rice, sugar, and fibres.

Seven basic studies, closely associated with the direct provision of technical assistance to Member Governments, were also issued, namely, *Breeding Livestock Adapted to Unfavorable Environments*, *Using Salty Land, Soil Conservation: An International Study*, *Nutritional Deficiencies in Livestock*, *World Fiber Survey* and *Rice and Rice Diets*. To assist in the campaign against infestation, a popu-

lar booklet was prepared: *Thieves of Stored Grain—How to Fight Them*.

Publications issued by the European Regional Office of FAO from July 1947 to September 21, 1948, included the *International Yearbook of Agricultural Statistics 1941/42—1945/46*; a monograph entitled *The World's Coffee; General Report of the Fourth Meeting of the European National*

Committee: Rome, 17–21 February 1948; and two periodicals, the bi-monthly *Food and Agriculture: The FAO European Bulletin*, and the half-yearly publication *Food and Agriculture: International Law Journal*.

Special studies, such as *Measures to Alleviate the World Shortage of Cereals and Other Foodstuffs*, were prepared on request of the United Nations.

F. BUDGET

The expenses of the Organization are met by contributions from Member States, in proportions determined by the Conference.

The third annual Conference of FAO, which met in Geneva from August 25 to September 11, 1947, approved a budget of \$5,000,000 to meet the expenses of the Organization during the calendar year 1948.

The main details of this budget, as estimated by the Conference, are as follows:

I. The Conference, Meetings of Committees and Technical Conferences	\$ 315,603
II. Technical Missions	200,000
III. Salaries and Allowances	2,748,880
IV. Staff Provident Fund	330,000
V. Official Travel	200,000
VI. Office and Operational Expenses . .	393,400
VII. Printing	237,117
VIII. Contingencies	575,000
TOTAL	\$5,000,000

ANNEX I: MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF FAO

Australia	Ethiopia	Nicaragua
Austria	Finland	Norway
Belgium	France	Pakistan
Bolivia	Greece	Panama
Brazil	Guatemala	Paraguay
Burma	Haiti	Peru
Canada	Honduras	Philippines
Ceylon	Hungary	Poland
Chile	Iceland	Portugal
China	India	Siam
Colombia	Iraq	Switzerland
Costa Rica	Ireland	Syria
Cuba	Italy	Turkey
Czechoslovakia	Lebanon	Union of S. Africa
Denmark	Liberia	United Kingdom
Dominican Rep.	Luxembourg	United States
Ecuador	Mexico	Uruguay
Egypt	Netherlands	Venezuela
El Salvador	New Zealand	Yugoslavia

MEMBERS OF THE COUNCIL OF FAO

Australia	Czechoslovakia	Mexico
Brazil	Denmark	Netherlands
Canada	Egypt	Philippines
Chile	France	Union of S. Africa
China	India	United Kingdom
Cuba	Italy	United States

OFFICERS OF THE COUNCIL

Chairman:
Viscount Bruce of Melbourne (Australia)
Vice-Chairman:
First: André Mayer (France)
Second: B. R. Sen (India)
Third: G. S. H. Barton (Canada)

OFFICERS OF INTERNATIONAL EMERGENCY FOOD COMMITTEE

Secretary-General:
Frederick B. Northrup (United States)
Assistant Secretary-General:
Joseph L. Orr (United States)
Special Assistant to Secretary-General:
Albert Viton (United States)

OFFICERS OF THE STAFF

Director-General of FAO:
Norris E. Dodd (United States)
Deputy Director-General:
Sir Herbert Broadley (United Kingdom)
Counselor:
F. L. McDougall (Australia)
Special Assistant:
Marc Veillet-Lavallée (France)

Editorial Adviser:

Gove Hambidge (United States)

Agricultural Economists:

Paul Yates (United Kingdom)

Pierre Sinard (France)

DIVISION DIRECTORS:

Administration:

Frank Weisl (Czechoslovakia)

Information:

Duncan Wall (United States)

Economics and Statistics:

Howard R. Tolley (United States)

Agriculture:

Ralph W. Phillips (United States)

Distribution:

F. B. Northrup (United States)

Fisheries:

D. B. Finn (Canada)

Forestry and Forest Products:

Marcel Leloup (France)

Nutrition:

W. R. Aykroyd (United Kingdom)

Rural Welfare:

H. Belshaw (New Zealand)

Regional Representative of the Director-General for Europe:

A. H. Boerma (Netherlands)

Regional Representative of the Director-General for the Near East:

M. T. Hefnawy Pasha (Egypt)

Regional Representative of the Director-General for Asia and the Far East:

W. H. Cummings (United States)

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REGIONAL OFFICE FOR THE NEAR EAST

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Cairo, Egypt

**REGIONAL OFFICE FOR ASIA AND
THE FAR EAST**

Address: Maliwan Mansion,
Bangkok, Siam

ANNEX II

**AMENDMENTS TO THE CONSTITUTION OF
THE FOOD AND AGRICULTURE
ORGANIZATION OF THE UNITED NATIONS**

The third session of the FAO Conference, which met in Geneva from August 25 to September 11,

1947, adopted amendments to Articles V and VII of the FAO Constitution. As directed by the Conference, these amendments became effective on September 11, 1947.

Article V, as amended, reads as follows:

"COUNCIL OF FAO

"1. The Conference shall elect a Council of the Food and Agriculture Organization consisting of eighteen Member nations, which will each be represented by one member. The Conference shall appoint an independent Chairman of the Council. The tenure and other conditions of office of the members of the Council shall be subject to rules to be made by the Conference.

"2. The Conference may delegate to the Council such powers as it may determine, with the exception of powers set forth in paragraph 2 of Article II, paragraphs 1, 3, 4, 5, and 6 of Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution."

"3. The Council shall appoint its officers other than the Chairman and, subject to any decisions of the Conference, shall adopt its own rules of procedure.

"4. The Council shall establish a Co-ordinating Committee to tender advice on the co-ordination of

"The text of the Constitution of the Food and Agriculture Organization of the United Nations as in force prior to the amendments of September 11, 1947, is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 693-98. The complete text of the Constitution as revised may be secured from the Food and Agriculture Organization of the United Nations.

"The relevant sections of these Articles are as follows: paragraph 2, Article II, empowers the Conference to admit new Members to the Organization; paragraph 1, Article VII, empowers the Conference to appoint the Director-General of FAO; Article XIII empowers the Conference to approve arrangements defining the relations between FAO and "any general international organization to which may be entrusted the co-ordination of the activities of international organizations with specialized responsibilities". Article XX empowers the Conference to approve amendments to the Constitution.

Following is the text of Article IV (*Functions of the Conference*):

"1. The Conference shall determine the policy and approve the budget of the Organization and shall exercise the other powers conferred upon it by this Constitution.

"2. The Conference may by a two-thirds majority of the votes cast make recommendations concerning questions relating to food and agriculture to be submitted to Member nations for consideration with a view to implementation by national action.

"3. The Conference may by a two-thirds majority of the votes cast submit conventions concerning questions relating to food and agriculture to Member nations for consideration with a view to their acceptance by the appropriate constitutional procedure.

"4. The Conference shall make rules laying down the procedure to be followed to secure:

"(a) proper consultation with governments and adequate technical preparation prior to consideration by the Conference of proposed recommendations and conventions; and

"(b) proper consultation with governments in regard to relations between the Organization and national institutions or private persons. [over]

technical work and the continuity of the activities of the Organization undertaken in accordance with the decisions of the Conference."

The original Article V, superseded by the amendment reproduced above, was as follows:

"THE EXECUTIVE COMMITTEE

"1. The Conference shall appoint an Executive Committee consisting of not less than nine or more than fifteen members or alternate or associate members of the Conference or their advisers who are qualified by administrative experience or other special qualifications to contribute to the attainment of the purpose of the Organization. There shall be not more than one member from any Member nation. The tenure and other conditions of office of the members of the Executive Committee shall be subject to rules to be made by the Conference.

"2. Subject to the provisions of paragraph 1 of this Article, the Conference shall have regard in appointing the Executive Committee to the desirability that its membership should reflect as varied as possible an experience of different types of economy in relation to food and agriculture.

"3. The Conference may delegate to the Executive Committee such powers as it may determine, with the exception of the powers set forth in paragraph 2 of Article II, Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution.

"4. The members of the Executive Committee shall exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments.

"5. The Executive Committee shall appoint its own officers and, subject to any decisions of the Conference, shall regulate its own procedure."

Paragraphs 2 and 3 of Article VII (*The Director-General*), as amended, read as follows:

"2. Subject to the general supervision of the Conference and the Council, the Director-General shall have full power and authority to direct the work of the Organization.

"3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of the Council and shall formulate for consideration by the Conference and the Council proposals for appropriate action in regard to matters coming before them."

The original texts of paragraphs 2 and 3 of Article VII, superseded by the amendments reproduced above, were as follows:

"2. Subject to the general supervision of the Conference and its Executive Committee, the Director-General shall have full power and authority to direct the work of the Organization.

"3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of its Executive Committee and shall formulate for consideration by the Conference and the Executive Committee proposals for appropriate action in regard to matters coming before them."

(Footnote 15, continued)

"5. The Conference may make recommendations to any public international organization regarding any matter pertaining to the purpose of the Organization.

"6. The Conference may by a two-thirds majority of the votes cast agree to discharge any other functions consistent with the purposes of the Organization which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization."

III. *The United Nations Educational, Scientific and Cultural Organization*¹

A. ORIGIN

The standing Conference of Allied Ministers of Education, which first met in London in 1942, was mainly concerned with plans for educational reconstruction after the war. In April 1944, however, the Conference, which was joined by an American educational delegation, drew up plans for an educational organization. These plans, after being sent to governments for comment, and subsequently revised, were published on August 1, 1945, as a basis for discussion at an international conference which the Conference of Allied Ministers requested the British Government to call.

In the meantime, France, which had been the host country to the League of Nations Institute of Intellectual Co-operation, inaugurated in January 1926, and which had been closely interested in the work of the Institute, recommended at the San Francisco Conference that the United Nations should call a conference to draw up a statute of an international organization on cultural co-operation.

The Conference for the Establishment of an Educational, Scientific and Cultural Organization of the United Nations was convened by the Government of the United Kingdom in association with the Government of France. The Conference was

held in London from November 1 to 16, 1945. It was attended by representatives of 44 governments and by observers from a number of international organizations. After considering a draft constitution prepared by the Allied Ministers of Education, a draft submitted by the French Government and other proposals, the Conference drew up the Constitution of UNESCO.² It also established a Preparatory Educational, Scientific and Cultural Commission to function until UNESCO came into being. The Conference decided that the seat of UNESCO should be in Paris.

The Preparatory Commission, during its one year of existence, made arrangements for the first session of the General Conference of UNESCO. It prepared the provisional agenda of the Conference and made recommendations concerning the Organization's program and budget. It also took steps to meet some of the most urgent needs of educational, scientific and cultural reconstruction in devastated areas.

UNESCO came into being on November 4, 1946, when the instruments of acceptance of twenty signatories of its Constitution had been deposited with the Government of the United Kingdom.

B. PURPOSES AND FUNCTIONS

The preamble to the UNESCO Constitution recognizes that "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed".

The purpose of UNESCO, as stated in Article 1 of the Constitution, "is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, lan-

guage or religion, by the Charter of the United Nations".

¹For further details concerning the origin and early activities of UNESCO, see *Yearbook of the United Nations, 1946-47*, pp. 703-12. For further information concerning later activities, see reports of UNESCO to the United Nations (E/461 and Add.1, E/804 and Add.1 and Add.1/Rev.1), annual reports of the Director-General on the activities of UNESCO during 1947 and 1948, and *UNESCO: 1948 Programme*, setting forth the resolutions of the second session of the UNESCO General Conference. See also Bibliography of this *Yearbook*, Appendix III.

²The text of the Constitution of UNESCO is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 712-17.

To achieve its purpose UNESCO is to accomplish the following:

"(a) collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image;

"(b) give fresh impulse to popular education and to the spread of culture;

by collaborating with Members, at their request, in the development of educational activities;

by instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social,

by suggesting educational methods best suited to

prepare the children of the world for the responsibilities of freedom;

"(c) maintain, increase and diffuse knowledge,

by assuring the conservation and protection of the world's inheritance of books, works of art and monuments of history and science, and recommending to the nations concerned the necessary international conventions;

by encouraging cooperation among the nations in all branches of intellectual activity, including the international exchange of persons active in the fields of education, science and culture and the exchange of publications, objects of artistic and scientific interest and other materials of information;

by initiating methods of international cooperation calculated to give the people of all countries access to the printed and published materials produced by any of them."

C. ORGANIZATION

UNESCO consists of a General Conference, an Executive Board and a Secretariat.

The General Conference, which meets at least once each year, is composed of representatives of the States Members of UNESCO. It determines the policies and the main lines of work of the Organization, and it may summon international conferences on education, the sciences and humanities and the dissemination of knowledge.

Each Member is entitled to one vote in the Conference. Decisions of the Conference are made by a majority of the Members present and voting, except in cases in which the Constitution requires a two-thirds majority. The adoption by the Conference of international conventions, or of amendments to the Constitution, for example, requires a two-thirds majority vote.

New Members may be admitted into UNESCO, if they are Members of the United Nations, by signing the Constitution and depositing an instrument of acceptance. Other states, to become Members, require in addition a favorable recommendation of the Executive Board and a two-thirds majority vote of the General Conference, and their applications are subject to the approval of the United Nations.

The Executive Board consists of eighteen members elected for three-year terms by the General Conference from among the delegates appointed

by Member States. Each year the General Conference elects six members of the Board, endeavoring to select persons competent in the arts, humanities, sciences and education. The Board, which meets at least twice each year, is responsible for the execution of the program adopted by the Conference and exercises any powers delegated to it by the Conference.

The Secretariat consists of the Director-General and the staff. The Director-General, appointed by the General Conference on the nomination of the Executive Board, is the chief administrative officer of UNESCO.

Four Field Science Co-operation Offices have been set up: in Cairo, for the Middle East; in Rio de Janeiro, for Latin America;³ in Nanking, for the Far East; and in New Delhi, for South East Asia.

As of September 21, 1948, National Commissions or co-operating bodies had been set up in 28 Member States and plans were well advanced for their establishment in six other states. National Commissions, composed chiefly of representatives of non-governmental organizations interested in educational, scientific and cultural matters, advise their respective delegations to the UNESCO General Conference and serve as liaison groups between UNESCO and their local communities.

³The Latin American office was transferred to Montevideo in November 1948.

D. ACTIVITIES PRIOR TO JULY 1, 1947

The first session of the General Conference of UNESCO was held in Paris from November 19 to December 10, 1946. Among the first decisions of the Conference was the approval of the agreement⁴ establishing the relationship between the United Nations and UNESCO; this agreement came into force on December 14, 1946, with its approval by the General Assembly of the United Nations.

In addition to appointing the first Director-General, electing the Executive Board and adopting the various administrative and financial regulations of UNESCO, the General Conference approved a comprehensive program of work for the Organization during 1947. The final plan of action to be undertaken during the year, together with budget allocations, was determined in April 1947 by the Executive Board after reviewing in detail the decisions of the General Conference. The revised program involved several large-scale projects—such as reconstruction, fundamental education, education for international understanding and the establishment of a world centre of scientific liaison—and specialized activities within the fields of education, science and culture.

UNESCO began a survey of the needs of countries devastated by the war in order to help in the

reconstruction and rehabilitation of their educational, cultural and scientific life. It was instrumental in establishing the Temporary International Council for Educational Reconstruction (TICER) to co-ordinate the work of non-governmental organizations active in the field of educational reconstruction. It began the publication of a *Reconstruction Newsletter* to assist in the campaign and published a pamphlet, *The Teacher and the Post-War Child*. The specialized activities of the Organization in the fields of education, natural sciences, libraries and museums and mass communications were mainly directed during this period toward furthering the reconstruction program.

In April 1947, UNESCO sent a team of scientists to Latin America to make preliminary investigations prior to a meeting to consider the establishment of a research institute in the area of the Amazon basin.

The Organization also commenced the planning of its future activities in connection with its large-scale programs for stimulating fundamental education and promoting education for international understanding, and with its programs in the specialized fields of social science, philosophy and humanities, and arts and letters.

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

During this period UNESCO held one regular and one special session of its General Conference. Membership in the Organization increased from 31 to 43 states as of September 21.

The second annual session of the General Conference of UNESCO met in Mexico City from November 6 to December 3, 1947. As a result of experience gained by the Organization since the 1946 session, the Conference revised the program of work of UNESCO, combining the projected activities of the Organization under six main groups. UNESCO accordingly has been concentrating its efforts and resources during 1948 in carrying out programs of reconstruction, communication, education, cultural interchange, human and social relations and natural sciences. The Conference also adopted an amendment to Article IV,

paragraph 10, of the UNESCO Constitution.⁵

The Executive Board decided to recommend to the third regular General Conference the extension of UNESCO's activities to Germany and Japan, in order to reorient the people of these countries towards democracy and against all forms of aggressive nationalism and isolationism.⁶

Due to the disturbed situation in the Middle East, an extraordinary session of the General Conference met in Paris on September 15, 1948, to decide whether the third regular session of the Conference should be held in Beirut, Lebanon, as originally planned by the Mexico City Conference

⁴The text of the Agreement between UNESCO and the United Nations is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 717-21.

⁵For text of amendment, see Annex II, p. 854.

⁶The General Conference in December 1948 approved this recommendation.

and voted that the session should convene as scheduled on November 17.⁷

The activities undertaken by the Organization since June 1947 are summarized below.

1. Reconstruction

After June 1947, UNESCO continued its efforts of encouraging and assisting in the restoration of educational, scientific and cultural life in countries devastated by the war. It was first necessary to determine the needs of these countries, and during 1947 and 1948 UNESCO made surveys, mainly in the field of their educational, scientific and cultural needs. The results of surveys in the following war-devastated countries were published in November 1947 as *The Book of Needs*: Austria, Belgium, Burma, China, Czechoslovakia, Ethiopia, France, Greece, Iran, Italy, Luxembourg, Netherlands, Philippines, Poland and Yugoslavia. A second volume, prepared during 1948, for publication early in 1949, contains the results of field surveys in Burma, China, India, Malaya, Sarawak, North Borneo, the Philippines and Malta, as well as new data concerning the needs of the countries included in Book I. In addition, data on war-damaged schools, colleges, universities, museums, laboratories, libraries and other cultural institutions were compiled and distributed to interested Member States and voluntary organizations. Mainly in response to UNESCO's campaign efforts, contributions of money, supplies and services, valued at approximately \$50,000,000, were collected and distributed during 1948, through the Temporary International Council for Educational Reconstruction (TICER), National Commissions and voluntary organizations. UNESCO has prepared and distributed material for use in national campaigns to raise funds and materials. This includes a monthly *Reconstruction Newsletter*, providing a regular exchange of information on reconstruction requirements and assistance being furnished to war-devastated countries; and illustrated pamphlets, such as *Universities in Need*, prepared for publication in November 1948.

During the period under review, UNESCO itself allocated approximately \$400,000 for the purchase of reconstruction materials, including film projectors, radio receivers, microfilm projectors and strips, educational books, music supplies, artists' materials and chemical restoratives for museum objects. These materials were sent to China, Poland, Greece, Czechoslovakia, Philippines, Italy, Hungary and Austria.

The Organization has provided suggestions and advice to teachers, librarians, museum professionals, sponsors of youth camps and others on ways of solving educational problems arising from the war. A pamphlet for teachers, entitled *Improvisations in the Teaching of Science*, was prepared and distributed in July 1948. Information is being collected on the educational problems of war-handicapped children and on successful attempts to solve these problems. A Conference of Directors of Children's Villages, sponsored by UNESCO, met at the Pestalozzi Village in Trogen, Switzerland, in July 1948, to discuss methods of education in children's villages. The Conference resulted in the establishment of an International Federation of Children's Communities, headed by a Committee of Directors to co-ordinate educational programs and consider administrative problems.

International voluntary work camps, with participants from different countries, assist in rebuilding schools and other reconstruction projects in war-devastated countries. UNESCO publicized this movement and assembled 27 libraries, which it distributed in July 1948 to voluntary work camps in eleven countries. Each library consists of 250 to 300 books and pamphlets on international subjects.

UNESCO also acts as a clearing house for publications. It distributed information on needs and sources of supply of publications through the monthly UNESCO *Bulletin for Libraries*, sent regularly to about 6,500 institutions (as of September 1948). In addition, as of the same date, 1,876 lists of publications offered or wanted for free distribution or exchange were circulated to interested libraries. By the middle of July 1948, UNESCO had allocated to war-devastated libraries a total of 545 sets of scientific periodicals (comprising about 4,466 volumes) and 20,644 volumes of miscellaneous publications. UNESCO also was instrumental in the establishment of several national book exchange and distribution centres, which select books and periodicals for exchange through the UNESCO clearing house.

2. Communications

To achieve its long-term goal of increasing international understanding across national frontiers, UNESCO stimulated and co-ordinated efforts to improve communications between peoples through the exchange of persons, through radio, films and

⁷The third regular session was accordingly held in Beirut; it lasted until December 11, 1948.

the press, and through libraries, books and publications.

a. EXCHANGE OF PERSONS

The Organization collected data on international fellowship opportunities with a view to becoming the international centre of information in this field. On the basis of the information collected, UNESCO advised governments, National Commissions, voluntary agencies and the United Nations on the administration and planning of exchange of persons programs and encouraged the development of such programs. During 1948, UNESCO was requested to administer 125 fellowships; 68 of these had been awarded by September. In addition, UNESCO itself provided the funds for 60 fellowships for which candidates were selected during 1948, mainly from war-devastated countries. UNESCO fellowships and travel grants are awarded to research workers, professors, officials, teachers, artists, writers, or experts in radio, films and the press. *Study Abroad*, a handbook of international study opportunities, was published late in 1948.

b. TECHNICAL NEEDS

UNESCO made a five-month survey, completed in August 1947, of the technical needs in press, film and radio of Belgium, China, Czechoslovakia, Denmark, France, Greece, Luxembourg, Netherlands, Norway, Philippines, Poland and Yugoslavia. The report of the survey, together with recommendations for meeting the needs in these countries, was made available to the United Nations Conference on Freedom of Information, held in March and April 1948. The Conference recommended the reduction of taxes on radio receiving sets and parts as an aid to the free flow of information. It recommended that the Economic and Social Council and specialized agencies assist UNESCO in its task of reducing the inequalities in information facilities disclosed by the survey, and of extending aid to countries suffering from an acute shortage of newsprint. The Conference also endorsed, as conducive to the improvement of the quality of information, a UNESCO proposal to establish under UNESCO auspices an International Institute of Press and Information.

A meeting of experts in international financial exchange, cultural relations and international travel, held at UNESCO House, Paris, in June 1948, suggested methods for operating a compensation scheme between soft-currency countries able to offer special cultural facilities to students, teachers and technicians, and hard-currency countries which

produce mass communication and other technical and scientific equipment needed by the soft-currency countries.⁸

During 1948, the survey of technical needs was extended to cover Austria, Hungary and Italy in Europe; Cuba, the Dominican Republic, Ecuador, Haiti, Honduras, Mexico, Peru, Uruguay and Venezuela in Central and South America; and Burma, India, Pakistan, Malaya and Singapore in the Far East. UNESCO prepared a report, for publication before the end of 1948, containing the results of these surveys as well as related recommendations made by a commission of experts meeting in August.

c. LIBRARIES

UNESCO organized, in conjunction with the Government of the United Kingdom, a summer school for public librarians, held in Manchester and London during September 1948, with the object of increasing their awareness of education and international understanding.

A meeting of archivists in June 1948 unanimously approved the establishment of a Provisional International Council on Archives.

d. PUBLICATIONS

During the year, UNESCO developed a book coupon scheme designed to overcome foreign exchange difficulties in buying and selling books and other publications. Under this scheme, UNESCO sells book coupons to countries in exchange for their national currencies. Booksellers accepting these book coupons for payment will be repaid by UNESCO in their respective national currencies. By September 1948, China, Czechoslovakia, France, India and the United Kingdom had agreed to participate in the scheme as purchasers of coupons and vendors of books; and booksellers in the United States, as vendors of books.⁹

e. COPYRIGHT

UNESCO has also undertaken a comparative and critical study of copyright problems and the methods adopted in various countries for solving them, and has participated in a number of confer-

⁸This scheme was approved in December 1948 by the General Conference.

⁹In December 1948, UNESCO launched the book coupon scheme on an experimental basis with the sale of \$100,000 worth of coupons to six countries and the donation of \$50,000 worth of coupons to ten countries. The countries involved other than those listed above were: Austria, Greece, Hungary, Italy, Indonesia, Iran, Philippines and Poland.

ences on the subject. The first two issues of a *Copyright Bulletin* had been prepared, for publication by UNESCO in November and December 1948.

f. OTHER ACTIVITIES

Among its many other activities in the field of communications, UNESCO prepared in accordance with recommendations of the second General Conference: a survey of the production of cheap books, including information on trends and problems regarding low-price book publishing; analyses and studies on obstacles to the free flow of educational, scientific and cultural material and on methods by which these might be overcome; a draft convention to facilitate the international circulation of visual and auditory materials, which was sent to Members for comments;¹⁰ a volume of essays on the philosophical principles of human rights; and a bibliography of creative writing under Axis occupation. It also concluded a number of agreements with several international non-governmental organizations for the preparation by these organizations of bibliographies, abstracts and surveys in the fields of science, philosophy, history and linguistics.

3. Education

UNESCO's functions in the field of education are to determine the most significant contributions that each country or region can make to educational practice; to find out the most pressing needs of its Member States; and to devise methods of bringing persons, ideas and materials from the educationally advanced areas in any field to areas asking for assistance. UNESCO considers that its main task in this field is to become an educational "exchange and mart".

a. FUNDAMENTAL EDUCATION

Methods developed by UNESCO to encourage and help Member States to establish a minimum fundamental education for all their people include the establishment of a "clearing house", the provision of field consultants and the initiation of experimental "pilot projects".

To fill the pressing need of Member States for interchange of technical information in fundamental education, UNESCO set up a Clearing House during 1948. Data were gathered from a number of significant projects and experiments, partly by the use of published sources or correspondence, partly through the visits of UNESCO

consultants and, when required, through special surveys made by experts for the Clearing House.

UNESCO classified and analyzed the information gathered by all these means, and the Clearing House makes it available in the form of publications and technical advice. The publications include periodicals, such as the *Quarterly Bulletin of Fundamental Education*, or reports arising from surveys made by experts. Documentation and materials are provided for international conferences and seminars, or for national bodies which are playing an important part in fundamental education.

Partly as a corollary to these activities, UNESCO maintains a number of field consultants in fundamental education, notably in China, East Africa and Latin America. In their travels, these officials fulfil a twofold function. They provide on the spot consultation and advice, and they send back to UNESCO a considerable amount of information on methods and materials used in fundamental education, at the same time defining the principal needs of their regions.

In advocating that the problems of fundamental education should be approached in a systematic and scientific way, UNESCO attaches importance to national pilot projects, which serve as centres of experimentation and focal points from which fundamental education can expand to the surrounding areas.

One such pilot project was developed by the Government of Haiti in the Marbial Valley. The original planning for this project was done jointly by UNESCO and the Haitian Government, and UNESCO participated actively in the work by enlisting outside financial support and by providing some funds and the full-time services of a field consultant. During 1948 a basic socio-economic survey of the valley was completed. A wide range of fundamental education activities was begun, all directed towards the improvement of living conditions.

In China a similar scheme for the development of a national pilot project was hampered by local difficulties. In its place UNESCO initiated an experiment in the preparation of audio-visual teaching materials in co-operation with the Chinese Mass Education Movement.

In other areas UNESCO field consultants have advised governments and local authorities on the possibilities of starting pilot projects.

The results of experiments of this kind also pro-

¹⁰The convention was approved by the third session of the General Conference in Beirut and will come into force when it has been signed by ten states.

vide the UNESCO Clearing House with information and materials, which can then be made available to all Member States.

b. EDUCATIONAL MISSIONS

UNESCO's educational missions are designed as one means of assisting Member States which wish to improve their educational systems. At the request of the Government of the Philippines, UNESCO assigned a *consultative mission* to make a survey, beginning in February 1949, of adult and elementary education in that country. Afghanistan asked UNESCO to send a mission in the spring of 1949 to advise it on technical education and literacy campaigns.

c. ADULT EDUCATION

UNESCO collects and disseminates information on new techniques and methods in adult education. In June 1949, it is to convene an International Conference on Adult Education which will be held in Denmark. A pamphlet entitled *UNESCO and Adult Education*, outlining UNESCO's program in this field, was published in 1948, and an International Directory on Adult Education was being prepared with the assistance of UNESCO's National Commissions.

d. CO-OPERATION WITH THE INTERNATIONAL BUREAU OF EDUCATION

As a result of an agreement with UNESCO, the International Bureau of Education is making investigations, at the request of UNESCO, into educational practices in a number of countries. For example, in 1948 UNESCO and the Bureau published jointly two reports, one on the *Teaching of Handwriting* and the other on *School Psychologists*. These were considered at the Eleventh International Conference on Public Education, convened by UNESCO and the Bureau in the summer of 1948. Two other inquiries, one on the introduction to natural science in the primary school and the other on the teaching of reading, were being made and reports were to be published during 1949. At the request of UNESCO, the Bureau in bringing up to date an inquiry made before the war on the professional training of primary school teachers.

e. UNIVERSITIES

In August 1948, UNESCO convened, in collaboration with the Netherlands Government, a

Preparatory Conference of Representatives of Universities, which met at the University of Utrecht. It was attended by 118 participants and observers from 44 countries.

The Conference discussed from many different viewpoints the problems facing universities in all parts of the world. The success of the discussions encouraged the Conference to elect an Interim Committee of ten members to be responsible for planning the next Universities' Conference, to be held in 1950 or later, and for drafting a constitution for an international association of universities.

The Committee will also direct the work of an International Universities' Bureau, which the Conference decided "should be established immediately to act as a clearing house for information about the universities of the world".

f. EDUCATIONAL SEMINARS

After July 1947, UNESCO experimented with a special type of international conference, in the form of a seminar. At these seminars, specialists selected by Member States were brought together to make an intensive study of specific educational problems; to use the study group method on an international level; to prepare materials for national and international use; to draw up plans for action in the home countries of the participants; and to experience living in an international community.

The first of these seminars was held at Sèvres, near Paris, in July and August 1947. It was concerned with how best to help young people to take a world view rather than a nationalistic one.

The three seminars held in July and August 1948 dealt with more restricted subjects: one, meeting at Ashridge College, Hertfordshire, England, was concerned with "The Education and Training of Teachers"; another, at Pödebrady, Czechoslovakia, concentrated on "Childhood Education from 3-13 Years of Age"; and the third, on "Teaching About the United Nations and Its Specialized Agencies", held at Adelphi College, Garden City, Long Island, New York, was organized in co-operation with the United Nations. All Member States of UNESCO were invited to send representatives to these seminars; Members of the United Nations which were not Members of UNESCO were also invited to the seminar on "Teaching About the United Nations and Its Specialized Agencies". As a result of these seminars the preparation of a number of pamphlets was undertaken for use in schools in different parts of the world.

g. EDUCATION FOR INTERNATIONAL UNDERSTANDING

All UNESCO's work is designed to contribute directly or indirectly to international understanding. UNESCO is particularly concerned that school education should help pupils to become conscious of the ties which unite the peoples of the world and be ready to accept the obligations which an interdependent world imposes.

UNESCO has encouraged teaching about the United Nations and its specialized agencies since, together, these form the greatest contemporary effort, on an international, governmental scale, to move towards a world society. A booklet including some suggestions for teaching programs on the United Nations in the schools of Member States, prepared in 1948 by UNESCO, was considered at the Eleventh International Conference on Public Education, convened jointly by UNESCO and the International Bureau of Education, and at the UNESCO seminar at Adelphi College, New York.

b. IMPROVEMENT OF TEXTBOOKS AND TEACHING MATERIALS

UNESCO has undertaken a long-term program for the improvement of textbooks and teaching materials as aids to international understanding. Principles and criteria were drawn up and a model plan prepared to assist Member States to study and analyze their own textbooks. Specifications were drafted for a common study by Member States of the treatment in their textbooks of the agencies of international co-operation from 1918 to the present time.

4. Cultural Interchange

UNESCO's program of cultural interchange included activities in the fields of arts and letters, philosophy and humanities, and museums.

a. ARTS AND LETTERS

As a result of the efforts of UNESCO, an independent International Theatre Institute was established in June 1948 by a congress of Member States meeting in Prague, and several states set up national theatre centres. UNESCO has also made preliminary inquiries, in conjunction with existing international organizations in the field of music, for the establishment of an International Music Institute.

In June 1947, UNESCO began to organize an International Pool of Literature to encourage the

flow of published and unpublished material between journals and reviews in different parts of the world. In response to communications proposing participation in the Pool which were sent to 332 important literary reviews in Member States, 151 replies had been received by September 1948, 136 of them favorable.

To encourage reproductions of works of art, UNESCO is preparing catalogues to inform institutions and interested individuals throughout the world where fine color reproductions of particular phases and periods of art can be obtained and to encourage the publication of additional works to illustrate these periods and phases. As of September 1948, catalogues were being prepared for publication by the end of the year on European painting from 1860 to the present time, Italian Renaissance painting and Persian art. The Organization undertook negotiations with the Vatican for the production of 25 folios of the fresco paintings in the Vatican; with the Italian Government for the production of similar folios of reproductions of Italian Renaissance paintings; with publishers in England to produce folios on Persian art; and with publishers in France who had indicated a desire to produce folios dealing with European painting from 1860 to the present time. UNESCO also prepared and distributed to Members a list of documentary films on visual art.

In July 1948, UNESCO called together in Paris a committee of experts to consider the preparation of a general catalogue of world music, to include lists of music available in recorded form and suggestions for additional recordings. The committee recommended that a centre should be established to draw up a general index of classical Western music, and that the possibility of establishing specialized catalogues of Eastern music and folk music in general should be considered.

Following the resolution (60 (I))¹¹ of the General Assembly, recognizing that the translation of the classics into the languages of Members of the United Nations would promote understanding and peace among nations, UNESCO, at the request of the Economic and Social Council (resolution 53 (IV)),¹² collected and submitted to the Council in June 1948 data on objective methods of selecting great books, the needs of various cultural regions and suggestions for general assistance in translation, publication and distribution. As of September 21, 1948, UNESCO had received official lists of works suitable for translation from Aus-

¹¹See *Yearbook of the United Nations*, 1946-47, p. 184.

¹²*Ibid.*, p. 541.

tralia, Belgium, Canada and the United Kingdom, and suggestions from the PEN Club and other organizations.

b. PHILOSOPHY AND HUMANITIES

Round-table discussions, sponsored by UNESCO, were held in Amsterdam in August 1948 on the philosophic basis of humanism, the basis of freedom, and the philosophic bases of the various concepts of democracy. Subsequently, the International Institute of Philosophy, under the terms of its contract with UNESCO, secured publication of articles on these subjects in special issues of leading philosophic journals.

In consultation with a number of international non-governmental organizations, UNESCO drew up in July 1948 a draft Constitution for the establishment of an International Council of Associations for Philosophy and Humanistic Studies. The Constitution was approved in September by delegates of several of these organizations and the Council will come into existence when five of the interested organizations have given their formal assent.

c. MUSEUMS

The Organization works with museums, advising them on exhibitions available for international distribution and suggesting the creation of additional exhibitions which it feels would be in demand. From July 1947 to September 1948, UNESCO encouraged the international exchange of exhibitions among Belgium, China, Cuba, France, Mexico, Netherlands, and United States (including Hawaii).

The first Biennial Conference of the International Council of Museums, meeting at UNESCO House in June and July 1948, discussed ways in which such institutions could assist UNESCO in carrying out its program of international understanding and its other aims.

To assist museums in developing on a world basis the services which further the general aims of UNESCO, during 1948 the Organization began publishing the quarterly *Museum*, which replaces the technical museographical journal *Museion*, formerly published by the International Institute of Intellectual Co-operation. The first issue of *Museum* was published in July 1948.

5. Human and Social Relations

a. TENSIONS AFFECTING INTERNATIONAL UNDERSTANDING

As its major task during the period covered in

the field of human and social relations, UNESCO undertook studies and inquiries on tensions affecting international understanding.

In developing this project, the Organization promotes inquiries into the distinctive character of various national cultures, ideals and legal systems, with the aim of stimulating sympathy and mutual respect among nations. These inquiries are being made by arrangement with the International Studies Conference, four of whose experts began working in 1948 in France, Norway, Poland and Switzerland, preparing monographs for a series of booklets on "The Ways of Life" in these countries. By September 1948 national sections of the International Studies Conference had begun similar work in Brazil, Canada, Hungary and India. Inquiries into the conceptions which people of one country entertain of their own and of other nations were undertaken at the request of UNESCO by public opinion institutes in Argentina, Australia, Belgium, China, France, Hungary, Italy, Norway, United Kingdom and United States. UNESCO also promoted inquiries into modern techniques which have been developed in education, political science, philosophy and psychology for changing mental attitudes and for determining the processes and forces involved where human minds are in conflict. Memoranda were prepared for UNESCO by experts and institutions with practical experience in this field. In July 1948, eight experts, representing different philosophies and nations, met at UNESCO House and prepared a series of reports on the influences which, throughout life, predispose towards international understanding on the one hand and aggressive nationalism on the other.

In connection with this program, UNESCO has maintained close liaison with the newly organized World Federation for Mental Health, which met in London in August.

UNESCO is also developing a closely related project on the philosophical analysis of current ideological conflicts.

b. POLITICAL SCIENCE

An international conference on Methods in Political Science, sponsored by UNESCO, met in September 1948 at Unesco House. The conference, attended by political scientists from Europe, North America and Asia, decided to create an International Political Science Association and set up a preparatory committee to draft a constitution. The Association is to encourage improvements in the study of political phenomena in all countries,

facilitate the exchange of information on developments in political research, promote the organization of meetings and conferences, assist political scientists to obtain facilities for foreign research and develop internationally planned research.

6. *Natural Sciences*

a. *HYLEAN AMAZON*

A conference convened by the Brazilian Government to consider the establishment of an International Institute of the Hylean Amazon met in Belem do Para, Brazil, in August 1947. It set down the purposes of the Institute and requested UNESCO to make further suggestions as to its structure, functions and methods of financing. A convention establishing the Institute was later agreed upon by a conference which met in Iquitos, Peru, from April 30 to May 10, 1948, on the joint invitation of UNESCO and the Governments of Brazil and Peru. The Institute will come into being on acceptance of the convention by five of the following founding nations: Bolivia, Brazil, Colombia, Ecuador, France, Italy, Netherlands, Peru, United States and Venezuela. In the meantime, an Interim Commission was set up, with headquarters at Manaus, Brazil, to carry out preliminary work. The Institute, as provided by a financial protocol adopted by the conference, is to be financed by monetary contributions from eight of the founding nations and contributions of equipment and material from France and Italy.

When formally established, the Institute is to co-ordinate all research activities undertaken in the vast, almost unexplored region of the Hylean Amazon. It will collate all known data on the region and stimulate and give practical aid to further exploration. Subjects to be studied include physiography, soil science, biology, zoology, botany, anthropology, ethnology, agriculture and nutrition.

b. *RESEARCH LABORATORIES*

Among its other activities in the field of natural sciences, UNESCO prepared a detailed report, at the request of the Economic and Social Council of

the United Nations, on the question of establishing international scientific research laboratories.

On the recommendation of the second session of the General Conference, UNESCO organized an International Conference on High Altitude Research Stations, which met at Interlaken, Switzerland, from August 31 to September 3, 1948. The Conference agreed that if plans for research laboratories and observatories under the auspices of the United Nations were adopted, a high priority should be given to high altitude stations. In the meantime, the Conference made several suggestions for furthering such research, including the organization of existing stations, and stations to be established, into a network for the exchange of information.

c. *SCIENTIFIC EQUIPMENT*

UNESCO is developing an information centre on scientific apparatus to answer inquiries on types of apparatus available. It began the compilation of a series of inventories of basic scientific equipment used in schools and universities for educational purposes, and experts in science teaching in the hope of reaching international agreement on the minimum of scientific equipment necessary to teach science at all educational levels.

d. *GRANTS-IN-AID*

Between April 1947 and September 21, 1948, UNESCO made grants totalling \$489,304 to international scientific and technological organizations, unions and societies to further international co-operation in the field of pure science. Of this amount, \$231,174 was given in 1948 to the International Council of Scientific Unions and its ten federated Unions, and their seven subsidiary organizations. These grants-in-aid to the International Council will, it is estimated, help in the realization of about 120 different projects, the meeting of about 450 scientists at about 50 international scientific conferences, the publication of some 40 reports, journals and other publications, and the work of some 30 international scientific services, laboratories and stockrooms.

F. BUDGET.

Contributions to the budget are made by Members of UNESCO according to the scale adopted for the administrative budget of the United Nations, with adjustments to provide for the difference in membership of the two organizations.

The second session of the UNESCO General Conference, meeting in November and December 1947, approved a budget in the amount of \$7,682,637 to carry out UNESCO's program of activities during 1948, as against \$6,000,000 approved by the first session for 1947. As in 1947, the Director-General was authorized under certain conditions

to make transfers within the budget. The estimated distribution of funds for 1948, as decided by the General Conference, was as follows (in U. S. dollars):

Conference and meetings	\$ 285,030
Personnel Services	3,908,527
Common Services	1,552,000
Grants-in-Aid and Emergency Grants-in-Aid	617,080
Initial Recruitment	970,000
Reserve	350,000
TOTAL	\$7,682,637

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS
(As of September 21, 1948)

MEMBERS OF UNESCO

Afghanistan	Egypt	New Zealand
Argentina	El Salvador	Norway
Australia	France	Peru
Austria	Greece	Philippines
Belgium	Haiti	Poland
Bolivia	Honduras	Saudi Arabia
Brazil	Hungary	Syria
Canada	India	Turkey
China	Iran	Union of South
Colombia	Iraq	Africa
Cuba	Italy	United Kingdom
Czechoslovakia	Lebanon	United States
Denmark	Liberia	Uruguay
Dominican	Luxembourg	Venezuela
Republic	Mexico	
Ecuador	Netherlands	

MEMBERS OF THE EXECUTIVE BOARD¹

(As constituted by the second session of the General Conference)

- Ronald E. Walker (Australia)
- Sir Sarvepalli Radhakrishnan² (India)
- Alf Sommerfelt (Norway)
- Stanislaw Arnold (Poland)
- Paulo Carneiro (Brazil)
- Benjamin Carrion³ (Ecuador)
- Chen Yuan (China)
- Victor Dore⁴ (Canada)
- Shafik Ghorbal Bey⁵ (Egypt)
- Resat Nuri Guntekin (Turkey)
- Manuel Martinez-Baez (Mexico)
- Sir John Maud (United Kingdom)
- Jan Opocensky⁶ (Czechoslovakia)
- C. Parra-Perez (Venezuela)
- Alex Photiades⁷ (Greece)
- Pierre Auger⁸ (France)
- George D. Stoddard (United States)
- Louis Verniers⁹ (Belgium)

OFFICERS OF THE EXECUTIVE BOARD

Chairman:

Ronald E. Walker (Australia)

Vice-Chairmen:

- Sir Sarvepalli Radhakrishnan¹⁰ (India)
- Alf Sommerfelt (Norway)

OFFICERS OF THE SECRETARIAT

Director-General:

Julian Huxley¹¹ (United Kingdom)

Deputy Director-General:

Walter H. C. Laves (United States)

Assistant Directors-General:

- Jean Thomas (France)
- C. E. Beeby (New Zealand)

HEADQUARTERS AND OTHER OFFICES

HEADQUARTERS

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Organisation des Nations Unies pour l'Education,
la Science et la Culture
19 Avenue Kléber
Paris 16^e, France
Telephone: Kléber 52-00
Cable Address: UNESCO PARIS

¹For members of the Executive Board prior to the second session of the General Conference, see *Yearbook of the United Nations*, 1946-47, p. 712.

²With the exception of Jan Opocensky and Benjamin Carrion, these members of the Board were re-elected for a regular three-year term of office by the third session of the General Conference. Count Stefano Jacini (Italy) was elected on December 1, 1948, to replace Dr. Opocensky and Dr. Guillermo Nannetti (Colombia) to replace Dr. Carrion.

³In March 1948, Roger Seydoux (France) was elected to fill, until the third session of the Conference, the vacancy caused by the resignation of Pierre Auger. The third session elected M. Seydoux to complete the term of office of Professor Auger.

⁴Sir Sarvepalli Radhakrishnan was elected Chairman of the Executive Board in December 1948, with C. Parra-Perez and Roger Seydoux as Vice-Chairmen.

⁵The third session of the General Conference, meeting in November and December 1948, appointed Jaime Torres Bodet (Mexico) to succeed Julian Huxley as Director-General of UNESCO.

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ANNEX II

UNESCO FIELD SCIENCE CO-OPERATION OFFICES

Dr. L. Thuriaux
UNESCO Science Co-operation Office
33 Sh. el Qasr el Ali
Cairo, Egypt

Mr. J. Smid
UNESCO Science Co-operation Office
14 Wu Yee Lu
Nanking, China

Dr. A. Wolsky
UNESCO Science Co-operation Office
c/o Delhi University
Delhi, India

AMENDMENT TO THE CONSTITUTION OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

Article IV, paragraph 10, of the Constitution, effective December 1, 1947, the date it was amended by the General Conference, reads as follows:

"The General Conference shall adopt its own rules of procedure. It shall at each session elect a president and other officers."

Prior to the approval of this amendment, Article IV, paragraph 10, was as follows:

"The General Conference shall, at each session, elect a President and other officers and adopt rules of procedure."

IV. *The International Civil Aviation Organization*¹

A. ORIGIN

Representatives of 52 states attending the International Civil Aviation Conference, which met in Chicago from November 1 to December 7, 1944, at the invitation of the Government of the United States, adopted a Convention providing for the establishment of the International Civil Aviation Organization (ICAO).² The Conference also drew up an Interim Agreement providing for a Provisional International Civil Aviation Organization (PICAO) to operate until the formal establishment of the permanent Organization. PICAO

came into being on June 6, 1945, after 26 states had adhered to the Interim Agreement. ICAO came formally into existence on April 4, 1947, 30 days after the Convention on International Civil Aviation had been ratified by the required 26 states. The Convention superseded, as between contracting states, the provisions of two earlier agreements: the Paris Convention of 1919 establishing the International Commission for Air Navigation, and the Pan-American Convention on Commercial Aviation drawn up in Havana in 1928.

B. PURPOSES AND FUNCTIONS

The Convention on International Civil Aviation, according to its preamble, lays down "certain principles and arrangements in order that international civil aviation may be developed in a safe and orderly manner and that international air transport services may be established on the basis of equality of opportunity and operated soundly and economically".

The aims and objectives of ICAO, as stated in Article 44 of the Convention, are.

"... to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to

"(a) Insure the safe and orderly growth of international civil aviation throughout the world,

"(b) Encourage the arts of aircraft design and operation for peaceful purposes;

"(c) Encourage the development of airways, airports, and air navigation facilities for international civil aviation,

"(d) Meet the needs of the peoples of the world for safe, regular, efficient and economical air transport,

"(e) Prevent economic waste caused by unreasonable competition;

"(f) Insure that the rights of contracting States are fully respected and that every contracting State has a fair opportunity to operate international air-lines,

"(g) Avoid discrimination between contracting States,

"(h) Promote safety of flight in international air navigation,

"(i) Promote generally the development of all aspects of international civil aeronautics"

¹For further information concerning the origin and early activities of PICAO and ICAO, see *Yearbook of the United Nations*, 1946-47, pp. 723-28. See also *Basic Memorandum on the International Civil Aviation Organization*, September 1, 1948; *Report of the Council to the Assembly on the Activities of the Organization*, June 1, 1947-March 1, 1948 (ICAO-A2-P/5), and Supplementary Report, March 1-May 31, 1948 (ICAO-A2-P/17); *ICAO Budget Estimates*, 1948-49 (ICAO-A2-AD/10); and the *ICAO Monthly Bulletin*, July 1947 to September 1948, inclusive. See also Bibliography of this *Yearbook*, Appendix III.

²The text of the Convention on International Civil Aviation is reproduced in the *Yearbook of the United Nations*, 1946-47, pp. 728-40.

C. ORGANIZATION

The governing bodies of ICAO are the Assembly and the Council.

The Assembly, comprising representatives of Member States, is convened by the Council and meets annually. The Assembly determines its own rules of procedure and is responsible for the financial arrangements of the Organization, including the approval of an annual budget. It examines and takes action on matters referred to it by the Council and may, at its discretion, refer to the Council specific matters for the consideration of the latter body. Finally, the Assembly deals with such other matters as come within the sphere of action of the Organization but are not specifically assigned to the Council.

Each Member State is entitled to one vote in the Assembly. Decisions of the Assembly and the Council are made, with few exceptions, by a simple majority of the votes cast. Among the exceptions, the adoption by the Assembly of amendments to the Convention and the adoption by the Council of international standards and recommended practices regulating air navigation both require a two-thirds majority vote.

Members may be admitted into the Organization, provided they are signatories to the Convention, Members of the United Nations or allied states or states which remained neutral during the Second World War, by notifying adherence or depositing an instrument of ratification of the Convention. Subject to the approval of the United Nations, ex-Axis states, to become Members of ICAO, require an affirmative four-fifths vote by the Assembly and the assent of any state invaded or attacked by the state seeking admission.

The Council, which meets in virtually continuous session, is the executive body of the Organization and derives its powers and authority from the Assembly and from the Convention itself. It is composed of 21 Member States elected by the Assembly for a period of three years. In electing these States, the Assembly must give adequate representation to: (1) those Member States of major importance in air transport; (2) those Member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and (3) those Member States not otherwise included whose election will ensure that all major geographical areas of the world are represented. The Council creates standards for international air

navigation and collects, examines and publishes information concerning air navigation. It administers the finances of the Organization and carries out the directives of the Assembly. It may conduct research into all aspects of air transport and air navigation which are of international importance. The Council is empowered by the Convention to act as an arbiter between two or more Members of ICAO in any dispute concerning the interpretation or application of the Convention and its Annexes. The first Assembly further authorized the Council to act, when expressly requested by all the parties concerned, as an arbitral body in any dispute arising among Members relating to international civil aviation.

Among other duties, the Council is charged with providing for the establishment of subsidiary bodies, and with supervising and co-ordinating their work. Four main committees, on which all Members of ICAO may be represented, have been established: the Air Navigation Committee,⁴ the Air Transport Committee,⁵ the Legal Committee⁴ and the Committee on the Convention on International Civil Aviation.⁶ The Air Navigation Committee assigns its technical work to the following divisions: Aerodromes, Air Routes and Ground Aids; Accident Investigation; Airworthiness; Communications; Special Radio Technical; Aeronautical Maps and Charts; Meteorology; Operating Practices; Personnel Licensing; Rules of the Air and Air Traffic Control; and Search and Rescue. The Air Transport Committee is assisted by the Facilitation of Air Transport Division and the Statistics Division. Two additional committees, the Committee on Joint Support of Air Navigation Services and the Finance Committee, are composed of representatives elected by the Council from its own members.

The Council elects the President of the Council and appoints the Secretary-General of ICAO. The President of the Council convenes and presides at meetings of the Council and acts as the Council's

⁴An Air Navigation Commission, composed of twelve members elected by the Council, and an Air Transport Committee, composed of twelve representatives of Council Member States and appointed by the Council; will shortly replace the existing bodies.

⁵The Legal Committee, in which any Member State of the Organization may be represented, was established by the First Assembly (May 1947).

⁶The Committee on the Convention on International Civil Aviation was abolished by Council action on October 20, 1948.

permanent representative. The Secretary-General is the chief executive officer of the Organization. He is responsible to the Council for carrying out duties assigned to him by that body.

The Organization maintains five offices in the field to deal with the regional aspects of international civil aviation, particularly with air navigation problems. The supervisory headquarters of these offices, with which is combined the North

American Office, is attached to ICAO headquarters in Montreal. This office maintains liaison with Member nations in North America and is also responsible for the administration and co-ordination of the other four offices: the European and African Office in Paris; the South American Office in Lima, Peru; the Middle East Office in Cairo, Egypt; and the Far East and Pacific Office in Melbourne, Australia.

D. ACTIVITIES PRIOR TO JULY 1, 1947

During its period of operation, from August 15, 1945, until the formal establishment of ICAO on April 4, 1947, the Provisional International Civil Aviation Organization secured concerted action from its Members to provide and maintain the facilities and services necessary for air transport across national borders. Much of the work involved the drafting of recommendations for Recommended Standards, Practices and Procedures designed to ensure the safety, regularity and efficiency of international air transport. PICAQ invited its 50 Member States to adopt these recommendations pending the establishment by the permanent Organization of International Standards⁶ and Recommended Practices.⁷

With the co-operation of its Members, PICAQ evolved a pattern for meteorological services, traffic control, communications, radio beacons and ranges, search and rescue organizations and other facilities required for safe international flight. It began the preparation, continued by ICAO, of a draft multilateral agreement on the exchange of commercial rights in international civil air transport.

In view of the need for meteorological information from strategic points in the North Atlantic Ocean, PICAQ called a conference of those states whose airlines were interested in flying across the North Atlantic. The Conference met in London in September 1946, and resulted in an agreement by ten states to maintain thirteen weather stations at specified locations in the North Atlantic Ocean. The establishment of a Loran (long-range navigation aid) station at Vik, Iceland, was planned by PICAQ and completed after the permanent Organization came into being. This station, financed by six Member States of the Organization, including Iceland, assists aircraft in flying across the North Atlantic.

PICAQ, and later ICAO, held regional air navigation

meetings to examine the air navigation requirements and to specify particular procedures to be followed in each region of the world in which a particular type of flying operation predominates. There are ten such regions: the North Atlantic, European-Mediterranean, Caribbean, Middle East, South Pacific, South American, South Atlantic, South-East Asia, North Pacific, African-Indian Ocean. Six regional air navigation meetings, the first for the North Atlantic in Dublin in March 1946, had been held prior to July 1, 1947.

An Agreement establishing the relationship between the United Nations and ICAO came into force on May 13, 1947, with its approval by the Assembly of ICAO.⁸ The Agreement, negotiated by PICAQ, had previously been approved by the United Nations General Assembly on December 14, 1946, with the proviso that Franco Spain be debarred from membership in ICAO. To comply with this proviso, the ICAO Assembly approved an amendment to the Chicago Convention which, when it comes into force, will effect the expulsion of Spain from membership in the Organization.⁹

⁶By definition of the first Assembly of ICAO, a *standard* is "any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as necessary for the safety or regularity of international air navigation and to which Member States will conform in accordance with the Chicago Convention, in the event of impossibility of compliance, notification to the Council is compulsory under Article 38 of the Convention".

⁷A *recommended practice*, by definition of the first Assembly, is "any specification for physical characteristics, configuration, material, performance, personnel or procedure, the uniform application of which is recognized as desirable in the interest of safety, regularity or efficiency of international air navigation, and to which Member States will endeavor to conform in accordance with the Convention".

⁸The text of the Agreement between the United Nations and the International Civil Aviation Organization is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 741-45.

⁹See p. 863.

E. ACTIVITIES FROM JULY 1, 1947 TO SEPTEMBER 21, 1948

During this period, ICAO was engaged in implementing the recommendations of its first Assembly held in Montreal from May 6 to 27, 1947, and in completing the administrative organization of the agency. The second session of the Assembly, which met in Geneva from June 1 to 21, 1948, reviewed the work of the Organization to that date and planned the activities to be undertaken in the future.

The Assembly voted to admit two new Members into the Organization, Austria and Finland, subject to their adherence to the Convention, and, in the case of Finland, subject also to favorable action by the General Assembly of the United Nations.¹⁰

The ICAO Assembly recommended that the Council establish as soon as possible the Air Navigation Commission and the Air Transport Committee provided for by the Convention on International Civil Aviation, or recommend appropriate amendments to the Convention. It decided that the existing Air Navigation and Air Transport Committees should continue to function until the new bodies were ready to assume their respective functions.

Following negotiations undertaken between ICAO and the United Nations during 1947 and 1948, a Supplementary Agreement to the Agreement of May 13, 1947, establishing the relationship between the two Organizations, was drafted. The Supplementary Agreement, covering the use of the United Nations *laissez-passer* by ICAO officials, was approved by the second session of the ICAO Assembly.¹¹

The ICAO Assembly decided that its third session, to be held in 1949, should cover, as far as possible, only regular administrative and financial items. It further decided that the 1950 session of the Assembly should start the work of revising the Convention on International Civil Aviation.

Activities of the Organization in the air navigation, air transport, and legal fields since July 1, 1947, are summarized below.

1. Air Navigation Questions

One of the most important activities of ICAO in the technical field was the review by the Air Navigation Committee of PICAO Recommendations for Standards, Practices and Procedures with

a view to the adoption by the Council of international standards and recommended practices to regulate civil aviation in Member States. As of September 21, 1948, five sets of standards and recommended practices had been approved by the Council. Each standard, after approval by the Council, comes into effect in all the territories of ICAO's Member States provided a majority of the Members have not notified their disapproval by a specified date. If a state does not wish to put a standard into effect in its territory, it must notify ICAO of the differences between its own civil aviation practices and those established by the international standard. The Council in turn must notify all other Members of ICAO of these differences. In the case of recommended practices, notification of non-compliance is unnecessary, as they come into force only as recommendations desirable for the safety or regularity of international air navigation. The following standards and recommended practices, adopted by the Council in April 1948, were to come into force, as annexes to the Convention,¹² on the dates indicated:

1. *May 1, 1949*: Personnel Licensing, which lays down the technical requirements and experience necessary for pilots and air crews flying on international routes;

2. *January 1, 1949*: Rules of the Air, relating to the flight and manoeuvre of aircraft;

3. *January 1, 1949*: Meteorological Codes, which specifies the various agreed systems used for the transmission of meteorological information;

4. *March 1, 1949*: Aeronautical Charts, which provides detailed specifications for the production of all types of maps and charts required in international flying,

5. *January 1, 1949*: Dimensional Units to be used in Air-Ground Communications, providing for progressive measures to eliminate the confusion caused by the use of both metric and foot-pound-second units in air-ground communications.

Additional Standards and Recommended Practices under review at the close of the period here surveyed include those relating to Operation of Aircraft in Scheduled International Air Services, Aircraft Nationality and Registration Marks, Air-

¹⁰Austria's request for membership in ICAO had already been approved by the General Assembly of the United Nations, and the application of Finland was approved by the General Assembly on November 18, 1948.

¹¹This Agreement came into force on December 11, 1948, with its approval by the General Assembly of the United Nations.

¹²Copies of these annexes may be secured from the International Civil Aviation Organization.

worthiness, Telecommunications and Radio Aids to Navigation, Aerodromes and Ground Aids, Air Traffic Control and Meteorological Services to International Air Navigation.

On the request of the first Assembly, the Council is conducting a study on the trend of aircraft design and airline operation to determine their effect on runway dimensions, with a view to limiting the cost of runway construction. The second Assembly instructed the Council to continue this study on the limitation of runway requirements and asked Member States to provide the necessary information.

The second session of the Assembly further requested the Council to study a number of other problems dealing with technical matters. The Council was asked to consider the clarification of Article 33 of the Convention, which deals with the recognition by all other Member States of certificates of airworthiness and competency of airmen issued in any Member State. The Council was to draft an amendment to this Article, if it thought necessary, for presentation to the fourth Assembly. Similarly, the Council was to draft an amendment to Article 39 in order to simplify the present procedures, which require Member States to enumerate on certificates and licenses the shortcomings of any aircraft or personnel failing to meet an international standard in force. The Council was also asked to make recommendations to the 1950 Assembly for the retention, deletion or amendment of Article 41, which exempts aircraft whose prototypes are submitted for national certification within three years after the adoption of a pertinent international standard of airworthiness from the application of the provisions of that standard.

After considering the difficulties arising from cases in which airmen of one nation, while in flight, break the laws or regulations of another state, the Assembly instructed the Council to establish new procedures for the reporting of individual cases of alleged breaches of, or non-compliance with, national aeronautical regulations.

a. REGIONAL AIR NAVIGATION MEETINGS

From July 1, 1947, to September 21, 1948, ICAO held the following regional air navigation meetings: for the South Atlantic in Rio de Janeiro from July 15 to 31, 1947; for the European-Mediterranean (second meeting) in Paris from May 4 to 17, 1948; for the North Atlantic (second meeting) in Paris from May 18 to May 31, 1948; and for the North Pacific in Seattle from July 13 to July 29, 1948. A regional air navigation meet-

ing for the South-East Asia region, in New Delhi, was scheduled to open on November 23, 1948. The South American Regional Air Navigation Meeting, convened in Lima on June 17, 1947, lasted until July 7, 1947. The work of those meetings followed the pattern set by PICAQ. The air navigation requirements for each region and the existing facilities were reviewed, and particular procedures for air navigation services were specified for each region. Procedures and Supplementary Procedures recommended by the South American and South Atlantic meetings, for example, were introduced in those regions on April 15, 1948.

A manual of air navigation for the use of airmen in the North Atlantic Region was published in English and French, and sections of a manual for the European-Mediterranean Region were issued on the basis of recommendations made by meetings in those regions in 1946. The manuals contain the air navigation procedures peculiar to the region and other information essential for international flight, such as details of facilities concerned with communications, meteorology, air traffic control, and search and rescue, together with appropriate charts. ICAO manuals are kept up to date through a bi-monthly amendment service. ICAO was considering, as of September 1948, the practicability of publishing similar manuals for the other navigation regions.

2. Air Transport Questions

One of the main efforts of the Organization in the field of air transport was directed toward the development of a multilateral agreement on the exchange of commercial rights in international civil air transport. The complete sovereignty of each state over the air space above its territory is recognized by the Chicago Convention, and no scheduled foreign airline service may be operated over or into the territory of any state without special permission from that state. As recommended by the first session of the ICAO Assembly, a special commission met in Geneva from November 4 to 28, 1947, for the purpose of drawing up a multilateral agreement to replace various bilateral agreements which now regulate these commercial rights. Representatives of 33 states attending the meeting reached a substantial measure of agreement on such important matters as capacity of aircraft, rates for passenger and freight, prohibited practices and the settlement of disputes. However, on certain important issues, particularly the granting of so-called "fifth freedom" rights, by

which one nation's airlines are permitted to carry traffic between the territories of two other nations, national views varied too widely to permit the preparation of a generally acceptable text.

The second session of the Assembly requested the Council to suggest what further action might be taken to complete the task, begun at the Chicago Conference in 1944, of securing a multilateral agreement.

The Organization secured much simplification of government regulations relating to customs, immigration and public health as these regulations apply to international air transport. As a result, a number of Member Governments subsequently set up joint committees to simplify border crossings. ICAO reported that Members had also substantially implemented the recommendations of its Facilitation Division for standardized clearance procedures designed to reduce the amount of paper work required of airline operators at customs airports. This resulted in a considerable reduction of the time taken in passenger handling at international airports.

The second Assembly asked Member States to extend freedom of admission into their territory to certain categories of aircraft on non-scheduled flights, as specified in the Chicago Convention.

With the object of reducing undue economic burdens on international air transport, the Council began studies concerning insurance requirements and concerning double taxation and the taxation of fuel and equipment used outside the jurisdiction of the state imposing the taxes. The Assembly, in June 1948, requested the Council to determine the need for an international legal convention to cover all phases of insurance of international air transport risks.

The Council also began a study of charges for airports and air navigation services to enable states to work towards a uniform policy. The Assembly, in June 1948, asked the Council to consider, in studying this problem, the costs of airports and all types of air navigation services for international civil aviation, including telecommunications, radio, air traffic control and meteorological services, and to formulate recommendations for the guidance of contracting states with regard to the principles on which providers of these services may derive revenue therefrom.

At the request of the first session of the Assembly, the Council undertook a study on the organization and operation of international air transport, including joint ownership and operation of international air services. This study, prepared from information received by Members concerning their

plans and present practices in this field, was to be completed and circulated to governments by the end of 1949. In connection with the study, the Council was instructed by the second session of the Assembly to formulate and circulate to Members its views on the legal, economic and administrative problems related to the application of the provisions of the Convention covering nationality of aircraft operated by international operating agencies.

ICAO undertook a study of the costs and charges for international airmail, requested by the twelfth Congress of the Universal Postal Union, which met in Paris in July 1947. The study was sent to ICAO's Member States for comments.

Under the terms of the Convention, ICAO is charged with collecting, analyzing and publishing statistical information related to international aviation services. The Organization is now responsible for all the air transport statistics being collected in the international field. This includes the publication of material concerning the costs of operation and particulars of subsidies paid to airlines out of public funds. ICAO has available from its Member States information covering the great majority of the international air services of the world. Such air transport statistics are published by ICAO in a periodical, the *Statistical Summary*, the first edition of which was issued in April 1948.

3. Financial and Technical Assistance

On several occasions, ICAO found it necessary to arrange for the maintenance of air transport, navigation and meteorological facilities required for the safe, regular, efficient and economical operation of aircraft flying over sparsely populated regions or regions of uncertain sovereignty. Through agreements sponsored by ICAO, Member States whose airlines use the facilities were asked to supply the financial support or technical assistance to operate such facilities. As a result of the agreement concluded in 1946 among ten Member States for the maintenance of thirteen weather stations in the North Atlantic, the following stations were in operation as at September 21, 1948:

Belgium and the Netherlands	1 jointly
Canada and the United States	1 jointly
France	1
Norway, Sweden, United Kingdom	1 jointly
United Kingdom	2
United States	2

The network was to be completed in 1949, with the maintenance of five additional weather stations

assigned to the United States. These stations were scheduled to go into operation on the following dates, respectively: September 29, 1948, and January 9, February 26, May 5 and June 10, 1949.

Each station requires two or three ships for maintenance. In lieu of maintaining stations, Ireland contributes £5,000 annually and Portugal £1,000 annually toward the upkeep of the network.

Although the ocean weather stations were specifically charged with supplying meteorological information, they were also designed to provide navigation aids, communications facilities, and search and rescue facilities throughout the North Atlantic region. Their use for search and rescue was illustrated by the rescue of 69 passengers and the crew from the United States flying boat *Bermuda Sky Queen*, which was forced down in the North Atlantic in October 1947. The United States Coast Guard cutter *Bibb*, which effected the rescue, was stationed about 500 miles east of the coast of Newfoundland as part of this international chain of weather ships. Another rescue took place on January 11, 1948, when the United Kingdom ship *Weather Recorder* saved the 28-man crew of a Norwegian freighter foundering 30 miles off the west coast of Scotland. A third rescue took place on September 17, 1948, when the *Bibb* saved 40 men and a dog from a Portuguese fishing schooner foundering 300 miles southwest of Newfoundland.

The network of ocean weather stations also affords substantive incidental benefits to shipping, to the fishing industry, to agriculture and to other non-aviation activities dependent upon weather forecasts for their planning.

Ocean weather observation stations are operated also in the North Pacific. As of September 21, 1948, three stations were being operated by the United States. The question of a complete network of stations in the North Pacific under an international agreement was under consideration by the Organization.

An agreement concluded on September 16, 1948, between ICAO and the Government of Iceland provides for the international financing of air navigation facilities located in Iceland by ten Member States in proportion to the use by their airlines of the facilities provided. These air navigation facilities include weather reporting and forecasting stations, area traffic control and telecommunication networks. Iceland is to be reimbursed for the expenses incurred in maintaining these services from 1946 through 1948, and is to contribute, with the following nine States, toward the expenses arising, beginning in 1949: Belgium, Canada, Den-

mark, France, Netherlands, Norway, Sweden, United Kingdom and United States. The expenses were apportioned among these Member States at an Icelandic Conference held by ICAO in Geneva in June 1948.

4. Legal Questions

The principal achievement of ICAO in the legal field was the adoption by the Assembly, in June 1948, of a Convention on the international recognition of rights in aircraft. This Convention deals, among other things, with mortgage rights, it is designed to simplify aircraft financing and thereby to facilitate the introduction of new equipment on the world's airlines. A draft text of the Convention had previously been approved and referred to the Assembly by ICAO's Legal Committee, which met in Brussels from September 10 to 25, 1947. Prior to this meeting, legal experts had for nearly twenty years failed to reach agreement on the aspects of aircraft financing covered in this Convention. The Convention was opened for signature by the Assembly on June 19, 1948. As of September 21, twenty states had signed.

Other legal matters under active consideration by the Organization include the liability of the air carrier to passengers, liability for damages caused by aircraft to persons and property on the surface, assistance to and salvage of aircraft, aerial collisions and aviation insurance.

5. Publications

Publications compiled and issued by ICAO, in addition to the regional manuals and the *Statistical Summary* mentioned above, include records of meetings and recommendations, reports of ICAO divisional meetings; Procedures for Air Navigation Services; minutes and documents of the first and second sessions of the Legal Committee; minutes and documents of the Legal Commission of the second Assembly; the *ICAO Monthly Bulletin*, issued in English, French and Spanish; monthly lists and a Consolidated List of Agreements and Contracts Filed, with supplements every six months; and ICAO Circulars, each of which covers a technical aviation study. The secretariat compiles national aviation laws and regulations for publication. It prepared, to assist the ICAO Legal Committee in its work, studies on the progressive development of international air law. These studies include: General Notes on Aviation Insurance; General Notes on Compulsory Insurance

in Air Transport; Practices of States concerning Insurance and Guarantees required of Air Carriers; Defences Available to Insurers under National

Legislation, Regulations, Jurisprudence and Conventions on Private International Air Law; and lists of definitions of terms used in aviation.

F. BUDGET

The budget of the Organization for the fiscal year 1947-48, as approved by the first session of the ICAO Assembly, was \$2,600,000 (Canadian).¹³ At its second session, held in Geneva from June 1 to 21, 1948, the Assembly decided to make its fiscal year coincident with the calendar year, in conformity with the budgetary practice of the United Nations.

The Assembly approved a budget in the amount of \$1,339,882 (Canadian) to cover the expenses of the Organization for the period July 1 to December 31, 1948, and \$2,649,685 (Canadian) for the new fiscal year 1949. It decided that these amounts should be appropriated as follows (in Canadian dollars):

	July 1 to December 31, 1948	January 1 to December 31, 1949
Meetings	\$ 121,380	\$ 102,100
The Secretariat	951,302	1,960,085
General Service	192,800	455,100
Equipment	14,900	88,400
Other Budgetary Provisions	25,000	50,000
	<hr/>	<hr/>
Less Casual Revenue	15,500	31,000
	<hr/>	<hr/>
TOTAL, GENERAL FUND	\$1,289,882	\$2,624,685
Joint Support Emergency Fund	25,000	
Working Capital Fund	25,000	25,000
	<hr/>	<hr/>
TOTAL BUDGET	\$1,339,882	\$2,649,685

In apportioning the expenses of the Organization among Member States, the Assembly takes into consideration:

- their relative capacity to pay,
- their relative interest in international civil aviation, and
- the war damage suffered by them.

It follows the principle that in no case should contributions fall below a minimum or exceed a maximum percentage of the total budget. The second Assembly with the agreement of the states con-

cerned, fixed the scale of contributions for the above budgets in units as follows:

SCALE OF CONTRIBUTIONS

July 1 to December 31, 1948, and
January 1 to December 31, 1949

	Units
Dominican Republic, Haiti, Liberia, Luxembourg, Austria	½
Afghanistan, El Salvador, Guatemala, Iceland, Nicaragua, Paraguay, Transjordan	1
Bolivia, Ethiopia, Iraq, Philippines, Siam,* Ceylon	2
Colombia, Czechoslovakia, Greece, New Zealand, Norway, Pakistan, Peru, Venezuela	3
Chile, Denmark, Ireland	4
Egypt, Poland, Portugal	5
Mexico, Union of South Africa	6
Belgium, Italy, Sweden, Switzerland, Turkey...	8
India	9
Australia, Brazil, Netherlands	10
Argentina	12
China	13
Canada, France	15
United Kingdom	30
United States	57
	<hr/>
	305½

Finland† 1

Between sessions of the Assembly, the Council, on the recommendation of its Finance Committee, fixes the amount of contribution of any new Member brought into the Organization during that period, and the Council may increase the budget of the Organization to the extent of that contribution.

¹³For details of this budget, see *Yearbook of the United Nations*, 1946-47, p. 727.

¹⁴The value of one unit during the period July 1 to December 31, 1948, was approximately \$4,400 (Canadian) (based on 304½ units divided into \$1,339,882). The value of one unit during the period January 1 to December 31, 1949, was approximately \$8,673 (Canadian) (based on 305½ units divided into \$2,649,685).

*The contribution of Siam for the fiscal period July 1 to December 31, 1948, was fixed at one unit.

†The contribution of Finland to the budget of the Organization was not to become due until Finland had become a Member of ICAO. See p. 858.

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF ICAO¹

Afghanistan	Ethiopia	Pakistan
Argentina	France	Paraguay ^{1a}
Australia	Greece	Peru
Belgium	Guatemala	Philippines
Bolivia ^{1a}	Haiti	Poland ^{1a}
Brazil	Iceland	Portugal
Burma	India	Siam
Canada	Iraq	Spain ^{1a}
Ceylon	Ireland	Sweden
Chile	Italy	Switzerland
China	Liberia	Transjordan ^{1a}
Colombia	Luxembourg	Turkey
Czechoslovakia	Mexico	Union of South Africa
Denmark	Netherlands	United Kingdom
Dominican Rep.	New Zealand	United States
Egypt	Nicaragua ^{1a}	Venezuela
El Salvador	Norway	

MEMBERS OF THE COUNCIL

Argentina	Czechoslovakia	Netherlands
Australia	Egypt	Peru
Belgium	France	Portugal
Canada	India	Sweden
Brazil	Iraq	Turkey
Chile	Ireland	United Kingdom
China	Mexico	United States

OFFICERS

President of the Council:
Edward Watner (United States)
Secretary-General of ICAO:
Albert Roper (France)
Deputy Secretary-General:
A. R. McComb (Australia)

HEADQUARTERS

Address: International Civil Aviation Organization
1017 Dominion Square Building
Montreal, Canada
Telephone: Montreal—Plateau 6141
Cable Address: ICAO MONTREAL

REGIONAL OFFICES

Address: ICAO Representative
European-African Office
60 bis Avenue d'Iéna
Paris 16^e, France
Cable Address: ICAOREP PARIS
Address: ICAO Representative
South American Office
Apartado 680
Lima, Peru
Cable Address: ICAOREP LIMA
Address: ICAO Representative
Middle East Office
10 Sharia Lotfallah
Apartment 7
Zamalek, Cairo, Egypt
Cable Address: ICAOREP CAIRO

Address: ICAO Representative
Far East and Pacific Office
522 Little Collins Street
Melbourne, Australia

Cable Address: ICAOREP MELBOURNE

ANNEX II

PROPOSED AMENDMENT TO THE
CONVENTION ON INTERNATIONAL CIVIL
AVIATION

The proposed amendment to the Convention on International Civil Aviation approved by the first session of the ICAO Assembly will come into force, in accordance with Article 94 of the Convention, upon ratification by at least two thirds of the Members of the Organization. As of September 21, 1948, the following Members had ratified the proposed amendment: Afghanistan, Canada, China, Czechoslovakia, Dominican Republic, India, New Zealand, Pakistan and United Kingdom.^{1a} The text of the proposed amendment is as follows:

"Article 93 bis

"(a) Notwithstanding the provisions of Articles 91, 92 and 93 above,

"(1) A State whose government the General Assembly of the United Nations has recommended be debarred from membership in international agencies established by or brought into relationship with the United Nations shall automatically cease to be a member of the International Civil Aviation Organization,

"(2) A State which has been expelled from membership in the United Nations shall automatically cease to be a member of the International Civil Aviation Organization unless the General Assembly of the United Nations attaches to its act of expulsion a recommendation to the contrary

"(b) A State which ceases to be a member of the International Civil Aviation Organization as a result of the provisions of paragraph (a) above may, after approval by the General Assembly of the United Nations, be re-admitted to the International Civil Aviation Organization upon application and upon approval by a majority of the Council.

"(c) Members of the Organization which are suspended from the exercise of the rights and privileges of membership in the United Nations shall, upon the request of the latter, be suspended from the rights and privileges of membership in this Organization."

^{1a}Austria became a Member of ICAO on September 26, 1948.

^{1b}In accordance with the terms of Article 62 of the Convention, which provides that the Assembly may suspend the voting power in the Assembly and Council of any Member which fails to discharge, within a reasonable period, its financial obligations to the Organization, the second Assembly of ICAO suspended the voting privileges of these States until they pay in full their outstanding contributions due on June 30, 1947.

^{1c}Spain will cease to be a Member of ICAO when the amendment to the Convention, Article 93 bis, comes into force.

^{1d}The ratification of Ceylon was received by ICAO on December 9, 1948.

V. *The International Bank for Reconstruction and Development*¹

A. ORIGIN

The Articles of Agreement establishing the International Bank for Reconstruction and Development were drawn up by the United Nations Monetary and Financial Conference, which met at Bretton Woods, New Hampshire, from July 1 to

22, 1944, at the invitation of President Franklin D. Roosevelt. The Bank came into existence on December 27, 1945, when the Articles of Agreement had been signed on behalf of 28 governments.²

B. PURPOSES AND FUNCTIONS

The purposes of the Bank, as stated in Article I of its Articles of Agreement, are:

"(i) To assist in the reconstruction and development of territories of members by facilitating the investment of capital for productive purposes, including the restoration of economies destroyed or disrupted by war, the reconversion of productive facilities to peacetime needs and the encouragement of the development of productive facilities and resources in less developed countries.

"(ii) To promote private foreign investment by means of guarantees or participations in loans and other investments made by private investors; and when private capital is not available on reasonable terms, to supplement private investment by providing, on suitable conditions, finance for productive purposes out of its own capital, funds raised by it and its other resources.

"(iii) To promote the long-range balanced growth of international trade and the maintenance of equilibrium in balances of payments by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living and conditions of labor in their territories.

"(iv) To arrange the loans made or guaranteed by it

in relation to international loans through other channels so that the more useful and urgent projects, large and small alike, will be dealt with first.

"(v) To conduct its operations with due regard to the effect of international investment on business conditions in the territories of members and, in the immediate post-war years, to assist in bringing about a smooth transition from a wartime to a peacetime economy."

The Bank may lend funds directly, either from its capital funds or from funds which it borrows in the investment markets. It may guarantee loans made by others, or it may participate in such loans. The Bank may make, guarantee, or participate in loans to Member countries directly, or to any of their political sub-divisions, or to private business enterprises in the territories of Members. When the Member Government in whose territory the project is located is not itself the borrower, this Member Government, its central bank or some comparable agency acceptable to the Bank must guarantee the loan.

C. ORGANIZATION

The administrative organization of the International Bank consists of a Board of Governors, a Board of Executive Directors, a President and a staff.

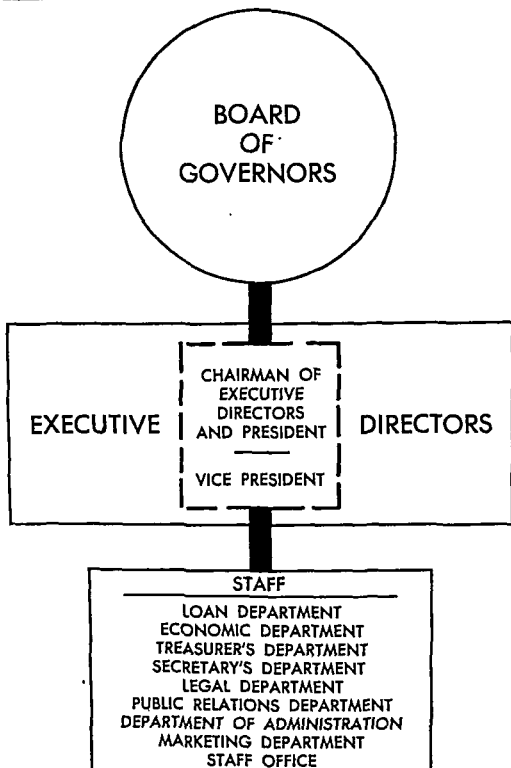
All powers of the Bank are vested in the Board of Governors, which consists of one Governor and one alternate appointed by each Member. The Board of Governors meets annually; additional

meetings are held if required. The Board of Governors has delegated most of its powers to the

¹For information on early activities, see *Yearbook of the United Nations*, 1946-47, pp. 747-54. See also the second and third annual reports of the Bank to the Board of Governors, and the Bank's report to the United Nations (E/803). See also Bibliography of this *Yearbook*, Appendix III.

²For text of Articles of Agreement of the Bank, see *Yearbook of the United Nations*, 1946-47, pp. 754-66.

STRUCTURE OF THE INTERNATIONAL BANK FOR RECONSTRUCTION & DEVELOPMENT



Executive Directors. As required by Article V of the Articles of Agreement, the Board of Governors has retained the power to:

- "(i) Admit new members and determine the conditions of their admission;
- "(ii) Increase or decrease the capital stock;
- "(iii) Suspend a member;
- "(iv) Decide appeals from the interpretations of this Agreement given by the Executive Directors;
- "(v) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary and administrative character);
- "(vi) Decide to suspend permanently the operations of the Bank and to distribute its assets;
- "(vii) Determine the distribution of the net income of the Bank."

A new Member may be admitted to the Bank by approval of a majority of the voting power of the Board of Governors, provided that it accepts the conditions laid down by the Board and that it first becomes a Member of the International Monetary Fund. If a Member ceases to be a Member of the Fund, it will automatically cease after a period of three months to be a Member of the Bank, unless the Bank by three fourths of the voting power decides to allow it to remain a Member.

Each Member of the Bank has 250 votes plus one additional vote for each share of stock held. Each Governor casts all votes allotted to that Member State which he represents; a quorum of the Board of Governors consists of a majority of the Members, exercising at least two thirds of the voting power.

There are fourteen³ Executive Directors, each of whom has an alternate. Five of the Executive

Directors are appointed by the five Members having the largest number of shares, and nine are elected by the Governors of the remaining Members. The Executive Directors meet normally once a week at the Bank's headquarters in Washington, D. C. Each appointed Executive Director has the same number of votes as the country that appointed him, and each elected Executive Director has the same total number of votes as the countries that elected him. The votes of each Executive Director must be cast as a unit.

Decisions of the Bank are made by a simple majority vote, except as otherwise provided by the Articles of Agreement.

The President is the chief executive officer of the Bank and is elected by the Executive Directors. He is *ex officio* Chairman of the Executive Directors, without vote except in case of a tie. The President is responsible for the conduct of the business of the Bank and for the organization, appointment and dismissal of its officers and staff. A loan is made only after the amount and terms and conditions of the loan have been recommended by the President to the Executive Directors and his recommendations have been approved by them.

In addition to the general organization of the Bank outlined above, an Advisory Council has been appointed in accordance with the Articles of Agreement. The Advisory Council consists of ten persons of various nationalities selected by the Board of Governors and representing banking, commerce, industry, labor, agriculture, science, economics and other activities. The Council meets once a year and advises the Bank on matters of general policy.

D. ACTIVITIES PRIOR TO JULY 1, 1947

Following the formal establishment of the Bank on December 27, 1945, the Board of Governors held its inaugural meeting at Savannah, Georgia, in March 1946. The meeting was mainly concerned with organizational and administrative matters. It established the headquarters of the Bank in Washington, D. C. The Bank officially began operations on June 25, 1946, by decision of the Executive Directors. The first annual meeting of the Board of Governors was held in Washington, D. C., from September 27 to October 3, 1946.

Loan operations of the Bank began on May 9, 1947, with a loan of \$250,000,000 to Crédit National, a semi-public French company. The loan, guaranteed by the French Government, was to meet the cost of importing equipment and material for the reconstruction and modernization of industry.

³Originally the Bank had twelve Executive Directors. The number of Executive Directors was fixed permanently at fourteen by the third annual meeting of the Board of Governors held in Washington, D. C., from September 27 to October 1, 1948.

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

During this period the Board of Governors of the Bank held its second annual meeting in London from September 11 to 17, 1947. The third annual meeting was to convene in Washington, D. C., on September 27, 1948.

Among the decisions of the London meeting was its approval, on September 16, 1947, of a draft agreement to establish the Bank's relationship with the United Nations. The agreement came into force on November 15, 1947, when it was approved by the General Assembly of the United Nations.⁴

The second annual meeting of the Board of Governors approved Finland's application for membership. Australia's application for membership was approved by a vote of the Board of Governors without a meeting on March 31, 1948.

1. *Loan Operations*

During the period from July 1, 1947, to September 21, 1948, the Bank approved loans aggregating \$275,000,000 to the following countries for the purposes indicated:⁵

The Netherlands was granted \$195,000,000 on August 7, 1947, to finance reconstruction of productive facilities in the Netherlands homeland. On May 25, 1948, a supplemental loan agreement was entered into providing for a new loan of 17,000,000 Swiss francs (equivalent of approximately \$4,000,000) and a cancellation of an equal portion of the original loan. This transaction enabled the Bank to utilize the Swiss francs acquired for this purpose through the sale of bonds to the Bank for International Settlements (see below).

Denmark was granted \$40,000,000 on August 22, 1947, to assist Danish economic recovery by financing the import, during 1947 and 1948, of essential capital goods and raw materials. The loan constitutes approximately nine per cent of Danish net capital expenditures estimated for 1947-48; the bulk of the reconstruction effort depends upon private enterprise and private financing.

Luxembourg was granted \$12,000,000 on August 28, 1947, to finance the purchase of equipment for the Luxembourg steel industry and of rolling stock for its railways. Since some of the proposed expenditures under this loan were to be in Belgian francs, the Bank loaned a portion of the currency made available for lending purposes by Belgium (see below).

Two loans totalling \$16,000,000 to instrumentalities of the Chilean Government were approved on March 25, 1948. Both loans were to be guaranteed by the Chilean Government. The first loan, \$13,500,000, was granted to Corporación de Fomento de la Producción (Fomento), created by the Chilean Government to promote Chilean economic development, and Empresa Nacional de Electricidad, S.A. (Endesa), a subsidiary of Fomento engaged in generating and distributing electric energy. The loan was to provide foreign exchange for the construction of additional hydroelectric plants and related transmission lines, for the installation of additional generating units in existing plants and for the installation of pumping equipment for irrigation. The second loan, of \$2,500,000, was granted to Fomento for the purchase of agricultural machinery to further a Chilean agricultural program designed to decrease the cost of production by increased mechanization of agricultural equipment and to increase the amount of land available for agricultural production by bringing into cultivation areas now covered by forest, turning pasture land into crop land and shortening the time required for harvesting in certain areas.

Six loans totalling \$12,000,000, guaranteed by the Netherlands Government, were granted on July 29, 1948, to four Dutch shipping companies to finance the entire purchase price of six merchant vessels, each costing \$2,000,000. The Rotterdam-Lloyd Line and the Nederland Line each purchased two ships, and the Holland-America Line and the United Netherlands Navigation Company each purchased one ship. On August 6, 1948, the Bank sold at par and accrued interest, with its guarantee, to a group of ten United States banks a block of \$8,100,000 of serial mortgage notes received by the Bank from the Dutch shipping companies under this loan. Notes covering the balance of the principal amount of the loan, amounting to

⁴The text of the Agreement between the United Nations and the International Bank for Reconstruction and Development is reproduced on pp. 873-74.

⁵Early in 1949 the Bank made additional loans aggregating \$109,100,000. On January 6, 1949, it granted two loans totalling \$34,100,000 to agencies of the Mexican Government for electric power development in Mexico; the loans are guaranteed by the Mexican Government. On January 27, 1949, the Bank granted a loan of \$75,000,000 to the Brazilian Tracton, Light & Power Company, Ltd., for expansion of hydroelectric power facilities and telephone installations in Brazil; the loan is guaranteed by the United States of Brazil.

\$3,900,000, were retained in the Bank's portfolio.

Each borrower must pay to the Bank interest and commission on each loan, on terms decided by the Bank.

As of September 21, 1948, a total of approximately \$488,000,000 had been disbursed under the loan agreements. This included the entire amount of the loans to France (granted in May 1947), the Netherlands and the Dutch shipping companies, approximately \$23,000,000 under the loan to Denmark and \$8,000,000 under the loan to Luxembourg.

Under the Articles of Agreement (Section 5 (b) of Article III) the Bank is required to "make arrangements to ensure that the proceeds of any loan are used only for the purposes for which the loan was granted, with due attention to considerations of economy and efficiency and without regard to political or other non-economic influences or considerations". When a loan is granted, the goods and services to be purchased with the proceeds of the loan are determined by agreement between the Bank and the borrower, and the Bank makes disbursements only when it is satisfied that the funds disbursed are to be used for agreed transactions. The Bank has established procedures whereby it keeps informed of the goods and services purchased with the proceeds of its loans, the suppliers of such goods and services and the destination to which the goods are sent. This forms the basis of the Bank's subsequent investigation of the end use to which the goods are put. The checking of the end use is generally carried out in the borrowing country by field representatives of the Bank.

Some of the principal categories of supplies and equipment to which the proceeds of the Bank's loans have been applied illustrate the sectors of the European economy in which the Bank's activities have made themselves felt.

French Loan.—Tankers, general cargo vessels, river barges, tugs and lightships; transport aircraft and spare engines; locomotives and parts for the construction and repair of locomotives and freight cars; equipment for a continuous strip steel mill, for automobile and truck manufacture, for oil drilling and for agriculture; earth-moving equipment; fuel; industrial materials, principally steel products, copper and cotton.

Dutch Loan.—Ships; equipment for the shipbuilding, metal and textile industries; fuel; feeding grains and cakes; fertilizer; industrial materials, principally steel products for the shipbuilding and food-processing industries.

Danish Loan.—Agricultural, textile and chem-

ical equipment; rolling-mill steel products; copper and fibres.

Luxembourg Loan.—Equipment for a steel rolling-mill; locomotives and other railway rolling stock.

In its third annual report to the Board of Governors, the Bank stated that the loans it granted to these four European countries during 1947, while providing only a partial solution to Europe's problems, helped to prevent a disastrous drop in production and possible economic collapse by permitting the borrowing countries to sustain for a time the necessary volume of essential imports. The report further explained that the Bank's European operations for the next few years would necessarily be conditioned by developments in connection with the European Recovery Program. The report stated that there was a real need for Bank financing in Europe in addition to the financial assistance made available through ERP.

In other areas of the world there was a definite increase in the Bank's activities. The third annual report stated that the problems of the Bank's underdeveloped Member countries were increasingly occupying the major portion of its attention and, in the long run, would undoubtedly constitute the Bank's primary concern.

In addition to the loans already granted, the Bank had under consideration, as of September 21, 1948, projects in over twenty Member countries. Discussions were in various stages, ranging from exploratory talks to detailed negotiations. Projects under discussion covered a great variety of fields—power development, the construction of transportation and communication facilities, irrigation and other agricultural projects, migration programs, mining and industrial development and others.

2. Technical Assistance

An increasingly important activity of the Bank is that of providing or helping a Member to secure technical assistance to formulate a sound, over-all development program and methods of carrying it out.

The Bank has undertaken, upon request, broad investigations of conditions in underdeveloped Member countries. These investigations have provided the basis for general conclusions as to a particular country's development needs and possibilities, the principal obstacles to development and the internal measures required to overcome those obstacles.

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Some of the principal categories of supplies and equipment to which the proceeds of the Bank's loans have been applied illustrate the sectors of the European economy in which the Bank's activities have made themselves felt.

French Loan.—Tankers, general cargo vessels, river barges, tugs and lightships; transport aircraft and spare engines; locomotives and parts for the construction and repair of locomotives and freight cars; equipment for a continuous strip steel mill, for automobile and truck manufacture, for oil drilling and for agriculture; earth-moving equipment; fuel; industrial materials, principally steel products, copper and cotton.

Dutch Loan.—Ships; equipment for the shipbuilding, metal and textile industries; fuel; feeding grains and cakes; fertilizer; industrial materials, principally steel products for the shipbuilding and food-processing industries.

Danish Loan.—Agricultural, textile and chem-

ical equipment; rolling-mill steel products; copper and fibres.

Luxembourg Loan.—Equipment for a steel rolling-mill; locomotives and other railway rolling stock.

In its third annual report to the Board of Governors, the Bank stated that the loans it granted to these four European countries during 1947, while providing only a partial solution to Europe's problems, helped to prevent a disastrous drop in production and possible economic collapse by permitting the borrowing countries to sustain for a time the necessary volume of essential imports. The report further explained that the Bank's European operations for the next few years would necessarily be conditioned by developments in connection with the European Recovery Program. The report stated that there was a real need for Bank financing in Europe in addition to the financial assistance made available through ERP.

In other areas of the world there was a definite increase in the Bank's activities. The third annual report stated that the problems of the Bank's underdeveloped Member countries were increasingly occupying the major portion of its attention and, in the long run, would undoubtedly constitute the Bank's primary concern.

In addition to the loans already granted, the Bank had under consideration, as of September 21, 1948, projects in over twenty Member countries. Discussions were in various stages, ranging from exploratory talks to detailed negotiations. Projects under discussion covered a great variety of fields—power development, the construction of transportation and communication facilities, irrigation and other agricultural projects, migration programs, mining and industrial development and others.

2. Technical Assistance

An increasingly important activity of the Bank is that of providing or helping a Member to secure technical assistance to formulate a sound, over-all development program and methods of carrying it out.

The Bank has undertaken, upon request, broad investigations of conditions in underdeveloped Member countries. These investigations have provided the basis for general conclusions as to a particular country's development needs and possibilities, the principal obstacles to development and the internal measures required to overcome those obstacles.

The Bank has sent technical missions to some thirteen Member countries in Latin America, Europe and the Middle and Far East, and similar missions were planned for the near future.

These missions have enabled the Bank to keep itself informed at first hand of economic and financial developments in Member countries and to establish close contact with officials concerned with economic and financial affairs in those countries. The countries have in turn received the benefit of assistance of expert officials of the Bank. The Bank has also recommended, upon request, qualified independent experts to advise Member countries in such fields as agriculture, engineering, finance and taxation.

3. *Resources of the Bank and Borrowing Operations*

The authorized capital of the Bank is \$10,000,000,000. This capital stock is divided into shares of \$100,000 each, available for subscription only to Members and transferable only to the Bank. The amounts of the subscriptions of the original Members of the Bank were agreed on at the Bretton Woods Conference and are set forth in Schedule A of the Articles of Agreement of the Bank. The amounts of the subscriptions of subsequent Members, and of increases, if any, in the subscriptions of original Members, are determined by the Bank. Owing to increases in the subscriptions of a number of Members and the admission of new Members to the Bank, the subscribed capital has increased from \$8,024,500,000 as of June 30, 1947, to \$8,336,000,000, as of September 21, 1948. The Bank is authorized to call only twenty per cent of the subscribed capital to serve as working funds; the remaining 80 per cent of the subscription of each Member is subject to call only if needed to meet the obligations of the Bank for funds borrowed or on loans guaranteed by it.

Of the twenty per cent paid in to the Bank, two per cent, payable in gold or United States dollars, is freely available for use in the Bank's operations. The remaining eighteen per cent, payable in the currency of the subscribing Member, can be used for lending purposes only with the consent of the country whose currency is involved. The Bank, as of September 21, 1948, has received permission from the United States Government to use for lending purposes the entire amount of its paid-in capital, and from the Belgian Government to lend Belgian francs up to the equivalent of \$2,000,000 out of the Belgian paid-in capital.

Loanable resources in excess of the amount made available by Members must be obtained from the sale of securities to private investors; the major part of the Bank's lending funds is to be obtained in this manner.

The Bank began its borrowing operations in July 1947, when two bond issues dated July 15, 1947, consisting of \$100,000,000 Ten Year 2½% Bonds and \$150,000,000 Twenty-five Year 3½% Bonds were sold at par and accrued interest to private investors on the United States market. These bonds were offered through more than 1,700 securities dealers. The bonds were bought by banks, insurance companies, fraternal, charitable and educational institutions, corporations, trust funds, investment trusts and individuals. Bonds were sold to purchasers in all 48 states of the United States, the District of Columbia, Hawaii and Puerto Rico and small amounts of bonds were also purchased, through dealers in the United States, by a number of investors in France, Belgium, Italy, Switzerland, Canada, Argentina, Panama and Cuba.

Another borrowing operation, the Bank's first borrowing of a currency other than United States dollars, was the sale on June 1, 1948, of an issue of 2½% Swiss Franc Serial Bonds of 1948 in an aggregate principal amount of 17,000,000 francs (equivalent of approximately \$4,000,000). The entire issue was purchased for investment by the Bank for International Settlements at par and accrued interest. The bonds are dated April 1, 1948, and mature in 1953 and 1954.

From the time it began operations until September 21, 1948, the Bank has had a total of approximately \$994,800,000 available for lending. Expressed in round numbers in terms of United States dollars, these funds consist of:

Two-per-cent portion of subscriptions of all Members paid in gold or U.S. dollars	\$161,800,000
Eighteen-per-cent paid-in portion of subscription of the United States	571,500,000
Part of eighteen-per-cent portion of subscription of Belgium paid in local currency	2,000,000
Proceeds of two bond issues in the United States	250,000,000
Sales of Swiss Franc Bonds to the B.I.S.	4,000,000
Net available funds from operations to September 21, 1948	5,500,000
TOTAL	\$994,800,000

After deducting loan commitments discussed above (and making allowance for the sale of the mortgage notes evidencing part of the Dutch shipping loans), the Bank, as of September 21, 1948, had available for further loans approximately

\$478,000,000. Although the Bank will not need to borrow until a substantial portion of these funds is committed to approved loans, it stated, in its third annual report to the Board of Governors, its intention of considering all opportunities of increasing its loanable resources by obtaining the consent of Members to the use of their paid-in capital, by selling the Bank's securities in countries other than the United States, and by selling securities out of the Bank's loan portfolio with or without the Bank's guarantee. Several projects of this nature were under consideration as of September 21, 1948.

4. Publications

Publications during the period under review included the Bank's second and third annual reports and a general booklet, *Questions and Answers About the International Bank for Reconstruction and Development*, describing the Bank's purposes, organization and operations.

Apart from confidential studies undertaken in connection with individual loan discussions, the Bank has prepared and made available to the United Nations since July 1, 1947, a number of economic studies.

F. ADMINISTRATIVE BUDGET

As reflected in the Statement of Income and Expenses reproduced below, the Bank's operations during the fiscal year ended June 30, 1948, resulted in an excess of income over expenses of \$4,094,652 (exclusive of loan commissions credited to the special reserve). The excess was sufficient to cover the deficit accumulated in prior years (\$125,158 as of June 30, 1946, and an additional \$938,647 as of June 30, 1947) and to provide a net profit of \$3,030,847 as of June 30, 1948. In addition to this net profit, \$3,084,930 was set aside (\$33,452 of this amount during the period ended June 30, 1947) in the special reserve to be kept available for meeting obligations of the Bank created by borrowing or guaranteeing loans. This represents the amount of commissions paid to the Bank by its borrowers and required under Article IV, Section 6, of the Articles of Agreement to be set aside as a special reserve.

STATEMENT OF INCOME AND EXPENSES

For the Twelve Months Ended

June 30, 1948

(Expressed in United States Currency)

INCOME	
Interest earned on investment securities	\$ 3,593,623
Income from loans:	
Interest	9,917,304
Commitment charges	2,136,027
Commissions	3,051,478
Other Income	5,546
	<hr/>
	\$18,703,978
Deduct: amount equivalent to commissions appropriated to Special Reserve	3,051,478
TOTAL INCOME	\$15,652,500

EXPENSES

Operating Expenses:	
Salaries and wages	\$ 2,238,580
Provision for taxes on salaries	253,540
Travel	447,981
Rents and utility services	377,046
Communication services	88,956
Furniture and equipment	89,365
Publications, printing and binding	87,641
Supplies	65,233
Contribution to staff benefits:	
Staff Retirement Plan	301,516
Other	10,471
Handling, storage of gold	25,662
Miscellaneous expenses	62,891
	<hr/>
TOTAL OPERATING EXPENSES	\$ 4,048,882
Interest on bonds	6,232,963
Bond registration and issuance expenses	1,276,003
	<hr/>
	\$11,557,848
EXCESS OF INCOME OVER EXPENSES	\$ 4,094,652
An administrative budget for the fiscal year ending June 30, 1949, was approved by the Executive Directors. The main details are as follows:	
Personal services	\$2,804,424
Travel	284,600
Rent, utility service, building alterations	314,800
Supplies and equipment	119,500
Books and printing	95,800
Communication service	105,000
Contribution to staff benefits	297,500
Other expenses	17,100
Contingencies	100,000
	<hr/>
TOTAL ADMINISTRATIVE EXPENSES	\$4,138,724
Office of Executive Directors	449,800
Annual Meeting, Board of Governors and Advisory Council	88,000
	<hr/>
TOTAL EXPENSES	\$4,676,524

ANNEX I: MEMBERS, SUBSCRIPTIONS AND VOTING POWER

(As of September 21, 1948)

MEMBER COUNTRIES	VOTING POWER		SUBSCRIPTIONS Amount (in Millions of U.S. dollars)	MEMBER COUNTRIES	VOTING POWER		SUBSCRIPTIONS Amount (in Millions of U.S. dollars)
	Number of Votes ^a	Per cent of Total			Number of Votes ^a	Per cent of Total	
Australia	2,250	2.37	200.0	India	4,250	4.47	400.0
Austria	750	.79	50.0	Iran	586	.62	33.6
Belgium	2,500	2.63	225.0	Iraq	310	.33	6.0
Bolivia	320	.34	7.0	Italy	2,050	2.16	180.0
Brazil	1,300	1.37	105.0	Lebanon	295	.31	4.5
Canada	3,500	3.68	325.0	Luxembourg	350	.37	10.0
Chile	600	.63	35.0	Mexico	900	.95	65.0
China	6,250	6.57	600.0	Netherlands	3,000	3.16	275.0
Colombia	600	.63	35.0	Nicaragua	258	.27	.8
Costa Rica	270	.28	2.0	Norway	750	.79	50.0
Cuba	600	.63	35.0	Panama	252	.26	.2
Czechoslovakia	1,500	1.58	125.0	Paraguay	264	.28	1.4
Denmark	930	.98	68.0	Peru	425	.45	17.5
Dominican Republic	270	.28	2.0	Philippines	400	.42	15.0
Ecuador	282	.30	3.2	Poland	1,500	1.58	125.0
Egypt	783	.82	53.3	Syria	315	.33	6.5
El Salvador	260	.27	1.0	Turkey	680	.71	43.0
Ethiopia	280	.29	3.0	Union of South Africa	1,250	1.31	100.0
Finland	630	.66	38.0	United Kingdom	13,250	13.93	1,300.0
France	5,500	5.78	525.0	United States	32,000	33.65	3,175.0
Greece	500	.53	25.0	Uruguay	355	.37	10.5
Guatemala	270	.28	2.0	Venezuela	355	.37	10.5
Honduras	260	.27	1.0	Yugoslavia	650	.68	40.0
Iceland	260	.27	1.0				
				TOTAL	95,110	100.00	8,336.0

ANNEX II: BOARD OF GOVERNORS

(As of September 21, 1948)

Governor	Alternate	Member Country
J. B. Chifley	N. J. O. Makin	Australia
Georg Zimmerman	Assen Hartenau	Austria
Gaston Eyskens	Maurice Frère	Belgium
Hector Ormachea Zalles	Jaime Gutiérrez Guerra	Bolivia
Francisco Alves dos Santos-Filho	Edgard de Mello	Brazil
D. C. Abbott	R. B. Bryce	Canada
Arturo Maschke	Fernando Illanes	Chile
Yun-Wu Wang	T. L. Soong	China
Emilio Toro	Diego Mejia	Colombia
Julio Pena	Angel Coronas-Guardia	Costa Rica
Guillermo Belt	Miguel A. Riva	Cuba
Leopold Chmela	Bohumil Sucharda	Czechoslovakia
Carl Valdemar Bramsnaes	Hakon Jespersen	Denmark
Jesús Maria Troncoso	Ambrosio Alvarez Aybar	Dominican Republic
Augusto Dillon	Pedro L. Nunez	Ecuador
Ahmed Zaki Saad	Ahmed Selim	Egypt
Catalino Herrera	Manuel Melendez-Valle	El Salvador
George A. Blowers	(Vacant)	Ethiopia
Sakari Tuomioja	Ralf Torngren	Finland
René Mayer	Pierre Mendès-France	France
Athanasios Scharounis	Grigorios Zarifopoulos	Greece
Manuel Noriega Morales	Leonidas Acevedo	Guatemala
Julian R. Cáceres	Jorge Fidel Duron	Honduras
Jon Arnason	Thor Thors	Iceland
Sir Chintaman Deshmukh	N. Sundaresan	India
A. H. Eftehaj	Mocharrar Naficy	Iran
Ahmed Izet Mohammed	Amin Mumayiz	Iraq
Donato Menichella	Giorgio Cigliana-Piazza	Italy
Charles Malik	Georges Hakim	Lebanon
Pierre Dupong	Hugues Le Gallais	Luxembourg
Antonio Carillo Flores	Luciano Wierchers	Mexico
P. Liefstinck	M. W. Holtrop	Netherlands
J. Jesús Sanchez Roiz	Alejandro Montiel Arguello	Nicaragua
Gunnar Jahn	Ole Colbjørnsen	Norway
Octavio Vallarino	Aquilino Vallarino	Panama

<i>Governor</i>	<i>Alternate</i>	<i>Member Country</i>
Juan Plate	Ruben Benitez	Pataguay
Carlos Montero Bernaldes	José Barrera Moller	Peru
Joaquin M. Elizalde	Miguel Cuaderno	Philippines
Konstanty Dabrowski	Janusz Zoltowski	Poland
Faiz el-Khoury	Husni A. Sawwaf	Syria
Nurullah Esat Sumer	Nahit Alpar	Turkey
M. H. de Kock	J. E. Holloway	Union of South Africa
Sir Stafford Cripps	Sir Gordon Munro	United Kingdom
John W. Snyder	William L. Clayton	United States
Carlos Quijano	Nilo Berchesi	Uruguay
Carlos A. D'Ascoli	Hector Santaella	Venezuela
Obren Blagojevic	Dragoslav Avramovic	Yugoslavia

ANNEX III: EXECUTIVE DIRECTORS^a

(As of September 21, 1948)

<i>Executive Director</i>	<i>Alternate</i>	<i>Appointed by:</i>
Eugene R. Black	John S. Hooker	United States
Sir Gordon Munro	(Vacant)	United Kingdom
Yuen-Ting Shen	Kuo-Hwa Yu	China
Roger Hoppener	Emmanuel Lamy	France
N. Sundaresan	B. K. Madan	India
		<i>Elected by:</i>
J. W. Beyen (Netherlands)	W. Koster (Netherlands)	{ Netherlands
		{ Union of South Africa
Franz de Voghel (Belgium)	Thomas Basyn (Belgium)	{ Belgium
		{ Norway
		{ Luxembourg
		{ Iceland
Victor Moller (Chile)	Fernando Illanes (Chile)	{ Brazil
		{ Chile
		{ Philippines
		{ Bolivia
		{ Costa Rica
		{ Guatemala
		{ Paraguay
		{ Panama
Leon Baranski (Poland)	Mihailo Kolovic (Yugoslavia)	{ Czechoslovakia
		{ Poland
		{ Yugoslavia
		{ Mexico
		{ Cuba
		{ Peru
Luis Machado (Cuba)	Joaquin Meyer (Cuba)	{ Uruguay
		{ Ecuador
		{ Dominican Republic
		{ El Salvador
		{ Honduras
		{ Nicaragua
Graham F. Towers (Canada)	J. F. Parkinson (Canada)	{ Canada
		{ Egypt
K. Varvareos (Greece)	F. Noury-Esfandiary (Iran)	{ Greece
		{ Iran
		{ Iraq
		{ Ethiopia
Costantino Bresciani-Turroni (Italy)	Francesco Giordani (Italy)	{ Italy
		{ Denmark
		{ Turkey
		{ Colombia
		{ Venezuela
S. G. McFarlane (Australia)	Roland Wilson (Australia)	{ Australia
		{ Syria
		{ Lebanon

^aAt its third annual meeting, September 27 to October 1, 1948, the Board of Governors elected nine Directors

and Alternates to replace the elective Executive Directors and Alternates.

ANNEX IV

ADVISORY COUNCIL

(As of September 21, 1948)

<i>Name</i>	<i>Field of Interest</i>
Arthur Salter (United Kingdom) (Chairman)	General
Pedro G. Beltrán (Peru)	Agriculture
Edward E. Brown (United States)	Banking
R. D. Harkness (Canada)	Industry
Herbert Hoover (United States)	Commerce
Léon Jouhaux (France)	Labor
Michał Kalecki (Poland)	Economics
C. V. Raman (India)	Science
Lionel C. Robbins (United Kingdom)	Economics
S. K. A. Sze (China)	General

ANNEX V

OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

<i>President:</i>	John J. McCloy (United States)
<i>Vice-President:</i>	Robert L. Garner (United States)
<i>General Counsel:</i>	Chester A. McLain (United States)
<i>Secretary:</i>	M. M. Mendels (Canada)
<i>Treasurer:</i>	D. Crena de Jongh (Netherlands)
<i>Loan Director:</i>	William A. B. Illiff (United Kingdom)
<i>Economic Director:</i>	Léonard B. Rist (France)
<i>Director of Marketing:</i>	E. F. Dunstan (United States)
<i>Director of Public Relations:</i>	Drew Dudley (United States)
<i>Director of Administration:</i>	Chauncey G. Parker (United States)
<i>Assistant to the Vice-President:</i>	Richard H. Demuth (United States)

HEADQUARTERS

Address: International Bank for Reconstruction and Development
1818 H Street, N.W.
Washington, D.C.
Telephone: Executive 6360
Cable Address: INTBAFRAD WASHINGTON

ANNEX VI

AGREEMENT BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Article I

GENERAL

1. This agreement, which is entered into by the United Nations pursuant to the provisions of Article 63 of its Charter, and by the International Bank for Recon-

struction and Development (hereinafter called the Bank) pursuant to the provisions of section 8 (a) of article V of its Articles of Agreement, is intended to define the terms on which the United Nations and the Bank shall be brought into relationship.

2. The Bank is a specialized agency established by agreement among its member Governments and having wide international responsibilities, as defined in its Articles of Agreement, in economic and related fields within the meaning of Article 57 of the Charter of the United Nations. By reason of the nature of its international responsibilities and the terms of its Articles of Agreement, the Bank is, and is required to function as, an independent international organization.

3. The United Nations and the Bank are subject to certain necessary limitations for the safeguarding of confidential material furnished to them by their members or others, and nothing in this agreement shall be construed to require either of them to furnish any information the furnishing of which would, in its judgment, constitute a violation of the confidence of any of its members or anyone from whom it shall have received such information, or which would otherwise interfere with the orderly conduct of its operations.

Article II

RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be entitled to attend, and to participate without vote in, meetings of the Board of Governors of the Bank. Representatives of the United Nations shall be invited to participate without vote in meetings especially called by the Bank for the particular purpose of considering the United Nations point of view in matters of concern to the United Nations.

2. Representatives of the Bank shall be entitled to attend meetings of the General Assembly of the United Nations for purposes of consultation.

3. Representatives of the Bank shall be entitled to attend, and to participate without vote in, meetings of the committees of the General Assembly, meetings of the Economic and Social Council, of the Trusteeship Council and of their respective subsidiary bodies, dealing with matters in which the Bank has an interest.

4. Sufficient advance notice of these meetings and their agenda shall be given so that, in consultation, arrangements can be made for adequate representation.

Article III

PROPOSAL OF AGENDA ITEMS

In preparing the agenda for meetings of the Board of Governors, the Bank will give due consideration to the inclusion in the agenda of items proposed by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council will give due consideration to the inclusion in their agenda of items proposed by the Bank.

Article IV

CONSULTATION AND RECOMMENDATIONS

1. The United Nations and the Bank shall consult together and exchange views on matters of mutual interest.

2. Neither organization, nor any of their subsidiary bodies, will present any formal recommendations to the

other without reasonable prior consultation with regard thereto. Any formal recommendations made by either organization after such consultation will be considered as soon as possible by the appropriate organ of the other.

3. The United Nations recognizes that the action to be taken by the Bank on any loan is a matter to be determined by the independent exercise of the Bank's own judgment in accordance with the Bank's Articles of Agreement. The United Nations recognizes, therefore, that it would be sound policy to refrain from making recommendations to the Bank with respect to particular loans or with respect to terms or conditions of financing by the Bank. The Bank recognizes that the United Nations and its organs may appropriately make recommendations with respect to the technical aspects of reconstruction or development plans, programmes or projects.

Article V

EXCHANGE OF INFORMATION

The United Nations and the Bank will, to the fullest extent practicable and subject to paragraph 3 of article 1, arrange for the current exchange of information and publications of mutual interest, and the furnishing of special reports and studies upon request.

Article VI

SECURITY COUNCIL

1. The Bank takes note of the obligation assumed, under paragraph 2 of Article 48 of the United Nations Charter, by such of its members as are also Members of the United Nations, to carry out the decisions of the Security Council through their action in the appropriate specialized agencies of which they are members, and will, in the conduct of its activities, have due regard for decisions of the Security Council under Articles 41 and 42 of the United Nations Charter.

2. The Bank agrees to assist the Security Council by furnishing to it information in accordance with the provisions of article V of this agreement.

Article VII

ASSISTANCE TO THE TRUSTEESHIP COUNCIL

The Bank agrees to co-operate with the Trusteeship Council in the carrying out of its functions by furnishing information and technical assistance upon request and in such other similar ways as may be consistent with the Articles of Agreement of the Bank.

Article VIII

INTERNATIONAL COURT OF JUSTICE

The General Assembly of the United Nations hereby authorizes the Bank to request advisory opinions of the International Court of Justice on any legal questions arising within the scope of the Bank's activities other than questions relating to the relationship between the Bank and the United Nations or any specialized agency. Whenever the Bank shall request the Court for an advisory opinion, the Bank will inform the Economic and Social Council of the request.

Article IX

STATISTICAL SERVICES

1. In the interests of efficiency and for the purpose of reducing the burden on national governments and other organizations, the United Nations and the Bank agree to co-operate in eliminating unnecessary duplication in the collection, analysis, publication and dissemination of statistical information.

2. The Bank recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations, without prejudice to the right of the Bank to concern itself with any statistics so far as they may be essential for its own purposes.

3. The United Nations recognizes the Bank as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with any statistics so far as they may be essential for its own purposes.

(4a) In its statistical activities the Bank agrees to give full consideration to the requirements of the United Nations and of the specialized agencies.

(b) In its statistical activities the United Nations agrees to give full consideration to the requirements of the Bank.

5. The United Nations and the Bank agree to furnish each other promptly with all their non confidential statistical information.

Article X

ADMINISTRATIVE RELATIONSHIPS

1. The United Nations and the Bank will consult from time to time concerning personnel and other administrative matters of mutual interest, with a view to securing as much uniformity in these matters as they shall find practicable and to assuring the most efficient use of the services and facilities of the two organizations. These consultations shall include determination of the most equitable manner in which special services furnished by one organization to the other should be financed.

2. To the extent consistent with the provisions of this agreement, the Bank will participate in the work of the Co-ordination Committee and its subsidiary bodies.

3. The Bank will furnish to the United Nations copies of the annual report and the quarterly financial statements prepared by the Bank pursuant to section 13(a) of article V of its Articles of Agreement. The United Nations agrees that, in the interpretation of paragraph 3 of Article 17 of the United Nations Charter it will take into consideration that the Bank does not rely for its annual budget upon contributions from its members, and that the appropriate authorities of the Bank enjoy full autonomy in deciding the form and content of such budget.

4. The officials of the Bank shall have the right to use the *laissez-passer* of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Bank.

Article XI

AGREEMENTS WITH OTHER ORGANIZATIONS

The Bank will inform the Economic and Social Council of any formal agreement which the Bank shall enter

into with any specialized agency, and in particular agrees to inform the Council of the nature and scope of any such agreement before it is concluded.

Article XII

LIAISON

1. The United Nations and the Bank agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective co-operation between the two organizations. Each agrees that it will establish within its own organization such administrative machinery as may be necessary to make the liaison, as provided for in this agreement, fully effective.

2. The arrangements provided for in the foregoing articles of this agreement shall apply, as far as is appropriate, to relations between such branch or regional offices as may be established by the two organizations, as well as between their central machinery.

Article XIII

MISCELLANEOUS

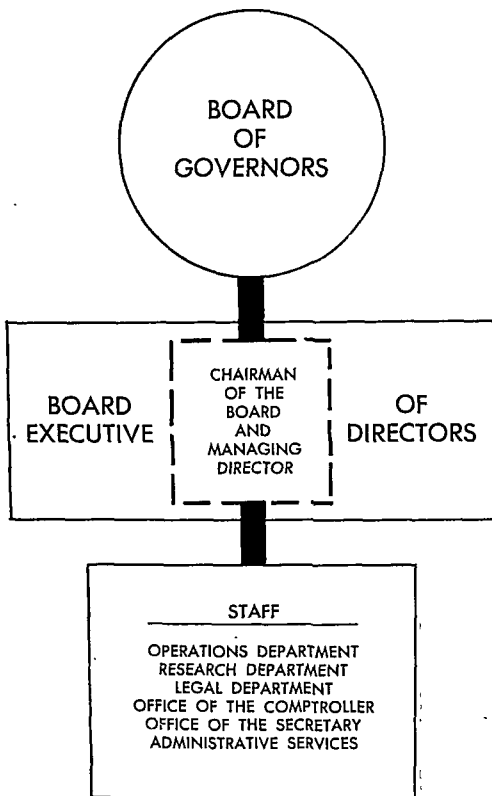
1. The Secretary-General of the United Nations and the President of the Bank are authorized to make such supplementary arrangements as they shall deem necessary or proper to carry fully into effect the purposes of this agreement.

2. This agreement shall be subject to revision by agreement between the United Nations and the Bank from the date of its entry into force.

3. This agreement may be terminated by either party thereto on six months' written notice to the other party, and thereupon all rights and obligations of both parties hereunder shall cease.

4. This agreement shall come into force when it shall have been approved by the General Assembly of the United Nations and the Board of Governors of the Bank.

STRUCTURE OF THE INTERNATIONAL MONETARY FUND



VI. *The International Monetary Fund*¹

A. ORIGIN

The United Nations Monetary and Financial Conference met in Bretton Woods, New Hampshire, from July 1 to 22, 1944, at the invitation of President Franklin D. Roosevelt. The Conference was attended by representatives of 44 countries. It drew up the Articles of Agreement providing for the establishment of the International Monetary

Fund.² The Fund came into existence on December 27, 1945, when the Articles of Agreement had been signed and the instruments of acceptance deposited on behalf of 29 governments having aggregate quotas which represented approximately 80 per cent of the total resources of the Fund.

B. PURPOSES AND FUNCTIONS

The purposes of the Fund, as stated in Article I of the Articles of Agreement, are:

"(i) To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.

"(ii) To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income and to the development of the productive resources of all members as primary objectives of economic policy.

"(iii) To promote exchange stability, to maintain orderly exchange arrangements among members, and to

avoid competitive exchange depreciation.

"(iv) To assist in the establishment of a multilateral system of payments in respect of current transactions between members and in the elimination of foreign exchange restrictions which hamper the growth of world trade.

"(v) To give confidence to members by making the Fund's resources available to them under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity.

"(vi) In accordance with the above, to shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members."

C. ORGANIZATION

The Fund consists of a Board of Governors, Executive Directors and a Managing Director and staff.

All powers of the Fund are vested in the Board of Governors, consisting of one Governor and one alternate appointed by each Member. The Board of Governors had delegated most of its powers to the Executive Directors. It has retained, as required by Article XII, Section 2, of the Articles of Agreement, the power to:

"(i) Admit new members and determine the conditions of their admission.

"(ii) Approve a revision of quotas.

"(iii) Approve a uniform change in the par value of the currencies of all members.

"(iv) Make arrangements to cooperate with other international organizations (other than informal arrangements of a temporary or administrative character).

¹For further information on early activities of the Fund, see *Yearbook of the United Nations, 1946-47*, pp. 767-72. See also: annual reports of the Executive Directors, published in 1946, 1947 and 1948; summary proceedings of the second annual meeting of the Board of Governors, 1947; schedules of par values; and quarterly financial statements. See also Bibliography of this *Yearbook*, Appendix III.

²The text of the Articles of Agreement of the International Monetary Fund is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 772-88.

"(v) Determine the distribution of the net income of the Fund.

"(vi) Require a member to withdraw.

"(vii) Decide to liquidate the Fund.

"(viii) Decide appeals from interpretations of this agreement given by the Executive Directors."

Each Member of the Fund has 250 votes plus one additional vote for each \$100 of its quota. Each Governor casts as a unit all votes allotted to that Member State which he represents; a quorum of the Board of Governors consists of a majority of the Governors exercising at least two thirds of the total voting power.

Decisions of the Fund are made by a simple majority of the votes cast, except as otherwise provided by the Articles of Agreement. For example, to change the quota of a Member requires, in addition to the consent of that Member, approval by four fifths of the voting power of the Board of Governors; four fifths of the voting power is also required to increase the number of Executive Directors. Amendments to the Articles of Agreement may be adopted by three fifths of the Members having four fifths of the total voting power, and in a few instances require acceptance by all Members. In voting on certain matters, such as the question of waiving conditions governing the use of the Fund's resources or declaring a Member ineligible to use the Fund's resources, the voting power of each Member is adjusted by the addition of one vote for each \$400,000 of sales of its cur-

rency and by the subtraction of one vote for each \$400,000 of its purchases of other currency.

The Executive Directors, meeting in continuous session, are responsible for the conduct of the general operations of the Fund and exercise all the powers delegated to them by the Board of Governors.

There are fourteen Executive Directors, five of whom are appointed by the five Members having the largest quotas. The remaining Executive Directors have been elected by the Governors representing the other Members of the Fund, as follows: seven by Members other than the American Republics, and two by the American Republics. Each appointed Executive Director casts as a unit all the votes allotted to the Member which appointed him, and each elected Director casts as a unit the total number of votes allotted to those countries which elected him. A quorum of the Executive Directors consists of the majority of Directors representing at least one half of the total voting power.

The Managing Director of the Fund, who may not be a Governor or an Executive Director, is elected by the Executive Directors, and under their direction is responsible for the conduct of the ordinary business of the Fund, and for the organization, appointment and dismissal of its officers and staff. He also serves as Chairman of the Executive Directors, without the right to vote except in the case of a tie.

D. RESOURCES OF THE FUND

To carry out its operations, the Fund uses the resources subscribed by its Member Governments. The quotas of those Members which attended the Bretton Woods Conference were fixed by the Articles of Agreement but may be revised by the Fund. The quotas of other Members are fixed by the Board of Governors at the time of approval of their membership applications. Each of the original Members must pay in gold 25 per cent of its quota or 10 per cent of its net official gold and dollar holdings, whichever is the smaller; the gold contribution of new Members is fixed by the Board of Governors. The balance is paid in the Member's own currency, normally after the establishment of the par value for that currency. Non-negotiable, non-interest-bearing demand notes may be accept-

ed from any Member whose currency is not needed for the Fund's operations in place of that Member's currency.

With the admission of new Members and increases in individual subscriptions, the aggregate quotas of all Members increased from \$7,721,000,000 as of June 30, 1947, to just over \$8,000,000,000 as of September 21, 1948. The subscriptions of China, Finland, Greece, Italy, Poland, Uruguay and Yugoslavia are not due until initial par values for their currencies have been established. Pending agreement on par values and the payment of subscriptions, however, these Members, according to the Articles of Agreement, will not be able to use the resources of the Fund unless special terms and conditions are agreed with the Fund.

E. ACTIVITIES PRIOR TO JULY 1, 1947

The Articles of Agreement of the International Monetary Fund entered into force on December 27, 1945, when representatives of 30 countries participated in a ceremony of signature held in Washington, D. C.

The inaugural meeting of the International Monetary Fund was held jointly with the International Bank for Reconstruction and Development at Savannah, Georgia, in March 1946. This meeting took the necessary preliminary steps to organize the Fund, including the adoption of by-laws, the selection of the metropolitan area of Washington, D. C., as the permanent site for the principal office of the Fund, and the election of seven Executive Directors, who, together with the Executive Directors appointed by the five Members having the largest quotas, constituted the original Executive Board. It was also agreed at Savannah that the first meeting of the Executive Board should be held in Washington, D. C., on May 6, 1946, and that the first annual meeting of the Board of Governors should be convened jointly with the Board of Governors of the Bank in Washington, D. C., in September 1946.

The actions taken at the first annual meeting of the Board of Governors included, *inter alia*, the acceptance of applications for membership in the Fund submitted by Italy, Lebanon, Syria, and Turkey, the approval of an upward adjustment in the quotas of France and Paraguay and the approval of rules and regulations previously adopted by the Executive Board governing the conduct of the business of the Fund.

During the early period, the major task of the

Fund was to establish an initial pattern of par values upon which the inauguration of transactions depended. Accordingly, on September 12, 1946, all Members were requested to communicate to the Fund within 30 days the par values of their currencies based on rates of exchange prevailing on October 28, 1945. As required by the Articles of Agreement, par values are expressed in terms of gold as a common denominator or in terms of United States dollars of the weight and fineness in effect on July 1, 1944.

On December 18, 1946, the Fund published the par values proposed by 32 of the 40 Members and at the same time announced that it would be ready to begin exchange transactions on March 1, 1947. By June 30, 1947, par values had been agreed for two additional Members.

By March 1, 1947, subscriptions had been received from Members which were eligible to use the Fund's resources and had quotas amounting to at least 65 per cent of the aggregate quotas set out in Schedule A of the Articles of Agreement, and all other requirements for the beginning of exchange transactions had been fulfilled. Out of a total of 44 Members on June 30, 1947, par values had been agreed for 34. The aggregate quotas of all Members at that time amounted to the equivalent of \$7,721,500,000, and the equivalent of \$6,535,000,000 had been paid into the Fund on subscription account.

From March 1 to June 30, 1947, the Fund sold \$50,000,000 in United States funds to France, and to the Netherlands \$6,000,000 in United States funds and £1,500,000 in sterling

F. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

During the period under review, numerous decisions were taken by the Board of Governors either by adoption of resolutions at annual meetings or through a vote without meeting.

Among the actions taken at the second annual meeting, held in London from September 11 to 17, 1947, was the approval of a temporary increase in the Executive Board to fourteen members, *interim* action having already been taken to increase the size temporarily to thirteen.³ Also adopted was a resolution approving the terms and conditions of

the form of agreement to be established between the United Nations and the Fund.⁴ On subsequent approval by the General Assembly of the United Nations, the agreement became effective on November 15, 1947. Other decisions of the Board

³The size of the Executive Board was fixed permanently at fourteen members by the third annual meeting of the Board of Governors, held in Washington, D.C., from September 27 to October 1, 1948.

⁴The text of the Agreement between the United Nations and the International Monetary Fund is reproduced on pp. 835-87.

of Governors taken at the second annual meeting resulted in the admission of Finland to membership in the Fund and an increase in the quotas of Egypt and Iran.⁵

In addition, during the period under review, Australia and Austria were admitted to membership. Of the 47 Member countries, par values had been established as of September 21, 1947, for 38, the aggregate of all quotas increased to slightly more than \$8,000,000,000 and the total paid in on subscription account increased to the equivalent of over \$6,850,000,000.

During the period July 1, 1947, to September 21, 1948, the Fund sold exchange to a total value of \$571,828,380.91. These transactions benefited eleven Member countries and involved Belgian francs as well as United States dollars.

1. *Par Values and Exchange Restrictions*

During the period surveyed, the Fund reached agreement with five of its Members with respect to the par values of their currencies. The Fund had therefore established and published initial par values, as of September 21, 1948, for the currencies of 38 of its 47 Member countries. Although officially one of these 38 Members, Mexico suspended official dealings in foreign exchange in July 1948, and subsequently entered into consultation with the Fund regarding the establishment of a new par value. The Fund had granted additional time for the determination of par values by China, Finland, Greece, Italy, Poland, Uruguay and Yugoslavia, as well as by France for Indo-China, and the Netherlands with respect to the Netherlands East Indies. Austria, the Fund's newest Member, had not as of September 1948 been requested to submit a par value. France, one of the original Members, has no official par value because of its unauthorized change of value in January 1948.

Under the Articles of Agreement, a Member can propose a change in the par value of its currency only after consultation with the Fund, and in general only if it is necessary to correct a fundamental disequilibrium in the international balance of payments. The only application for a proposed change in par value of a Member's currency so far received by the Fund has been from France. The French Government proposed a change in the par value of the franc from approximately 119 per United States dollar, the par value agreed with the Fund on December 18, 1946, to approximately 214

francs. The proposed devaluation was linked with the institution of a premium market for the dollar and certain other currencies readily salable for dollars. The Fund agreed that a change in the par value of the franc was necessary and indicated that it was prepared to concur in a devaluation of the franc to a realistic rate which would be applicable to transactions in the currencies of all Members of the Fund. It declared that it could not agree, however, to the inclusion of any part of the proceeds of exports in a premium market limited to a few currencies, as in its judgment this entailed the risk of serious adverse effects on other Members without being necessary to achieve the trade objectives sought by France.

The Fund felt there would be scope for competitive depreciation in the application by one country of a premium rate on exports to one area while other rates remained stable and other countries maintained the parities agreed with the Fund.

The French Government found that it could not accept the modifications suggested by the Fund and on January 26, 1948, put into effect its own proposals without the approval of the Fund. The Fund accordingly considered that France had made an unauthorized change in its par value and had therefore become ineligible to use the Fund's resources. The Fund continued to work with France, however, in seeking a modification of its exchange practices in order to meet French needs within the framework of the international monetary arrangements established by the Fund Agreement.

Some of the other Fund Members, such as China and Greece, which have never agreed upon par values with the Fund, continue to operate under systems of fluctuating rates. Although the Fund has emphasized that maintenance of fluctuating exchange rates is not in accord with its long-term objectives, it has recognized that such systems might be unavoidable when prices were highly unstable. Under such circumstances, monetary authorities, by controlling the demand for exchange in a fluctuating market, could bring about a rate of exchange that would enable exporters to sell abroad despite the continuous rise in prices. Thus a breakdown in trade could be averted.

The Fund, although accepting the temporary use of a fluctuating exchange rate in such exceptional circumstances, has emphasized that at the proper time it will not be remiss in urging upon governments the desirability of agreeing upon a parity.

Multiple currency practices have been used in

⁵For Members, their quotas and voting power as of September 21, 1948, see Annex I, pp. 882-83.

a number of countries for a variety of reasons, such as for the correction of balance of payments disequilibria, the restriction of imports without resort to complicated administrative machinery and for revenue purposes, and the Fund has worked out guiding principles with regard to such practices. On December 19, 1947, it sent a memorandum to its Members setting out in detail the Fund's policies together with the obligations of its Members and the jurisdiction of the Fund with respect to multiple currency practices.

The policies laid down require, in general: continuous consultation between the Fund and Members on multiple currency practices; special consideration, in dealing with multiple currency practices, of those aspects affecting exchange stability and orderly exchange arrangements among Members, and the progressive removal of multiple currency practices not necessary for balance of payments reasons. The Fund also stated that it would encourage the establishment of economic conditions which would permit the removal of multiple currency practices wherever possible.

With regard to its jurisdiction, the Fund called Members' attention to the fact that multiple currency practices constituted systems of exchange rates, and, since exchange stability depended on effective exchange rates, the obligation of Members under Article IV, Section 4(a), of the Articles of Agreement "to collaborate with the Fund to promote exchange stability, to maintain orderly exchange arrangements with other members, and to avoid competitive exchange alterations" was fundamental to an interpretation of the rights and obligations of Members to maintain, introduce or adapt multiple currency practices. It set forth the occasions on which Members were obliged to consult with the Fund.

The following are some examples of action taken by the Fund to facilitate the removal of multiple currency practices.

In the case of Ecuador, the Fund approved in June 1947 a request from that Government for a modification of its multiple currency practices through the imposition of a surcharge on non-essential imports, the surcharge to be used for retiring government debt. A technical mission of the Fund advised the Government with regard to the readjustment of prices and costs and the institution of a comprehensive reform of monetary and credit policy. The Fund reported that if the improvement resulting from putting into effect more satisfactory fiscal and credit policies continued, con-

ditions should eventually be established which would permit a unification of the exchange rate without the need for exchange restrictions.

Following consultations with the Government of Chile, the Fund agreed in January 1948 on a progressive program for the simplification of the existing multiple exchange rate system of that country. The Fund noted at that time that Chile had already taken steps towards balancing its budget and imposing selective restraints on bank credit which would "help to arrive at the internal financial stability necessary to achieve and maintain external stability".

In September 1948 the Fund approved proposals made by the Government of Peru designed to restore its international payments position. Included in the proposals were measures to reduce the demand for foreign exchange, to collect money for repaying the Government's debt to the Central Bank and to avoid the necessity of inflationary borrowing. Under the plan, exporters were to be given a higher return to encourage the expansion of exports, while a surcharge was to be placed on non-essential imports. The Fund indicated that the effectiveness of these measures was conditioned on the ability of the Peruvian Government to halt inflation, to secure additional revenue from sources other than exchange taxes and to limit the expansion of bank credit.

The Fund has noted in its April 1948 annual report that continuing balance of payments deficits during 1947 forced many countries to impose or reinforce foreign exchange restrictions in order to deal with a persistent drain on their reserves. These restrictions were imposed in most cases on imports from United States dollar areas in order to reduce dollar deficits or safeguard gold and dollar reserves. With the exception of El Salvador, Guatemala, Mexico, Panama and the United States, all Members of the Fund notified that agency that they were availing themselves of the provisions of Article XIV, Section 2, of the Articles of Agreement, which provides that during the postwar transitional period Members may, subject to certain safeguards, "maintain and adapt to changing circumstances . . . restrictions on payments and transfers for current international transactions".

Although it had not been possible under existing circumstances to effect any relaxation of these exchange restrictions, the Fund stated in its annual report in April 1948 that it was keeping the exchange control systems of its Members under review and would encourage the elimination of restrictions wherever feasible.

2. Gold Policies

Since the par values of the currencies of all Members may be expressed in terms of gold, the Fund in June 1947 stated its opposition to external purchases or sales of gold at premium prices which directly or indirectly produce exchange transactions at depreciated rates. Although a number of Members subsequently informed the Fund that their practices were in accord with the Fund's policy, and others notified changes in their practice to conform to the Fund's views, the Fund indicated that more vigorous enforcement of gold regulations was required in certain countries.

To enable it to decide on further action, the Fund in April 1948 requested its Members to furnish the text of their laws, decrees and regulations, a statement of their administrative practices regarding international transactions in gold and in articles having a large content of gold, and data on international movements of gold.

In December 1947 the Fund informed its Members that it was also opposed to the granting of any subsidies on gold production which would raise the price of gold, thereby undermining exchange stability. At the same time the Fund stated its intention of studying and reviewing the gold policies of Members and recalled the Members' obligation to consult with the Fund before introducing any new measures to subsidize their gold production.

Two countries, Canada and Australia, adopted plans to subsidize a part of their gold production, which were deemed not to contravene the obligation of Members under the Fund Agreement or to violate the Fund's policy regarding gold subsidies. The Canadian Government in January 1948 instituted a program to stimulate gold production by defraying part of the increased cost of production through subsidies to individual mines. The Australian Government introduced a plan for temporary subsidies which, without affecting the price of gold, would enable some marginal and isolated mines to continue operations despite rising costs so as to sustain the population of certain communities whose existence is wholly dependent on the gold mining industry.

3. Fund Transactions

The exchange transactions of the Fund involve the sale to a Member, either against its own currency or against gold, of the currencies of other Members.

Subject to compliance with certain general conditions, which are set out in the Articles of Agreement, a Member may purchase the currencies of other Members from the Fund against its own currency. Members must state that the currency purchased is presently needed for making payments in that currency which are in accordance with the provisions of the Fund Agreement.

Between March 1, 1947, when the Fund announced that it was in a position to begin exchange transactions, and September 21, 1948, 37 transactions involving the sale of United States dollars, pounds sterling and Belgian francs were completed with eleven Members in exchange for their own currencies, in the amounts shown below:

CURRENCY SOLD BY THE FUND

Member	U. S. Dollars	£ Sterling	Belgian Francs
Belgium	33,000,000		
Chile	8,800,000		
Denmark	10,200,000		
Ethiopia	300,000		
France	123,000,000		
India	44,120,000		
Mexico	22,500,000		
Netherlands	62,500,000	1,500,000	300,000,000
Norway	5,000,000		200,000,000
Turkey	5,000,000		
United Kingdom	300,000,000		

CURRENCY BOUGHT BY THE FUND IN EXCHANGE

Member	Currency	Amount
Belgium	Belgian Francs	1,446,308,913.00
Chile	Chilean Pesos	272,800,000.00
Denmark	Danish Kroner	48,949,799.97
Ethiopia	Ethiopian Dollars	745,341.61
France	French Francs	14,888,375,000.00
India	Indian Rupees	145,971,877-9-4
Mexico	Mexican Pesos	109,237,500.00
Netherlands	Netherland Guilders	199,998,470.72
Norway	Norwegian Kroner	47,460,810.02
Turkey	Turkish Liras	14,000,000.00
United Kingdom	Pounds Sterling	74,441,687-7-1

In terms of United States dollars, the aggregate of the foreign exchange transactions set out above is \$633,873,380.91.

On transactions of this type with the Fund, Members are required to pay a uniform service charge at the time the transaction takes place and, if the Fund's holdings of a Member's currency exceed that Member's quota in the Fund, a charge, based on the amount and duration of the excess, is levied in addition at quarterly intervals. Certain Members mentioned in the table above were subject to this additional charge.

As regards exchange transactions involving the sale of Member currencies against gold, the Fund

during 1948 made approximately \$6,100,000 available to Norway against gold.

Apart from the type of transaction described above, the Fund was also able to assist one of its European Members by making gold available in New York to that Member out of the Fund's gold holdings in that centre, at the same time taking delivery in Europe of an equivalent quantity which was subsequently shipped to New York at the Member's expense. In this way, the Member was enabled immediately to sell gold in exchange for United States dollars which were urgently needed without incurring the delay involved in shipping the metal to the United States.

In considering applications for the use of the Fund's resources during the period, the Executive Directors attempted to ensure the optimum use of these resources by keeping the economic and financial situations of Members under constant review. The Fund examined the causes of balance of payments deficits, the use, by Members drawing on the resources of the Fund, of their own gold and foreign exchange resources, and the bearing of the par values of their currencies on their balance of payments position and prospects. In certain cases where the Fund had concluded that the situation existing in a country was not conducive to the proper use of the Fund's resources, it asked that Member to refrain from applying for exchange purchases pending consultations with the Fund. The Fund emphasized to Members that the purpose of the use of its resources was to give them time to make necessary readjustments and not to avoid the necessity for such readjustments.

In April 1948 the Fund asked that those Members participating in the European Recovery Program should request the purchase of United States dollars from the Fund, at least during the first period of ERP, only in exceptional or unforeseen cases.

4. Technical Assistance

Co-operation between the Fund and its Members is made effective chiefly through consultation on

matters falling within the scope of the Fund Agreement and the provision of technical advice to Members. Through consultations with all its Members, the Fund has gained valuable information on the special problems of Members which enables it, when making its decisions, to take full account of the particular circumstances of individual countries.

In addition to continuing this regular consultation with Members, the Fund sent missions to confer with various Members that had requested advice on economic problems. Chile, Colombia, Costa Rica, Cuba, Czechoslovakia, Ecuador, Mexico, Netherlands, Norway, Peru and Syria are some of the countries which the Fund's missions visited at the request of their monetary authorities.

5. Publications

The information collected by the Fund is made available, when not confidential, to its Members and to the public. The Articles of Agreement, the annual reports of the Executive Directors, the quarterly financial statements and some of the speeches of the Managing Director have been published. In January 1948 the first issue of a monthly bulletin, *International Financial Statistics*, was published, and on July 1 the first issue of a weekly *International Financial News Survey* was released. As further information is supplied by Members, the Fund plans other publications, including a series of statistical and analytical annual volumes on balance of payments.

Experts from approximately 30 Member and non-member countries attended, at the invitation of the Fund, a meeting on balance of payments methodology in Washington, D.C., in September 1947. Suggestions offered by these experts resulted in considerable improvements in the forms included in the Fund's comprehensive *Balance of Payments Manual*, which was later sent to all Members and to selected non-members as the basis for reporting balance of payments data.

G. ADMINISTRATIVE BUDGET

The second annual meeting of the Board of Governors, held in London in September 1947, changed the fiscal year of the Fund to begin on May 1 rather than on July 1 as it had in the 1946-

47 period. To cover the estimated expenses of the ten-month period from July 1, 1947, to April 30, 1948, the Board adopted an administrative budget of \$3,100,000. Actual administrative expenses

for this period, as indicated by the condensed statement of income and expenditure reproduced below, totalled \$2,626,629.66.

An administrative budget of \$4,187,000 to cover estimated expenditures for the fiscal period from May 1, 1948, to April 30, 1949, was approved by the Board of Executive Directors, and reported, for their information, to the Board of Governors, which was scheduled to convene in Washington, D.C., on September 27, 1948.

Since no administrative budget had been approved for the period from July 1, 1946, to June 30, 1947, actual expenditure during that year, as well as estimated expenses to April 30, 1949, are shown below, as follows:

ADMINISTRATIVE BUDGET FOR FISCAL PERIOD ENDING

	June 30, 1947	April 30, 1948	April 30, 1949
Personal services	\$1,321,908.71	\$1,906,000	\$2,568,000
Contributions to staff benefits		208,000	472,000*
Travel	169,600.57	175,000	270,000
Communication services	38,519.17	57,000	84,000
Rents (real property), utilities and building alterations	184,180.63	305,000	383,300
Books and printing	19,254.02	42,000	134,500
Supplies and equipment	275,902.03	188,000	167,800
Meetings of the Board of Governors	54,387.55	184,000	74,000
Miscellaneous	4,798.57†	35,000	33,400
TOTALS	\$2,068,551.25	\$3,100,000	\$4,187,000

As indicated in the condensed statement of income and expenditure below, the excess of income over expenditure amounted to \$1,558,380.34 for the ten months ending April 30, 1948, as compared with an accumulated excess of expenditure over income of \$1,703,410.12 as of June 30, 1947. The total excess of expenditure over income from the establishment of the Fund was therefore reduced to \$145,029.78 as of April 30, 1948.

STATEMENT OF INCOME AND EXPENDITURE

July 1, 1947, to April 30, 1948

(Expressed in United States Currency)

INCOME		
Income from Operations:		
Service Charges on Exchange Transactions	\$4,080,000.00	
Charges on Fund's holdings of Members' currencies in excess of quotas	104,360.90	\$4,184,360.90
Other Income		1,338.90
TOTAL INCOME		\$4,185,699.80

EXPENDITURES

Current Administration:		
Personnel outlays	\$1,721,596.83	
Travel	153,120.80	
Communications	61,969.16	
Office occupancy expense	293,447.63	
Books and printing	49,278.39	
Equipment and supplies	139,698.52	
Miscellaneous expenses	18,253.28	
TOTAL EXPENDITURES FOR CURRENT ADMINISTRATION	\$2,437,364.61	
Meetings of Board of Governors—Second Annual Meeting	189,265.05	
TOTAL ADMINISTRATIVE EXPENSE	\$2,626,629.66	
Gold handling charges	4.11	
Expense of earlier meetings of governors, paid this period	2,289.23	
	\$2,628,923.00	
Less: Exchange Adjustments—Net	1,603.54	
TOTAL EXPENDITURES		\$2,627,319.46
INCREMENT TO NET CAPITAL		
April 30, 1948		\$1,558,380.34

*This includes \$227,000 reappropriated to cover the Fund's contributions under the Staff Retirement Plan for the service of staff members prior to the beginning of the fiscal year.

†Excludes \$1,212.27 exchange adjustments, which are not administrative expenses.

ANNEX I

MEMBERS, QUOTAS AND VOTING POWER

(As of September 21, 1948)

MEMBER COUNTRIES	QUOTAS		VOTING POWER		MEMBER COUNTRIES	QUOTAS		VOTING POWER	
	Amount (in Millions of U.S. dollars)	Number of Votes ^a	Per cent of Total			Amount (in Millions of U.S. dollars)	Number of Votes ^a	Per cent of Total	
Australia	\$ 200.0	2,250	2.44		India	400.0	4,250	4.62	
Austria	50.0	750	0.81		Iran	35.0	600	0.65	
Belgium	225.0	2,500	2.71		Iraq	8.0	330	0.36	
Bolivia	10.0	350	0.38		Italy	180.0	2,050	2.23	
Brazil	150.0	1,750	1.90		Lebanon	4.5	295	0.32	
Canada	300.0	3,250	3.53		Luxembourg	10.0	350	0.38	
Chile	50.0	750	0.81		Mexico	90.0	1,150	1.25	
China	550.0	5,750	6.24		Netherlands	275.0	3,000	3.26	
Colombia	50.0	750	0.81		Nicaragua	2.0	270	0.29	
Costa Rica	5.0	300	0.33		Norway	50.0	750	0.81	
Cuba	50.0	750	0.81		Panama	0.5	255	0.28	
Czechoslovakia	125.0	1,500	1.63		Paraguay	3.5	285	0.31	
Denmark	68.0	930	1.01		Peru	25.0	500	0.54	
Dominican Republic	5.0	300	0.33		Philippines	15.0	400	0.43	
Ecuador	5.0	300	0.33		Poland	125.0	1,500	1.63	
Egypt	60.0	850	0.92		Syria	6.5	315	0.34	
El Salvador	2.5	275	0.30		Turkey	43.0	680	0.74	
Ethiopia	6.0	310	0.34		Union of South Africa	100.0	1,250	1.36	
Finland	38.0	630	0.68		United Kingdom	1,300.0	13,250	14.39	
France	525.0	5,500	5.97		United States	2,750.0	27,750	30.13	
Greece	40.0	650	0.71		Uruguay	15.0	400	0.43	
Guatemala	5.0	300	0.33		Venezuela	15.0	400	0.43	
Honduras ^b	2.5	275	0.30		Yugoslavia	60.0	850	0.92	
Iceland	1.0	260	0.28		TOTAL	\$8,036.0	92,110	100.00*	

ANNEX II

BOARD OF GOVERNORS

(As of September 21, 1948)

Governor	Alternate	Member Country
Joseph B. Chifley	N. J. O. Makin	Australia
Hans Rizzi	Franz Stoeger-Marenpach	Austria
Maurice Frere	C. Duquesne Wathélet de la Vinelle	Belgium
Hector Ormachea Zalles	Jaime Gutiérrez Guerra	Bolivia
Francisco Alves dos Santos-Filho	Edgard de Mello ^c	Brazil
Douglas Charles Abbott	Graham F. Towers	Canada
Arturo Maschke	Fernando Illanes	Chile
Yun-wu Wang	Te-Mou Hsi	China
Emilio Toro	Ignacio Copete-Lizarralde	Colombia
Julio Pena	Angel Coronas	Costa Rica
Guillermo Belt	José A. Rodríguez Dod	Cuba
Jozef Goldmann	Ladislav Biel	Czechoslovakia
Carl Valdemar-Bramsnæs	Einar Dige	Denmark
Jesus Maria Troncoso	Ambrosio Alvarez Aybar	Dominican Republic
Guillermo Perez-Chiriboga	Pedro L. Nunez	Ecuador
Ahmed Zaki Saad	Mahmoud Seleh El Falaki	Egypt
Catalino Herrera	Manuel Melendez V.	El Salvador
George A. Blowers	(Vacant)	Ethiopia
Sakari Tuomioja	Ralf Torngren	Finland
Pierre Mendès-France	Emmanuel Monick	France
Xenophon Zolotas	Alexander Coudelis	Greece
Manuel Noriega Morales	Leonidas Acevedo	Guatemala

*These figures do not add to 100 per cent because of rounding.

^bVoting power varies on certain matters with use by Members of Fund resources, as provided under the Articles of Agreement.

^cUnder the terms of Resolution No. 5, adopted at the

third annual meeting of the Board of Governors, a reduction in the quota of Honduras from \$2,500,000 to \$500,000 was authorized. The reduction became effective November 4, 1948.

^dMr. de Mello was succeeded by Octavio Paranagua on September 23, 1948.

<i>Governor</i>	<i>Alternates</i>	<i>Member Country</i>
Julian R. Cáceres	Jorge Fidel Durón	Honduras
Asgeir Asgeirsson	Thor Thors	Iceland
Sir Chintaman Deshmukh	N. Sundaresan	India
Abol Hassan Ebtehaj	Mocharraf Naficy	Iran
Ahmed Izzet Mohammed	Amin Mumayiz	Iraq
Gustavo Del Vecchio	Ugo La Malfa	Italy
Charles Malik	Georges Hakim	Lebanon
Pierre Dupong	Hugues Le Gallais	Luxembourg
Carlos Novoa	Raul Martinez-Ostos (temp.)	Mexico
P. Lieftinck	M. W. Holtrop	Netherlands
Guillermo Sevilla Sacasa	Rafael Angel Huezio	Nicaragua
Gunnar Jahn	Ole Colbjørnsen	Norway
Octavio Vallarino	Aquilino Vallarino	Panama
Juan Plate	Ruben Benitez	Paraguay
Francisco Tudela Varela	Emilio G. Barreto	Peru
Joaquin M. Elizalde	Miguel Cuaderno	Philippines
Edward Drozniak	Janusz Zoltowski	Poland
Faiz El-Khouri	Husni A. Sawwaf	Syria
Nurullah Esat Sumer	Bulent Yazici	Turkey
John Edward Holloway	Michiel Hendrik de Kock	Union of South Africa
Sir Stafford Cripps	Ernest Rowe-Dutton	United Kingdom
John W. Snyder	William L. Clayton	United States
Fermin Silveira Zorzi	Mario La Gamma Accvedo	Uruguay
Carlos A. D'Ascoli	José Antonio Mayobre	Venezuela
Obren Blagojevic	Dragoslav Avramovic	Yugoslavia

ANNEX III

EXECUTIVE BOARD^a

(As of September 21, 1948)

<i>Executive Director</i>	<i>Alternate</i>	<i>Appointed by:</i>
A. N. Overby	(Vacant)	United States
G. L. F. Bolton	G. H. Tansley	United Kingdom
Yee-Chun Koo	Yueh-Lien Chang	China
Jean de Largentaye	(Vacant)	France
J. V. Joshi	B. K. Madan	India
		<i>Elected by:</i>
Francisco Alves dos Santos-Filho (Brazil)	Octavio Paranaagua (Brazil)	Bolivia
		Brazil
		Chile
		Ecuador
		Panama
		Paraguay
		Peru
		Uruguay
Rodrigo Gomez (Mexico)	Raul Martinez-Ostos (Mexico)	Colombia
		Costa Rica
		Cuba
		Dominican Republic
		El Salvador
		Guatemala
		Honduras
		Mexico
		Nicaragua
J. W. Beyen (Netherlands)	Willem Koster (Netherlands)	Netherlands
		Union of South Africa

^aOn September 30, 1948, the third annual meeting of the Board of Governors elected nine Directors and Alternates to replace the elective members of the Execu-

tive Board. As newly constituted, the Executive Board entered upon its second term of office on November 1, 1948.

<i>Executive Director</i>	<i>Alternate</i>	<i>Elected by:</i>
Guido Carli (Italy)	Giorgio Cigliana-Piazza (Italy)	{ Denmark Italy Turkey Venezuela
Louis Rasminsky (Canada)	J. F. Parkinson (Canada)	{ Canada Norway
J. V. Mladek (Czechoslovakia)	Mihailo Kolovic (Yugoslavia)	{ Czechoslovakia Poland Yugoslavia
Ahmed Zaki Saad (Egypt)	Mahmoud Saleh El Falaki (Egypt)	{ Egypt Ethiopia Greece Iran Iraq Philippines
Hubert Ansiaux (Belgium)	Ernest de Selliers (Belgium)	{ Belgium Iceland Luxembourg
S. G. McFarlane (Australia)	Roland Wilson (Australia)	{ Australia Lebanon Syria

ANNEX IV

OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

OFFICERS

Managing Director:

Camille Gutt (Belgium)

Administrative Assistant to the Managing Director:

Oscar L. Altman (United States)

Assistants to the Managing Director:

Robert Rolin (Belgium)

Gordon Williams (United States)

Director of Operations:

M. H. Parsons (United Kingdom)

Assistant Directors:

André Pailhas (France)

William H. Taylor (United States)

Director of Research:

E. M. Bernstein (United States)

Deputy Director:

George F. Luthringer (United States)

General Counsel:

André van Campenhout (Belgium)

Senior Counsellors:

Richard Brenner (United States)

Joseph Gold (United Kingdom)

Ervin P. Hexner (Czechoslovakia)

Leo Levanthal (France)

Comptroller:

Charles M. Powell (Canada)

Assistant Comptroller:

Suifeng Huang (China)

Secretary:

Frank Coe (United States)

Assistant Secretaries:

Roman L. Horne (United States)

Albert C. Frost (United Kingdom)

HEADQUARTERS

Address: International Monetary Fund

1818 H Street, N.W.

Washington, D. C.

Telephone Number: Executive 6360*Cable Address:* INTERFUND WASHINGTON

ANNEX V

AGREEMENT BETWEEN THE UNITED
NATIONS AND THE INTERNATIONAL
MONETARY FUND

Article 1

GENERAL

1. This agreement, which is entered into by the United Nations pursuant to the provisions of Article 63 of its Charter, and by the International Monetary Fund (hereinafter called the Fund) pursuant to the provisions of article X of its Articles of Agreement, is intended to define the terms on which the United Nations and the Fund shall be brought into relationship.

2. The Fund is a specialized agency established by agreement among its member governments and having wide international responsibilities as defined in its Articles of Agreement, in economic and related fields within the meaning of Article 57 of the Charter of the United Nations. By reason of the nature of its international responsibilities and the terms of its Articles of Agreement, the Fund is, and is required to function as, an independent international organization.

3. The United Nations and the Fund are subject to certain necessary limitations for the safeguarding of confidential material furnished to them by their members or others, and nothing in this agreement shall be construed to require either of them to furnish any information the furnishing of which would, in its judgment, constitute a violation of the confidence of any of its mem-

bers or anyone from whom it shall have received such information, or which would otherwise interfere with the orderly conduct of its operations.

Article II

RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be entitled to attend, and to participate without vote in, meetings of the Board of Governors of the Fund. Representatives of the United Nations shall be invited to participate without vote in meetings especially called by the Fund for the particular purpose of considering the United Nations point of view in matters of concern to the United Nations.

2. Representatives of the Fund shall be entitled to attend meetings of the General Assembly of the United Nations for purposes of consultation.

3. Representatives of the Bank shall be entitled to attend, and to participate without vote in, meetings of the committees of the General Assembly, meetings of the Economic and Social Council, of the Trusteeship Council and of their respective subsidiary bodies, dealing with matters in which the Fund has an interest.

4. Sufficient advance notice of these meetings and their agenda shall be given so that, in consultation, arrangements can be made for adequate representation.

Article III

PROPOSAL OF AGENDA ITEMS

In preparing the agenda for meetings of the Board of Governors, the Fund will give due consideration to the inclusion in the agenda of items proposed by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council will give due consideration to the inclusion in their agenda of items proposed by the Fund.

Article IV

CONSULTATION AND RECOMMENDATIONS

1. The United Nations and the Fund shall consult together and exchange views on matters of mutual interest.

2. Neither organization, nor any of their subsidiary bodies, will present any formal recommendations to the other without reasonable prior consultation with regard thereto. Any formal recommendations made by either organization after such consultation will be considered as soon as possible by the appropriate organ of the other.

Article V

EXCHANGE OF INFORMATION

The United Nations and the Fund will, to the fullest extent practicable and subject to paragraph 3 of article I, arrange for the current exchange of information and publications of mutual interest, and the furnishing of special reports and studies upon request.

Article VI

SECURITY COUNCIL

1. The Fund takes note of the obligation assumed, under paragraph 2 of Article 48 of the United Nations Charter, by such of its members as are also Members of the United Nations, to carry out the decisions of the Security Council through their action in the appropriate

specialized agencies of which they are members, and will, in the conduct of its activities, have due regard for decisions of the Security Council under Articles 41 and 42 of the United Nations Charter.

2. The Fund agrees to assist the Security Council by furnishing to it information in accordance with the provisions of article V of this agreement.

Article VII

ASSISTANCE TO THE TRUSTEESHIP COUNCIL

The Fund agrees to co-operate with the Trusteeship Council in the carrying out of its functions by furnishing information and technical assistance upon request, and in such other similar ways as may be consistent with the Articles of Agreement of the Fund.

Article VIII

INTERNATIONAL COURT OF JUSTICE

The General Assembly of the United Nations hereby authorizes the Fund to request advisory opinions of the International Court of Justice on any legal questions arising within the scope of the Fund's activities other than questions relating to the relationship between the Fund and the United Nations or any specialized agency. Whenever the Fund shall request the Court for an advisory opinion, the Fund will inform the Economic and Social Council of the request.

Article IX

STATISTICAL SERVICES

1. In the interests of efficiency and for the purpose of reducing the burden on national Governments and other organizations, the United Nations and the Fund agree to co-operate in eliminating unnecessary duplication in the collection, analysis, publication and dissemination of statistical information.

2. The Fund recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations, without prejudice to the right of the Fund to concern itself with any statistics so far as they may be essential for its own purposes.

3. The United Nations recognizes the Fund as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with any statistics so far as they may be essential for its own purposes.

4. (a) In its statistical activities the Fund agrees to give full consideration to the requirements of the United Nations and of the specialized agencies.

(b) In its statistical activities the United Nations agrees to give full consideration to the requirements of the Fund.

5. The United Nations and the Fund agree to furnish each other promptly with all their non-confidential statistical information.

Article X

ADMINISTRATIVE RELATIONSHIPS

1. The United Nations and the Fund will consult from time to time concerning personnel and other administrative matters of mutual interest, with a view to securing as much uniformity in these matters as they

shall find practicable and to assuring the most efficient use of the services and facilities of the two organizations. These consultations shall include determination of the most equitable manner in which special services furnished by one organization to the other should be financed.

2. To the extent consistent with the provisions of this agreement, the Fund will participate in the work of the Co-ordination Committee and its subsidiary bodies.

3. The Fund will furnish to the United Nations copies of the annual report and the quarterly financial statements prepared by the Fund pursuant to section 7 (a) of article V of its Articles of Agreement. The United Nations agrees that, in the interpretation of paragraph 3 of Article 17 of the United Nations Charter it will take into consideration that the Fund does not rely for its annual budget upon contributions from its members, and that the appropriate authorities of the Fund enjoy full autonomy in deciding the form and content of such budget.

4. The officials of the Fund shall have the right to use the *laissez passer* of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Fund.

Article XI

AGREEMENTS WITH OTHER ORGANIZATIONS

The Fund will inform the Economic and Social Council of any formal agreement which the Fund shall enter into with any specialized agency, and in particular agrees to inform the Council of the nature and scope of any such agreement before it is concluded.

Article XII

LIAISON

1. The United Nations and the Fund agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective co-operation between the two organizations. Each agrees that it will establish within its own organization such administrative machinery as may be necessary to make the liaison, as provided for in this agreement, fully effective.

2. The arrangements provided for in the foregoing articles of this agreement shall apply, as far as appropriate, to relations between such branch or regional offices as may be established by the two organizations, as well as between their central machinery.

Article XIII

MISCELLANEOUS

1. The Secretary-General of the United Nations and the Managing Director of the Fund are authorized to make such supplementary arrangements as they shall deem necessary or proper to carry fully into effect the purposes of this agreement.

2. This agreement shall be subject to revision by agreement between the United Nations and the Fund from the date of its entry into force.

3. This agreement may be terminated by either party thereto on six months' written notice to the other party, and thereupon all rights and obligations of both parties hereunder shall cease.

4. This agreement shall come into force when it shall have been approved by the General Assembly of the United Nations and the Board of Governors of the Fund.

VII. *The Universal Postal Union*¹

A. ORIGIN

In 1863 the first attempt at developing a universal postal agreement was made by an International Postal Committee meeting in Paris. The fifteen American and European countries attending this meeting adopted resolutions establishing general principles designed to secure greater uniformity in the numerous bilateral agreements which at that time regulated postal relations between the countries of the world. Eleven years later, the first International Postal Congress met in Berne, attended by delegates from the following 22 countries: Austria, Belgium, Denmark, Egypt, France, Germany, Greece, Hungary, Italy, Luxembourg, Netherlands, Norway, Portugal, Roumania, Russia, Serbia, Spain, Sweden, Switzerland, Turkey, United Kingdom and United States. The Congress adopted an International Postal Convention, signed on October 9, 1874. When the Convention came into

force on July 1, 1875, it formally established the General Postal Union. The second Postal Congress, held in Paris in 1878, changed the name of the Union to the Universal Postal Union (UPU).

The Universal Postal Convention has been extended and improved by the various postal congresses, twelve of which have thus far been held in Berne, 1874; Paris, 1878; Lisbon, 1885; Vienna, 1891; Washington, 1897; Rome, 1906; Madrid, 1920; Stockholm, 1924; London, 1929; Cairo, 1934; Buenos Aires, 1939, and Paris, 1947. In addition, a number of conferences and committees have met under the auspices of the Union to study and discuss specific technical questions as directed by the Congress.

UPU has been governed since July 1, 1948, by the Universal Postal Convention as revised by the Paris Congress of 1947.

B. PURPOSES AND FUNCTIONS

As stated in Article 1 of the Universal Postal Convention, the aim of the Union is to assure the organization and perfection of the various postal services and to promote, in this field, the development of international collaboration. To this end, the Members of UPU are united in a single postal territory for the reciprocal exchange of correspondence.

The Union regulates, by the provisions of its Convention, the regular-mail service, which comprises the following articles of correspondence: letters, single and reply-paid post cards, commercial papers, printed matter, raised print for the blind, samples of merchandise, small packets, and phonopost articles, e.g., phonograph records. These provisions fix the basic rates, weight limits and dimensions for the above-mentioned articles. (Articles in the Final Protocol of the Convention permit

Members to deviate from the basic rates by increasing them a maximum of 40 per cent or reducing them a maximum of 20 per cent.)

By agreements annexed to the Convention, and binding only for those Members which adhere to them, the Union regulates seven other postal services: insured letters and boxes, parcel post, money orders, postal cheques, collection orders, subscriptions to newspapers and periodicals and cash on delivery articles.

¹For further details on the origin and history of UPU, see *Exposé sommaire de la création, du développement et du fonctionnement de l'Union postale universelle*, Berne, November 1947; for further details on activities, see the administrative report for 1947 of the International Bureau of UPU to the United Nations (E/811), and the journal of the UPU, *L'Union Postale*, nos. 6-10, 1947, and 4 and 5, 1948. See also Bibliography of this Year-book, Appendix III.

C. ORGANIZATION

Prior to the coming into force of the revised Convention on July 1, 1948, UPU consisted of a Universal Postal Congress and an International Bureau; the functions and responsibilities of these organs under the revised Convention remain the same. The Paris Congress established in addition a permanent Executive and Liaison Committee.

The Universal Postal Congress, which usually meets at intervals of five years, is composed of representatives of all Members of the Union. It reviews the Universal Postal Convention and its Subsidiary Agreements on the basis of proposals submitted by Members. Proposals submitted to a Congress involving important changes in the Convention must obtain a two-thirds majority; proposals involving changes of less importance in the Convention, its Final Protocol and its Detailed Regulations, as well as all changes in the Subsidiary Agreements, their Final Protocols and Detailed Regulations, need only obtain a simple majority. Proposals made between Congresses to change provisions of the Convention, its Final Protocol and its Detailed Regulations, and of the Subsidiary Agreements, their final Protocols and Detailed Regulations, are approved on the following conditions: unanimous vote for modifications of important provisions; two-thirds majority vote for other modifications; and a simple majority vote for interpretation of the provisions.

Each Congress fixes the year and the place for the next Congress. Extraordinary sessions of the Congress may be called with the approval of two thirds of the Members of the Union.

The International Bureau of UPU, operating under the supervision of the Swiss Supervisory Authority, serves as the organ of liaison, information and consultation for Members of the Union. In particular, it assembles, co-ordinates, publishes

and distributes information of all kinds concerning the international postal service; gives opinions, as requested, on questions in dispute; notifies Members of requests for amendments of the Acts of the Congress and of changes adopted; serves the postal administrations as a clearing-house for the settlement of their postal accounts; and performs other functions assigned to it by the Convention, Regulations and Agreements of the Union.

The permanent Executive and Liaison Committee consists of nineteen members elected on a geographical basis by each Congress to act until replaced by the next Congress. The Committee normally meets once a year. Its functions include the maintenance of close relations with countries Members of the Union with a view to improving the international postal service, the study of technical questions affecting that service, the establishment of working relations with the United Nations, specialized agencies and other international organizations, and the control of the activities of the International Bureau. The Secretary-General of the Committee is the Director of the International Bureau. The Committee elects its President and four Vice-Presidents, and appoints, on the recommendation of the Swiss Supervisory Authority, the Director and other high-ranking personnel of the International Bureau. Until the coming into force of the revised Convention, the Executive and Liaison Committee, by decision of the Paris Congress, functioned on a provisional basis.

(Members of UPU are further permitted to set up restricted or regional postal unions and conclude special postal agreements between themselves, provided such agreements are not less favorable for the public than those in the Universal Postal Convention and Regulations.)

D. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

The twelfth Universal Postal Congress, which was convened on May 7, 1947, continued to meet in Paris until July 5, 1947. Basing its discussions on 821 proposals received from various administrations, the Congress drew up 23 instruments, which constitute the revised legislation of the Union. These include the revised Universal Postal Convention, together with its Final Protocol and

Executive Regulations; provisions concerning the transportation of regular mails by air; and the seven postal agreements previously mentioned, with their respective executive regulations.²

²The Universal Postal Convention and the Final Protocol of the Convention are reproduced on pp. 893-906. The Executive Regulations of the Convention, the Agreements, etc., may be secured from the International Bureau of the UPU.

All Members of the Union must adhere to the Convention; they are not required, however, to become parties to the postal agreements. When a country has ratified one of the seven postal agreements, its provisions become law in that country, and the government must ensure their application.

The Congress adopted a list system in the money order service for those countries parties to the agreement concerning money orders. This permits the office of exchange in the country of origin to forward to the office of exchange in the country of destination a list of the amounts to be paid rather than, as in the past, all of the orders issued. The Congress introduced the use of airmail to notify receipt and corrections of money orders.

A new agreement concerning cash on delivery articles was adopted by the Congress. This agreement was mainly drawn up from the provisions on this subject already contained in the Convention, in the agreements concerning insured letters and boxes and concerning parcel post and in the executive regulations governing these instruments.

The agreements concerning insured letters and boxes, parcel post, postal transfers and collection of bills received only minor revisions and the agreement concerning subscriptions to newspapers and periodical publications remained unchanged.

The Congress made a number of changes in the provisions of the Convention regulating postal correspondence. Among these, it increased the maximum weight for printed papers from two to three kilograms and for single volumes from three to five kilograms. It provided for a 50-per-cent reduction in the cost of mailing newspapers and periodicals in all territories of Members of the Union. Prior to the Congress such a reduction had been in force only between those postal administrations which agreed to adopt it. The Congress also requested that the rates and regulations governing the transmission of raised print for the blind be generously interpreted.

The Congress suggested the limitations of payments to be made to air transport companies. Although it recognized that air transport costs were too high to allow at that time air mail correspondence without surtax, the Congress took a step in that direction by abolishing the surtax on all air letters sent within a radius of 2,000 kilometres.

The Congress approved an agreement establishing the relationship between the Union and the United Nations.³ This agreement, annexed to the Convention, was signed by representatives of the Union and the United Nations on July 4, 1947.

It was subsequently approved by the General Assembly of the United Nations on November 15, 1947, and came into force at the same time as the revised Universal Postal Convention, on July 1, 1948. In order to comply with the General Assembly resolution barring Franco Spain from membership in any organization brought into relationship with the United Nations,⁴ the Congress by vote suspended Spain, Spanish Morocco, and the whole of the Spanish Colonies from exercising their membership in UPU for as long as the General Assembly resolution is in force. By decision of the Congress, the membership of Germany, Japan and Korea is also suspended until such time as the responsible authorities agree to restore the former position. The provisions of Article 3 of the Convention governing the admission of new Members into the Union were amended to require the approval of applications for membership by two thirds of the current Members of the Union. Since 1878, new Members had been admitted into the Union merely by notifying the Swiss Confederation of their adherence to the Convention.

The Congress considered the problem of transit rates. A Technical Transit Committee which had been established by the Buenos Aires Congress in 1939 to deal with this question was unable to meet because of the war. The Paris Congress therefore reconstituted this Committee on a temporary basis and instructed it to find, by general and detailed inquiry, the most equitable basis on which land and sea transit rates can be computed and to suggest the best methods for simplifying the calculation of these rates. The Congress elected seventeen members on a geographical basis to constitute the Committee. The Technical Transit Committee is to prepare a report for submission to Members of the Union at the beginning of 1950.

1. *The International Bureau*

Throughout the period under review, the International Bureau of UPU continued issuing technical publications and performing its many other functions under the regulations of the Union.

It published new editions of its *List of Air Mail Lines*, *Maps of Air Mail Lines*, *List of Airports* and *List of Addresses of Postal Administrations*. These publications, as well as the Bureau's other technical publications, are compiled from information fur-

³The text of the Agreement between the United Nations and the Universal Postal Union is reproduced on pp. 906-8.

⁴See *Yearbook of the United Nations*, 1946-47, pp. 129-30.

nished to the Bureau by postal administrations of Member countries, and are kept up to date by means of circulars, 259 of which were published during 1947. The Bureau compiled and distributed supplements to the following publications: *Official summary of all information of general interest concerning the carrying out of the Convention and its Detailed Regulations in each country*, 1943 edition; *Table of equivalents*, 1946 edition; *Table of reduced rates*, 1944 edition; *Collection of information concerning the organization of the Administrations of the Union and their domestic services*, September 1932 edition; *Statement of Domestic Rates*, 1946 edition; *List of prohibited Articles*, January 1938 edition; *List of Distances in kilometres*, August 1939 edition; *List of Distant Countries and Countries assimilated thereto*, September 1935 edition. It continued work begun in 1945 on a new edition of a *Directory of Post Offices*; the last edition of this *Directory* was issued in April 1937. The Bureau continued publishing a monthly journal, *L'Union Postale*, which contains articles on innovations in postal services, improve-

ments to premises, mechanized facilities in internal services and transport. *L'Union Postale* has formerly been published in English, French, German and Spanish; by decision of the Paris Congress, the journal was to be published, beginning with the January 1949 issue, in Arabic, Chinese, English, French, Russian and Spanish.

The Bureau receives postage stamps of all sorts used in the territory of each Member of the Union and is required to distribute these stamps to all other Members of the Union. During 1947, the Bureau distributed 2,702 series of postage stamps, including 2,554 ordinary postage stamps, 58 sets of stamps and 90 stamps printed or embossed on stationery.

As required by the Executive Regulations of the Convention, the Bureau supplied postal administrations during 1947 with 8,772,000 international reply coupons and with 84,715 postal identity cards. The regulations prescribe the forms for the reply coupons and the identity cards, and the Bureau must arrange for their manufacture.

E. BUDGET

The budget of UPU includes the ordinary expenses of the International Bureau and the extraordinary expenses covering sessions of the Congress, conferences or committees and special tasks of the Bureau. The Paris Congress set the sum of 500,000 gold francs (equivalent to approximately \$US 157,543.39) as the annual maximum of the ordinary expenses of the Bureau for the years 1948 to 1952, inclusive, and in addition 100,000 gold francs to cover the ordinary annual expenses of the Executive and Liaison Committee during this period.

The Swiss Supervisory Authority supervises the expenses of the Bureau and makes the advances (which bear no interest for one year) necessary to meet these expenses.

The total of ordinary and extraordinary expenses is borne by the Members of the Union, which are divided for that purpose into seven classes. Each Member contributes as follows in proportion to the class in which it is placed in the Executive Regulations of the revised Convention:

Class	No. of Units	Countries
1	25	Argentina, Australia, Brazil, Canada, China, France, Germany,* India, Italy, Japan,* New Zealand, Pakistan,* Spain,* Union of South Africa, U.S.S.R., United Kingdom, United States
2	20	(none)
3	15	Algeria, Belgium, Czechoslovakia, Egypt, French overseas territories, Indo-China, Mexico, Netherlands, Netherlands Indies, Poland, Roumania, Sweden, Switzerland, Turkey, Ukrainian S.S.R., British overseas territories, United States possessions, Yugoslavia
4	10	Denmark, Finland, Hungary, Ireland, Korea,* Norway, Portugal, Portuguese Colonies in West Africa, Portuguese Colonies in East Africa, Asia and Oceania
5	5	Austria, Bulgaria, Byelorussian S.S.R., Chile, Colombia, Greece, Iran, Morocco (excluding the Spanish Zone), Morocco (Spanish Zone),* Peru, Tunisia
6	3	Afghanistan, Albania, Bolivia, Costa Rica, Cuba, Curacao and Surinam, Dominican Republic, Ecuador, El

*Germany, Japan, Korea, Spain, Morocco (Spanish Zone) and the whole of the Spanish Colonies have not since July 1, 1948, contributed to the expenses of UPU, since, under Article XVII of the Final Protocol of the

Universal Postal Convention (see p. 906) they are temporarily precluded from acceding to the Convention and the Agreements. They are now charged for the publications furnished them by the International Bureau.

Class	No. of Units	Countries
		Salvador, Ethiopia, Guatemala, Haiti, Honduras, Luxembourg, Nicaragua, Panama, Paraguay, Siam, Uruguay, Venezuela
7	1	Belgian Congo, Iceland, Iraq, Lebanon, Liberia, Philippines, San Marino, Saudi Arabia, Spanish Colonies, ^a Syria, Transjordan, Vatican City, Yemen

When a new Member is admitted into the Union, the Swiss Supervisory Authority, with the consent of the government concerned, decides in to which class that Member will be placed.^a

The International Bureau distributes its publications to the postal administrations of Members in proportion to the units contributed by the individual Members.

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF UPU

Afghanistan ^a	Liberia
Albania	Luxembourg
Algeria	Mexico
Argentina	Netherlands ^a
Australia	Netherlands Indies
Austria ^a	New Zealand ^a
Belgium ^a	Nicaragua
Belgian Congo ^a	Norway ^a
Bolivia	Pakistan
Brazil	Panama
Bulgaria ^a	Paraguay
Byelorussian S.S.R.	Peru
Canada	Philippines
Chile	Poland
China	Portugal
Colombia	Portuguese Colonies of West Africa
Costa Rica	Portuguese Colonies of East Africa, Asia and Oceania
Cuba	Roumania ^a
Curacao and Surinam	San Marino
Czechoslovakia ^a	Saudi Arabia
Denmark ^a	Siam
Dominican Republic	Spain ^a
Ecuador	Spanish Colonies ^a
Egypt	Spanish Morocco ^a
El Salvador	Sweden
Ethiopia	Switzerland ^a
Finland ^a	Syria
France	Transjordan
French Morocco	Tunisia
French overseas territories	Turkey
Germany ^a	Ukrainian S.S.R.
Greece	Union of South Africa ^a
Guatemala	U.S.S.R.
Haiti	United Kingdom
Honduras	United Kingdom overseas colonies, protectorates and territories under mandate or trusteeship
Hungary	United States ^a
Iceland ^a	United States Possessions
India	Uruguay
Indo-China	Vatican City
Iran	Venezuela
Iraq	Yemen
Ireland	Yugoslavia ^a
Italy	
Japan ^a	
Korea ^a	
Lebanon ^a	

EXECUTIVE AND LIAISON COMMITTEE

Argentina	France	Switzerland
Australia	India	Turkey
Brazil	Mexico	U.S.S.R.
China	Netherlands	United Kingdom
Colombia	Portugal	United States
Czechoslovakia	Sweden	Yugoslavia
France		

TECHNICAL TRANSIT COMMITTEE

Argentina	India	Union of South Africa
Canada	Italy	U.S.S.R.
China	Netherlands	United Kingdom
Denmark	Peru	United States
Egypt	Poland	Yugoslavia
France	Portugal	

OFFICERS

EXECUTIVE AND LIAISON COMMITTEE

<i>President:</i>	FRANCE (Joseph Le Mouél)
<i>Vice Presidents:</i>	UNITED KINGDOM
	U.S.S.R.
	BRAZIL
	CHINA
<i>Secretary General (ex officio as Director of International Bureau):</i>	Alois Muri (Switzerland)

TECHNICAL TRANSIT COMMITTEE

<i>President:</i>	Sir David Lidbury (United Kingdom)
<i>Secretary:</i>	F. Deprez (Switzerland)

INTERNATIONAL BUREAU

<i>Director:</i>	Alois Muri (Switzerland)
<i>Vice-Director:</i>	Fulke Radice (United Kingdom)
<i>Councillors:</i>	J. Fourès (France)
	L. Roulet (Switzerland)
	E. Zaldúa (Colombia)
	F. Deprez (Switzerland)

^aSee footnote on p. 891.

^aPakistan, which became a Member of UPU on November 10, 1947, and had therefore not been listed in the Executive Regulations of the revised Convention, was placed in class 1 by the Swiss Supervisory Authority.

^aThese Members had ratified the Universal Postal Convention of Paris (1947) by October 22, 1948.

^aSee Article XVII of the Final Protocol to the Convention of Paris (1947), p. 906.

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ANNEX II

UNIVERSAL POSTAL CONVENTION^a

Concluded between Afghanistan, the Union of South Africa, the People's Republic of Albania, Germany, the United States of America, the whole of the Possessions of the United States of America, the Kingdom of Saudi Arabia, the Argentine Republic, the Commonwealth of Australia, Austria, Belgium, the Colony of the Belgian Congo, the Byelorussian Soviet Socialist Republic, Bolivia, Brazil, the People's Republic of Bulgaria, Canada, Chile, China, the Republic of Colombia, Korea, the Republic of Costa Rica, the Republic of Cuba, Denmark, the Dominican Republic, Egypt, the Republic of El Salvador, Ecuador, Spain, the whole of the Spanish Colonies, Ethiopia, Finland, France, Algeria, Indo-China, the whole of the other Overseas Territories of the French Republic and Territories administered as such, the United Kingdom of Great Britain and Northern Ireland, the whole of the British Overseas Territories, including the Colonies, Protectorates and Territories under Mandate or under Trusteeship exercised by the Government of the United Kingdom of Great Britain and Northern Ireland, Greece, Guatemala, the Republic of Haiti, the Republic of Honduras, Hungary, India, Iran, Iraq, Eire, the Republic of Iceland, Italy, Japan, Lebanon, the Republic of Liberia, Luxembourg, Morocco (except the Spanish Zone), Morocco (Spanish Zone), Mexico, Nicaragua, Norway, New Zealand, the Republic of Panamá, Paraguay, the Netherlands, Curaçao and Surinam, the Dutch East Indies, Peru, the Republic of the Philippines, Poland, Portugal, the Portuguese Colonies in West Africa, the Portuguese Colonies in East Africa, Asia and Oceania, Roumania, the Republic of San Marino, Siam, Sweden, the Swiss Confederation, Syria, Czechoslovakia, the Hashemite Kingdom of Transjordan, Tunis, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the Eastern Republic of Uruguay, the State of the City of the Vatican, the United States of Venezuela, Yemen and the Federal People's Republic of Yugoslavia.

The undersigned, plenipotentiaries of the Governments of the above-named countries, being assembled in Congress at Paris, by virtue of Article 13 of the Universal Postal Convention concluded at Buenos Aires on the 23rd of May, 1939, have, by mutual consent and subject to ratification, revised the said Convention to read as follows:

PART I. UNIVERSAL POSTAL UNION

CHAPTER I—ORGANISATION AND EXTENT OF THE UNION

ARTICLE 1. Constitution and aim of the Union

1. The countries between which the present Convention is concluded form, under the title of the Universal

Postal Union, a single postal territory for the reciprocal exchange of correspondence.

2. The aim of the Union is to secure the organisation and improvement of the various international postal services, and to promote the development of international collaboration in this sphere.

ARTICLE 2. Relationship with the United Nations

The Union is brought into relationship with the United Nations in accordance with the terms of the Agreement of which the text is annexed to the present Convention.

ARTICLE 3. New accessions: Procedure

1. Any sovereign country may at any time request to be allowed to adhere to the Convention.

2. The request is sent through the diplomatic channel to the Government of the Swiss Confederation, and by the latter to the members of the Union.

3. The country concerned is considered as having been admitted to membership if its request is approved by at least two-thirds of the countries which compose the Union.

4. Countries which, having been consulted, have not replied within a period of four months are considered as abstaining.

5. Admission to membership is notified by the Government of the Swiss Confederation to the Governments of all the countries of the Union.

ARTICLE 4. Contention and Agreements of the Union

1. The letter post is governed by the provisions of the Convention.

2. Other services, such as those relating to insured letters and boxes, postal parcels, cash on delivery, money orders, transfers to and from postal cheque accounts, collection of bills, drafts, etc., and subscriptions to newspapers and periodicals, form the subject of Agreements between countries of the Union. These Agreements are binding only upon the countries which have acceded to them.

3. Accession to one or more of these Agreements is notified in accordance with the provisions of Article 3, § 2.

ARTICLE 5. Detailed Regulations

The Postal Administrations of the Union Countries draw up, by mutual agreement, in the form of Detailed Regulations, the detailed rules necessary for the carrying out of the Convention and the Agreements.

ARTICLE 6. Restricted Unions: Special Agreements

1. Countries of the Union and, if their internal legislation does not forbid it, Administrations, may establish restricted Unions and make with one another special agreements concerning the matters dealt with in the Convention and its Detailed Regulations, provided that conditions less favourable to the public than those laid down by these Acts are not introduced.

2. The same right is accorded to the countries which

^a The English text reproduced here is the translation in the United Kingdom Parliamentary Papers, 1948 (Cmd. 7435). The French text published by the International Bureau of UPU is the authentic text of the Universal Postal Convention. See *Union Postale Universelle. Documents du Congrès de Paris, 1947. Tome III. Textes définitifs des actes signés à Paris. Berne, Bureau International, 1947. 432 pp.*

participate in the Agreements, and if necessary to their Administrations, as regards the matters dealt with by these Acts and their Detailed Regulations.

ARTICLE 7. *Internal Legislation*

The provisions of the Convention and of the Agreements of the Union do not override the legislation of any country as regards anything which is not expressly covered by these Acts.

ARTICLE 8. *Colonies, Protectorates, etc.*

The following are considered as forming a single country or Administration of the Union, as the case may be, within the meaning of the Convention or of the Agreements as regards, in particular, their right to vote at a Congress or Conference, and in the interval between meetings, as well as their contribution to the expenses of the International Bureau of the Universal Postal Union:

1. The whole of the Possessions of the United States of America, comprising Hawaii, Porto-Rico, Guam, and the Virgin Islands of the United States of America;
2. The Colony of the Belgian Congo;
3. The whole of the Spanish Colonies;
4. Algeria;
5. Indo-China;
6. The whole of the other Overseas Territories of the French Republic and Territories administered as such;
7. The whole of the British Overseas Territories, including the Colonies, Protectorates and Territories under Mandate or under Trusteeship exercised by the Government of the United Kingdom of Great Britain and Northern Ireland;
8. Curaçao and Surinam;
9. The Dutch East Indies;
10. The Portuguese Colonies in West Africa;
11. The Portuguese Colonies in East Africa, Asia and Oceania.

ARTICLE 9. *Application of the Convention to Colonies, Protectorates, etc.*

1. Any Contracting Party may declare, either at the time of signing, of ratifying, of acceding, or later, that its acceptance of the present Convention includes all its Colonies, overseas Territories, Protectorates or Territories under suzerainty or under mandate, or certain of them only. The declaration, unless made at the time of signing the Convention, must be addressed to the Government of the Swiss Confederation.

2. The Convention will apply only to the Colonies, overseas Territories, Protectorates or Territories under suzerainty or under mandate in the name of which declarations have been made in virtue of § 1.

3. Any Contracting Party may, at any time, forward to the Government of the Swiss Confederation a notification of the withdrawal from the Convention of any Colony, overseas Territory, Protectorate or Territory under suzerainty or under mandate in the name of which it has made a declaration in virtue of § 1. This notification will take effect one year after the date of its receipt by the Government of the Swiss Confederation.

4. The Government of the Swiss Confederation will forward to all the Contracting Parties a copy of each declaration or notification received in virtue of §§ 1 to 3.

5. The provisions of this Article do not apply to any

Colony, overseas Territory, Protectorate or Territory under suzerainty or under mandate which is mentioned in the preamble of the Convention.

ARTICLE 10. *Extent of the Union*

The following are considered as belonging to the Universal Postal Union:

- (a) post offices established by Union countries in territories not included in the Union;
- (b) other territories which, although not members of the Union, are included in it as being subordinate, postally, to a country of the Union.

ARTICLE 11. *Exceptional Relations*

Administrations which provide a service with territories not included in the Union are required to act as the intermediaries of the other Administrations. The provisions of the Convention and its Detailed Regulations apply to these exceptional relations.

ARTICLE 12. *Arbitration*

1. In case of disagreement between two or more members of the Union as to the interpretation of the Convention and the Agreements as well as of their Detailed Regulations or as to the responsibility imposed on an Administration by the application of these Acts, the question in dispute is decided by arbitration. To that end, each of the Administrations concerned chooses another member of the Union not directly interested in the matter.

2. If one of the Administrations in disagreement does not take any action on a proposal for arbitration within a period of six months, or of nine months in the case of distant countries, the International Bureau, on a request to that effect, calls on the defaulting Administration to appoint an arbitrator, or itself appoints one officially.

3. The decision of the arbitrators is given on an absolute majority of votes.

4. In case of an equality of votes, the arbitrators choose, with the view of settling the difference, another Administration with no interest in the question in dispute. Failing an agreement in the choice, this Administration is appointed by the International Bureau from among the members of the Union not proposed by the arbitrators.

5. If the disagreement concerns one of the Agreements, the arbitrators may not be appointed from outside the Administrations which participate in that Agreement.

ARTICLE 13. *Withdrawal from the Union. Cessation of participation in the Agreements*

Each Contracting Party is free to withdraw from the Union or to cease to participate in one or more of the Agreements by notice given one year in advance through the diplomatic channel to the Government of the Swiss Confederation and by that Government to the Governments of the contracting countries.

CHAPTER II.—CONGRESSES, CONFERENCES, COMMISSIONS

ARTICLE 14. *Congresses*

1. Delegates of the countries of the Union meet in Congress not later than five years after the date of the entry into force of the Acts of the preceding Congress, with the view of revising these Acts or of completing them as necessary.

2. Each country is represented at the Congress by

one or more plenipotentiary delegates furnished by their Government with the necessary powers. It may, if it so desires, be represented by the delegation of another country. But it is understood that one delegation can represent only one country other than its own.

3. In the deliberations, each country has one vote only.

4. Each Congress settles the place of meeting of the next Congress. The Government of the country in which the Congress is to take place is responsible, in consultation with the International Bureau, for convening the Congress, and also for notifying to all the Governments of the countries of the Union the decisions taken by the Congress.

ARTICLE 15. Ratifications. Entry into Force and Duration of the Acts of Congresses

1. The Acts of Congresses shall be ratified as soon as possible and the ratifications shall be communicated to the Government of the country in which the Congress was held, and by that Government to the Governments of the contracting countries.

2. If one or more of the Contracting Parties do not ratify one or other of the Acts signed by them, these Acts are none the less binding on the States which have ratified them.

3. These Acts come into force simultaneously and have the same duration.

4. From the date fixed for the entry into force of the Acts adopted by a Congress, all the Acts of the preceding Congress are repealed.

ARTICLE 16. Extraordinary Congresses

1. When a request to that effect is made or approved by at least two-thirds of the contracting countries, an Extraordinary Congress is held, after arrangement with the International Bureau.

2. The regulations laid down by Articles 14 and 15 apply equally to the delegations, to the deliberations and to the Acts of Extraordinary Congresses

ARTICLE 17. Standing Orders of Congresses

Each Congress draws up the standing orders for its work and deliberations.

ARTICLE 18. Executive and Liaison Commission (Composition, Functions, Working)

1. In the interval between Congresses, an Executive and Liaison Commission ensures the continuity of the work of the Universal Postal Union, in accordance with the provisions of the Convention and the Agreements.

2. The seat of the Commission is at Berne; in principle, the meetings of the Commission are held there.

3. The Commission is composed of nineteen members who exercise their functions during the interval between two successive Congresses.

4. The countries members of the Commission are appointed by Congress. At least half of the members must be replaced on the occasion of each Congress; no country may be chosen by three successive Congresses. The Director of the International Bureau exercises the functions of Secretary-General of the Commission.

5. The representative of each of the countries members of the Commission is nominated by the postal Administration of the country concerned. The representatives of countries members of the Commission must be qualified officials of the postal Administration.

6. At its first meeting, which is convened by the President of the previous Congress, the Commission elects

from amongst its members, a President and four Vice-Presidents and draws up the Standing Orders for its work and deliberations.

7. The duties of the members of the Commission are gratuitous. The working expenses of the Commission are borne by the Universal Postal Union. The representatives of overseas countries may obtain repayment of the cost of a return ticket by air or by sea.

8. The expenses mentioned in § 7 may not exceed 100,000 francs a year; they are added to those which the International Bureau is authorised to incur under the provisions of Article 27 of the Convention.

9. The Commission meets in regular session, in principle once a year, on convocation by the Chairman.

10. The Commission may invite to participate at its meetings, without the right to vote, any representative of an international organisation or any other qualified person whom it wishes to take part in its work. Consultative Sub-Commissions may be set up for the study of special questions.

11. The functions of the Commission are as follows:

- (a) to maintain the closest contacts with the countries members of the Union with the view of improving the international postal service;
- (b) to examine technical questions of any kind concerning the international postal service, and to communicate the result of these examinations to the countries members of the Union,
- (c) to make useful contacts with the United Nations, its Councils and Commissions, as well as with specialised Agencies and other international Organisations, for the study and the preparation of reports to be submitted for the approval of the members of the Union. To send, as may be necessary, one of its members to represent the Union and to take part in its name at meetings of all these international organisations;
- (d) to formulate, if necessary, proposals which will be submitted for the approval of the contracting countries in accordance with the provisions of Articles 22 and 23 of the Convention.
- (e) within the framework of the Convention and its Detailed Regulations, to ensure the control of the activities of the International Bureau, of which it appoints, if necessary, and on the proposal of the Government of the Swiss Confederation, the Director and other superior personnel; to approve, on the proposal of the Director of the Bureau, the appointment of the other officials, and to authorise the employment of additional staff considered necessary; to prepare an annual report on the work of the Bureau, which it communicates to the members of the Union.

12. The Commission sends, for information, to the postal Administrations of all the countries of the Union an analytical review at the conclusion of each of its sessions.

13. The Commission makes a report to Congress on the whole of its activities and sends it to the contracting countries at least two months before the opening of the Congress.

ARTICLE 19. Conferences

1. Conferences for the consideration of purely administrative questions may be held at the request or with the assent of at least two-thirds of the Administrations of the

Union. They are convened after arrangement with the International Bureau.

2. Each Conference draws up its own standing orders.

ARTICLE 20. *Commissions*

Commissions charged by a Congress or a Conference with the examination of one or more particular questions are convened by the International Bureau after arrangement with the Administration of the country where these Commissions are to sit.

CHAPTER III.—PROPOSALS MADE BETWEEN MEETINGS

ARTICLE 21. *Introduction of Proposals*

1. In the interval between meetings, any Administration has the right to address to the other Administrations, through the medium of the International Bureau, proposals concerning the Convention, its Final Protocol and its Detailed Regulations.

2. The same right is accorded to the Administrations of the countries participating in the Agreements so far as these Agreements, their Detailed Regulations and their Final Protocols are concerned.

3. In order to be considered, every proposal introduced by an Administration in the interval between meetings must be supported by at least two other Administrations. A proposal lapses when the International Bureau does not receive, at the same time as the proposal, the necessary number of declarations of support.

ARTICLE 22. *Examination of Proposals*

1. Every proposal is subject to the following procedure: A period of two months is allowed to Administrations to examine the proposal and to communicate their observations, if any, to the International Bureau. Amendments are not admitted. The answers are collected by the International Bureau, and communicated to the Administrations, with an invitation to declare themselves for or against. Administrations which have not notified their vote within a period of two months are considered as abstaining. The periods quoted above are calculated from the date of the circulars from the International Bureau.

2. If the proposal concerns an Agreement, its Detailed Regulations or the Final Protocol of either, only the Administrations which have adhered to that Agreement may take part in the procedure indicated in § 1.

ARTICLE 23. *Conditions of Approval*

1. In order to become binding, the proposals must obtain:

(a) a unanimous vote if they involve the addition of new provisions to, or the modification of, the provisions of Parts I and II, or of Articles 35 to 39, 57 to 63, 65 to 74 of the Convention, of any of the Articles of its Final Protocol and of Articles 101, 105, 117, 152, 163 and 184 of its Detailed Regulations;

(b) a two-thirds vote if they involve a modification of the provisions other than those mentioned under (a);

(c) a simple majority if they affect the interpretation of the provisions of the Convention, of its Final Protocol and its Detailed Regulations, except in the case of disagreement to be submitted to arbitration as provided for by Article 12.

2. The conditions to be fulfilled for the approval of proposals concerning the Agreements are fixed by the Agreements themselves.

ARTICLE 24. *Notification of Decisions*

1. Additions to and modifications of the Convention, the Agreements and the Final Protocols of these Acts are sanctioned by a diplomatic declaration, which the Government of the Swiss Confederation undertakes to prepare and forward, at the request of the International Bureau, to the Governments of the contracting countries.

2. Additions to and modifications of the Detailed Regulations and their Final Protocols are drawn up and notified to the Administrations by the International Bureau. The same applies to the interpretations referred to under Article 23, § 1, (c).

ARTICLE 25. *Execution of Decisions*

No addition or modification adopted comes into force until at least three months after its notification.

CHAPTER IV.—INTERNATIONAL BUREAU

ARTICLE 26. *General Functions*

1. A central Office, situated at Berne, known as the International Bureau of the Universal Postal Union, and placed under the supervision of the Swiss Postal Administration, serves as a medium of liaison, information and consultation for the countries of the Union.

2. This Office is entrusted in particular with the collection, collation, publication and distribution of information of every kind which concerns the international postal service; with giving, at the request of the parties concerned, an opinion upon questions in dispute; with the preparation of a statement of the case in connexion with proposals for modifying the Acts of the Congress, with the notification of alterations adopted, and in general, with such enquiries and work in connexion with editing and arranging material as the Convention, the Agreements, and their Detailed Regulations shall assign to it, or as may be entrusted to it in the interest of the Union.

3. It acts as clearing-house for the settlement of accounts of every description relative to the international postal service between the Administrations which claim its assistance.

ARTICLE 27. *Expenses of the International Bureau*

1. Each Congress fixes the maximum figure for the ordinary annual expenditure of the International Bureau. These expenses, as well as the special expenditure occasioned by the meetings of a Congress, Conference, or Commission, and the costs which may arise out of special work entrusted to the International Bureau, are borne in common by all the countries of the Union.

2. To this end, the latter are divided into seven classes, each contributing to the payment of the expenses in the following proportion:

1st class: 25 units	5th class: 5 units
2nd class: 20 units	6th class: 3 units
3rd class: 15 units	7th class: 1 unit
4th class: 10 units	

3. In the case of a new accession, the Government of the Swiss Confederation settles, by agreement with the Government of the country concerned, the class in which the country is to be placed for the apportionment of the expenses of the International Bureau.

PART II. GENERAL REGULATIONS

CHAPTER I

ARTICLE 28. *Freedom of Transit*¹⁰

1. Freedom of transit is guaranteed throughout the entire territory of the Union.

2. Freedom of transit for postal parcels forwarded by land and sea routes is limited to the territory of the countries taking part in this service.

3. Freedom of transit for air parcels is guaranteed throughout the entire territory of the Union. Nevertheless, Administrations which have not acceded to the *Parcel Post Agreement* cannot be required to participate in the conveyance, by land and sea routes, of air parcels.

4. Administrations which have acceded to the *Parcel Post Agreement* are obliged to undertake the transmission of cash on delivery parcels, even if they do not admit such parcels in their own service, or if the amount of the trade charge exceeds the maximum fixed for their own traffic.

5. Insured articles may be forwarded in closed mails through the territory of countries which do not undertake the insured letter and box service or by the sea services in respect of which responsibility for insured articles is not accepted by the countries concerned, but the responsibility of these countries is limited to that prescribed for registered articles.

ARTICLE 29. *Prohibition of Unauthorised Charges*

It is forbidden to impose any postal charge whatever except those prescribed by the Convention and the Agreements.

ARTICLE 30. *Temporary Suspension of Services*

When an Administration finds itself obliged, owing to exceptional circumstances, temporarily to suspend its services, either wholly or in part, it must at once notify the fact, if necessary by telegraph, to the Administration or Administrations concerned.

ARTICLE 31. *Monetary Standard*

The franc regarded as the monetary unit in the provisions of the Convention and the Agreements is the gold franc of 100 centimes of a weight of 10/31 of a gramme and of a fineness of 0.900.

ARTICLE 32. *Equivalents*

In each country of the Union, postage rates are fixed at the closest possible equivalent of the value of the franc in the currency of the country.

ARTICLE 33. *Forms: Language*

1. The forms used by the Administrations in their mutual relations must be drawn up in French, with or without an interlinear translation in another language, unless the Administrations concerned arrange otherwise by direct agreement.

2. The forms used by the public must include an interlinear translation in French when they are not printed in that language.

3. So far as the forms referred to in §§ 1 and 2 are concerned, the wording, colours, and dimensions must be those prescribed by the Detailed Regulations of the Convention and of the Agreements.

4. Administrations may by common consent decide upon the language to be used in official correspondence in their reciprocal relations.

ARTICLE 34. *Postal Identity Cards*

1. Each Administration may issue, to persons who apply for them, postal identity cards to serve as evidence of identity for all kinds of post office business in the countries which have not notified their refusal to admit them.

2. The Administration which issues a card is authorised to make, on this account, a charge which may not exceed 70 centimes.

3. Administrations are relieved from all responsibility when it is established that a postal packet was delivered or a money order was paid on presentation of a valid card. Administrations are not responsible for the consequences of the loss, abstraction or fraudulent use of a valid card.

4. The card is valid for three years from the date of issue.

PART III. PROVISIONS REGARDING CORRESPONDENCE

CHAPTER I.—GENERAL PROVISIONS

ARTICLE 35. *Definition of Correspondence*

The term correspondence covers letters, postcards, both single and reply-paid, commercial papers, printed papers, articles printed in relief for the use of the blind, samples of merchandise, small packets and "Phonopost" packets.

ARTICLE 36. *Rates of Postage and General Conditions*¹¹

1. The prepaid rates of postage for the conveyance of correspondence throughout the entire extent of the Union, including delivery at the residence of the addressees in the countries where a delivery is or shall be organised, as well as the limits of weights and dimensions, are fixed as indicated in the following table [see page 898].

2. The limits of weight and size fixed by § 1 do not apply to correspondence relating to the postal service, as specified in Article 52, § 1.

3. Each Administration has the right to allow a reduction of 50 per cent of the ordinary rate for printed papers to newspapers and periodicals published in its country; it may, however, limit this reduction to newspapers and periodicals posted directly by the publishers or their agents, or allow it only in respect of newspapers and periodicals which fulfil the conditions required for transmission at the rate applicable to newspapers in its internal service. Commercial printed papers such as catalogues, prospectuses, price lists, etc., no matter how regularly they are issued, are excluded from this reduction.

4. Administrations may also allow a similar reduction to books and pamphlets, sheets of music and maps, no matter who is the sender, provided they contain no publicity matter or advertisement other than that appearing on the cover or the fly-leaves.

5. The Administrations of the countries of origin which have allowed in principle the reduction of 50 per cent reserve the right to fix, for the articles mentioned in §§ 3 and 4 above, a minimum charge which, while falling within the limits of the 50 per cent. reduction, is not lower than the postage applicable to the same articles in their inland service.

6. Articles of correspondence, other than closed registered letters, may not contain coin, bank notes, currency

¹⁰See Protocol IX, p. 905.

¹¹See Protocols II, III and IV, pp. 904-5.

ARTICLES 1	Units of Weight 2	Rates 3	Limits—	
			of weight 4	of size 5
Letters:	gr.	¢		
first unit of weight	20	20	2 kilos	Length, width and depth combined: 90 cm., but the greatest dimension may not exceed 80 cm.; In roll form: Length and twice the diameter, 100 cm., but the greatest dimension may not exceed 80 cm.
each succeeding unit	20	12	2 kilos	
Postcards:				
single	—	12	—	Maximum—15 × 10.5 cm. Minimum—10 × 7 cm.
reply-paid	—	24	—	
Commercial papers	50	—	2 kilos	As for letters. Printed papers sent unenclosed in the form of cards, whether folded or not, are subject to the same minimum dimensions as postcards.
first unit of weight	—	8	(5 kilos for a single volume)	
each succeeding unit	—	4		
Minimum charge	—	20	—	
Printed papers	50	—	3 kilos	As for letters. Printed papers sent unenclosed in the form of cards, whether folded or not, are subject to the same minimum dimensions as postcards.
first unit of weight	—	8	(5 kilos for a single volume)	
each succeeding unit	—	4		
Blind literature	1,000	2	7 kilos	
Samples of merchandise	50	—	500 gr.	
first unit of weight	—	8		
each succeeding unit	—	4		
Small packets	50	8	1 kilo	
Minimum charge	—	40	—	
"Phonopost" packets:				
first unit of weight	20	15	60 gr.	Length, width and depth combined: 60 cm., but the greatest dimension may not exceed 26 cm.
each succeeding unit	20	10	60 gr.	

notes, negotiable instruments payable to bearer, platinum, gold or silver, manufactured or not, precious stones, jewels and other valuable articles.

7. The Administrations of the countries of origin and of destination have the right to treat, according to their internal legislation, letters which contain documents having the character of current and personal correspondence, addressed to persons other than the addressee or persons living with him.

8. Except as provided in the Detailed Regulations, commercial papers, printed papers, blind literature, samples of merchandise and small packets:—

(a) must be made up in such a manner as to be easy of examination;

(b) may not bear any notes or contain any document having the character of current and personal correspondence;

(c) may not contain any postage stamp or form of prepayment, whether obliterated or not, nor any paper representing a monetary value.

9. Samples of merchandise may not contain any article having a saleable value.

10. The Small Packets and "Phonopost" packets services are limited to those countries which have announced their willingness to exchange such packets, whether in their reciprocal relations, or in one direction only.

11. The enclosure in one and the same packet of correspondence of different categories (articles grouped

together) is authorised under the conditions laid down in the Detailed Regulations.

12. Apart from the exceptions prescribed by the Convention and its Detailed Regulations, articles which do not fulfil the conditions laid down in the present Article and the corresponding Articles of the Detailed Regulations are not forwarded. Articles which have been wrongly accepted must be returned to the Administration of the country of origin. Nevertheless, the Administration of the country of destination is authorised to deliver them to the addressees. In that case it must, if necessary, apply to them the rates of postage and surcharges prescribed for the category of correspondence in which they are placed by reason of their contents, weight or size. Articles of which the weight exceeds the maximum limits laid down in § 1 may be taxed according to their actual weight.

ARTICLE 37. Prepayment

1. As a general rule, all the articles mentioned in Article 35 must be fully prepaid by the sender.

2. Correspondence, other than letters and single postcards, which is unpaid or insufficiently prepaid, is not forwarded, nor are reply-paid postcards of which the two halves are not fully prepaid at the time of posting.

3. When letters or single postcards, which are unpaid or insufficiently prepaid, are posted in great number, the Administration of the country of posting has the option of returning them to the sender.

ARTICLE 38. Charge on Unpaid or Insufficiently Prepaid Correspondence

1. Apart from the exceptions laid down in Article 57, § 6, for registered articles, and in Article 136, §§ 3, 4 and 5, of the Detailed Regulations, for certain classes of redirected articles, letters and single postcards not prepaid or insufficiently prepaid are liable to a charge, equal to double the amount of the deficient postage, to be paid by the addressees; but that charge may not be less than 5 centimes.

2. The same treatment may be applied in similar circumstances to other articles of correspondence which have been incorrectly forwarded to the country of destination.

ARTICLE 39. Surtaxes

1. Over and above the rates fixed by Article 36, a surtax proportionate to the expenses incurred may be levied on every article forwarded by extraordinary services which involve special payment.

2. When the rate of prepayment for a single postcard comprises the surtax authorised by § 1, the same rate is applicable to each half of a reply-paid postcard.

ARTICLE 40. Special Charges

1. Administrations are authorised to make an additional charge, in accordance with their own legislation, on articles posted after the ordinary hour of collection.

2. Articles addressed *poste restante* may be taxed by Administrations of the countries of destination with the special charge prescribed by their legislation for similar articles in the inland service.

3. The Administrations of countries of destination are authorised to levy a special charge not exceeding 40 centimes on each small packet delivered to the addressee. This charge may be increased by a sum not exceeding 20 centimes when the packet is delivered at the addressee's premises.

ARTICLE 41. Articles Liable to Customs Duty

1. Small packets and printed paper packets liable to customs duty are admitted.

2. The same applies to letters and sample packets containing articles liable to customs duty when the country of destination has given its consent. Nevertheless, each Administration has the right to restrict to the registered letter service letters containing articles liable to customs duty.

3. Packets containing serums and vaccines included in the exception shown in Article 124 of the Detailed Regulations are admitted in every case.

ARTICLE 42. Customs Control

The Administration of the country of destination is authorised to submit to the Customs the correspondence mentioned in Article 41, and, if necessary, to open it officially.

ARTICLE 43. Customs Clearance Fee

A Customs clearance fee not exceeding 40 centimes per article may be collected, as a postal charge, on articles submitted to the Customs in the country of destination.

ARTICLE 44. Customs Duty and Other Non-Postal Charges

Administrations are authorised to collect from the

addressees the customs duty and any other non-postal charges which may be due.

ARTICLE 45. Correspondence for Delivery Free of Charges

1. In the relations between those countries which have notified their agreement to that effect, the senders may, by means of a previous declaration at the office of despatch, undertake to pay the whole of the postal and non-postal charges which are due to be collected on the delivery of the articles. In this case, the senders must undertake to pay the amounts which the office of destination may claim, and, if necessary, pay a sufficient deposit.

2. The Administration of the country of destination is authorised to collect a fee not exceeding 40 centimes per article. This fee is independent of that authorised by Article 43.

3. Any Administration is entitled to limit the service of delivery free of charges to registered articles.

ARTICLE 46. Cancellation of Customs Duty and Other Non-Postal Charges

Administrations undertake to request the appropriate services in their country to cancel the customs duty and other non-postal charges on articles returned to the country of origin, destroyed owing to the complete damage of the contents or redirected to a third country.

ARTICLE 47. Express Articles

1. Correspondence is, at the request of the senders, sent out for delivery by special messenger immediately after arrival, in the countries of which the Administrations agree to undertake this service.

2. Such correspondence, which is called "express," is subject, in addition to the ordinary postage, to a special charge which may not be less than the amount of the postage on a single-rate ordinary letter and not more than 60 centimes. This charge must be fully paid in advance.

3. When the addressee's house is situated outside the local delivery zone of the office of destination, a complementary charge not exceeding that prescribed for similar correspondence in the inland service may be collected, by the Administration of destination, for express delivery. In this case, however, express delivery is not obligatory.

4. Express packets, upon which the total amount of the charges payable in advance has not been prepaid, are delivered by the ordinary means, unless they have been treated as express by the office of origin. In the latter case, they are taxed according to the provisions of Article 38.

5. Administrations are not obliged to make more than one attempt to deliver correspondence by express. If this attempt is unsuccessful, the article may be treated as an ordinary article.

ARTICLE 48. Articles for Delivery to the Addressee in Person

In the relations with countries which have so agreed, registered correspondence accompanied by a request for advice of delivery is delivered, at the request of the sender, to the addressee in person.

ARTICLE 49. Prohibitions

1. It is forbidden to send by post the articles indicated in Column 1 of the following Table. If packets containing these articles have been wrongly admitted to the post, they must be treated as indicated in Column 2.

Articles

Treatment of packets
wrongly admitted

(a) Articles which, from their nature or by their packing, may expose postal officials to danger, or soil or damage correspondence,

(b) articles liable to customs duty (apart from the exceptions laid down in Article 41) as well as samples sent in quantities with the intention of avoiding the payment of this duty,

(c) opium, morphine, cocaine, and other narcotics;

(d) articles of which the importation or the circulation is forbidden in the country of destination,

(e) living animals, except

1. bees, leeches and silk-worms;

2. parasites and destroyers of noxious insects used for the purpose of controlling these insects and exchanged between officially recognized institutions,

(f) explosive, inflammable or dangerous substances;

(g) obscene or immoral articles.

2. If packets wrongly admitted to the post are neither returned to origin nor delivered to the addressee, the Administration of origin must be advised exactly how the packets have been treated.

3. The right is, moreover, reserved to every country to refuse to convey *à découvert* over its territory articles other than letters and postcards, in regard to which the legal requirements which regulate the conditions of their publication or circulation in that country have not been complied with. These articles must be returned to the Administration of the country of origin.

ARTICLE 50. *Methods of Prepayment*

1. Prepayment of postage is effected either by means of postage stamps valid in the country of origin for the correspondence of private individuals, or by means of impressions of stamping machines, officially adopted and working under the immediate control of the Administration, or, in the case of printed papers, by means of printed impressions or by any other process when such a system is authorised by the internal regulations of the Administration of origin.

2. The following are considered as duly prepaid: reply postcards bearing postage stamps, impressed or affixed, of the country of issue, articles properly prepaid for their first transmission and on which complementary postage has been paid before their redirection, as well as newspapers or packets of newspapers and periodicals of which the address bears the words "*Abonnements-poste*" and which are sent in virtue of the Agreement for subscriptions to newspapers and periodicals.

ARTICLE 51. *Prepayment of Postage on Board Ship*

Correspondence posted on the high seas in the letter box on board a ship or handed to postal officials on

To be treated according to the internal regulations of the Administration which discovers them; nevertheless, articles indicated under (e) may, in no case, be sent forward to destination, or delivered to the addressees, or returned to origin.

To be destroyed on the spot by the Administration which discovers them.

board or to the commanders of ships may, in the absence of different arrangements between the Administrations concerned, be prepaid by means of the postage stamps and according to the tariff of the country to which the said ship belongs or by which it is maintained. If the posting on board takes place during the stay at one of the two terminal points of the voyage or at any intermediate port of call, prepayment is valid only if it is effected by means of the postage stamps and according to the tariff of the country in the waters of which the ship happens to be.

ARTICLE 52. *Exemptions from Postal Charges*

1. The following are exempt from all postal charges: Correspondence on Postal Service exchanged between Postal Administrations, between these Administrations and the International Bureau, between post offices of Union countries, and between these offices and Administrations, as well as correspondence of which the free transmission is expressly provided for in the Convention, the Agreements, and their Detailed Regulations.

2. With the exception of articles marked with a trade charge, correspondence intended for prisoners of war or despatched by them is also exempt from all postal charges, not only in the countries of origin and destination, but in intermediate countries.

3. The same privilege is accorded to correspondence concerning prisoners of war, despatched or received, either directly by, or through the agency of, the Central Agency of information regarding prisoners of war prescribed by Article 79 of the International Convention of Geneva of 27th July, 1929, or the Information Bureaux established on behalf of such persons in belligerent countries or in neutral countries which have received belligerents on their territories.

4. Belligerents received and interned in a neutral country, as well as civilians of enemy nationality detained in camps or in civil prisons, are treated like prisoners of war, properly so-called, in so far as the application of the above-mentioned rules is concerned.

ARTICLE 53. *International Reply Coupons*¹²

1. International reply coupons are on sale in the countries of the Union.

2. The selling price of a reply coupon is fixed by the Administrations concerned, but may not be less than 28 centimes or the equivalent in the money of the country of issue.

3. Each coupon is exchangeable in any country for a stamp or stamps representing the postage on a single-rate letter for abroad originating in that country.

4. Moreover, any country has the right to demand that the coupons and the correspondence to be prepaid by means of the stamps received in exchange for these coupons shall be presented at the same time.

ARTICLE 54. *Withdrawal of Correspondence.
Alteration of Address*¹³

1. The sender of a postal packet can have it withdrawn from the post or have its address altered, so long as the article has not been delivered to the addressee, or it does not happen to fall within the provisions of Article 49, or Customs treatment does not bring to light any irregularity.

2. The request to this effect is sent by post or telegraph

¹²See Protocol VI, p. 905.

¹³See Protocol I, p. 904.

at the expense of the sender, who must pay, for each request, a fee not exceeding 40 centimes. If the request is to be sent by air mail or by telegraph, the sender must pay in addition the air mail surcharge or the charge for the telegram.

3. Only one of the fees or charges prescribed by § 2 is charged in respect of a request for withdrawal of correspondence or alteration of address concerning several packets posted at the same time by the same sender to the same addressee.

4. A request for simple correction of address (without alteration of the name or description of the addressee) may be addressed directly to the office of destination by the sender, that is to say, without compliance with the formalities and without payment of the charges prescribed by §§ 2 and 3.

ARTICLE 55. *Redirection. Undelivered Correspondence*

1. If the addressee changes his address, the correspondence is redirected to him, unless the sender has forbidden redirection, by means of a note to that effect on the address side of the correspondence, in a language known in the country of destination.

2. Correspondence which is not delivered must be returned immediately to the country of origin.

3. The period of retention for correspondence held at the disposal of the addressees or addressed *poste restante* is fixed by the rules of the country of destination. This period may not, however, exceed one month as a general rule, except in particular cases when the Administration of destination considers it necessary to prolong the period up to a maximum of two months. The return to the country of origin must take place within a shorter period if the sender has requested it by a note on the address side in a language known in the country of destination.

4. Printed papers of no value are not returned to origin, unless the sender, by means of a note on the outside of the article, in a language known in the country of destination, has asked for their return. Registered printed papers must always be returned.

5. No supplementary postage is charged for the redirection of correspondence from country to country or its return to the country of origin, apart from the exceptions provided for in the Detailed Regulations.

6. Correspondence which is redirected or which is undeliverable is delivered to the addressees or senders, against payment of the charges raised on departure or arrival or in course of transmission in consequence of redirection after the first transmission, without prejudice to the repayment of customs duty or other special charges which the country of destination does not cancel.

7. In case of redirection to another country or of non-delivery, the *poste restante* fee, the customs clearance fee, the commission fee, the complementary express fee, and the special fee for delivery of small packets to the addressees are cancelled.

ARTICLE 56. *Applications and Enquiries*

1. For an application or an enquiry in respect of any postal packet a fee not exceeding 40 centimes may be charged. When an application or an enquiry is to be sent by air mail at the request of the interested party, the same fee is charged, and, in addition, the appropriate air mail surcharge, or if the reply is to be returned by air mail, double this surcharge. If request is made for transmission

by telegraph, the charge for the telegram is collected in addition to the prescribed fee.

2. Only one of the fees or surcharges prescribed by § 1 is charged in respect of an application or an enquiry concerning several packets posted at the same time at the same office by the same sender to the same addressee.

3. As regards registered articles, no fee is charged if the sender has already paid the special fee for an advice of delivery.

4. An application is only entertained if made within a year, counting from the day following the posting of the article. Every Administration is bound, however, to furnish information, if requested by another Administration, after this lapse of time, concerning packets despatched within two years.

5. Every Administration is obliged to accept applications and enquiries concerning articles posted on the territory of other Administrations.

6. When an application or an enquiry has arisen through a service error, the fee charged in this connection is repaid.

CHAPTER II.—REGISTERED ARTICLES

ARTICLE 57. *Charges*¹⁴

1. The articles specified in Article 35 may be registered.

2. The charge on every registered article must be paid in advance. It is made up of.

(a) the postage ordinarily prepayable on the packet according to its class;

(b) a fixed registration fee of 40 centimes at most.

3. The registration fee on the reply half of a reply-paid postcard can only be validly prepaid by the sender of this half.

4. A receipt must be issued free of charge to the sender of a registered article at the time of posting.

5. Countries prepared to undertake risks arising from causes beyond control are authorised to collect a special charge not exceeding 40 centimes for each registered article.

6. Unpaid or insufficiently prepaid registered articles which have been incorrectly forwarded to the country of destination are liable to a charge, to be paid by the addressee, equal in amount to the deficient postage.

ARTICLE 58. *Advice of Delivery*

1. The sender of a registered article may request an advice of delivery by paying, at the time of posting, a fixed fee not exceeding 30 centimes.

2. An advice of delivery may be applied for after the posting of the article within the period of one year and on payment of the fee prescribed for applications by Article 56.

ARTICLE 59. *Responsibility*

1. Except in the cases provided for in Article 60, hereafter, Administrations are responsible for the loss of registered articles.

2. The sender is entitled, in respect of the loss, to compensation, of which the amount is fixed at 25 francs per article.

3. Administrations assume no responsibility for articles seized by the Customs authorities.

¹⁴See Protocol VII, p. 905.

ARTICLE 60. Exceptions to the Principle of Responsibility

Administrations are relieved from all responsibility for the loss of registered articles:

(a) in circumstances beyond control; the responsibility, however, still attaches to the Administration of origin which has undertaken to cover risks arising from causes beyond control (Article 57, § 5). The country responsible for the loss must decide, according to its internal legislation, whether the loss is due to circumstances constituting a cause beyond control, these circumstances are communicated to the country of origin, for information;

(b) which they cannot account for in consequence of the destruction of official documents through cause beyond control, provided that their responsibility has not been proved otherwise,

(c) of which the contents fall within the prohibitions specified in Articles 36, §§ 6 and 8 (c), and 49, § 1;

(d) when the sender has not made any application within the period of one year prescribed by Article 56.

ARTICLE 61. Cessation of Responsibility

Administrations cease to be responsible for registered articles which have been delivered under the conditions prescribed by their internal regulations for packets of the same class.

ARTICLE 62. Fixing of Responsibility

1. Until the contrary is proved, responsibility for the loss of a registered article rests with the Administration which, having received the article without making any observation, and being furnished with all the materials for inquiry prescribed by the regulations, cannot establish delivery to the addressee, or regular transfer to the following Administration, as the case may be.

2. Until the contrary is proved, an Administration, whether intermediate or of destination, is relieved of all responsibility

(a) when it has carried out the provisions of Article 150, § 4, of the Detailed Regulations;

(b) when it can prove that it has not been notified of the application until after the destruction of its service documents relating to the article under enquiry, the period of retention prescribed by Article 169 of the Detailed Regulations having expired. This reservation does not affect the rights of the applicant.

3. Nevertheless, if the loss has occurred in course of conveyance without its being possible to ascertain on the territory or in the service of which country the loss took place, the Administrations concerned bear the loss in equal shares.

4. When a registered article has been lost in circumstances beyond control, the Administration on the territory or in the service of which the loss has occurred is only responsible to the Administration of origin if both countries undertake to cover risks arising from causes beyond control.

5. The customs duty and other charges, of which it has not been possible to secure cancellation, are borne by the Administrations responsible for the loss.

6. The Administration which has made payment of compensation takes over the rights of the person who has received it, up to the amount of this compensation, in any action which may be taken against the addressee, the sender, or third parties.

7. If a registered article considered as lost, or a part thereof, is subsequently found, the sender and the addressee are informed of this fact.

8. The sender is, in addition, informed that he may take possession of the article within a period of three months, against repayment of the amount of the compensation received. If the sender does not claim the article within that period, the addressee is notified that he may take delivery of it within a period of three months, against payment of the amount paid to the sender.

9. If the sender or the addressee takes delivery of the packet against repayment of the amount of the compensation, that amount is refunded to the Administration, or Administrations, by which the loss has been borne.

10. If the sender and the addressee decline to take delivery, the article is considered as undeliverable.

ARTICLE 63. Payment of Compensation

The payment of the compensation must be undertaken by the Administration to which the office of posting is subordinate, subject to its right to make a claim on the Administration responsible.

ARTICLE 64. Period for Payment of Compensation

1. The payment of compensation must take place as soon as possible, and at the latest within six months from the day following the date of the application. This period is extended to nine months in relations with distant countries.

2. If the Administration of the country of posting does not accept responsibility in cases of loss through a cause beyond control it may exceptionally postpone settlement of the compensation beyond the period mentioned in § 1, when the question whether the loss of the article is due to a case of this nature has not been decided.

3. The Administration of origin is authorised to settle with the sender on account of the Administration, whether intermediate or of destination, which, duly informed of the claim, has allowed three months to pass, or six months in relations with distant countries, without settling the matter. A longer period is permitted if the loss appears to be due to circumstances beyond control, these circumstances must, in all cases, be communicated to the Administration of origin.

ARTICLE 65. Repayment of Compensation to the Administration of Origin

1. The Administration responsible or on whose account payment is made in accordance with Article 64 is bound to repay to the Administration of origin within a period of six months, reckoning from the date of despatch of the notice of payment, the amount of the compensation actually paid to the sender. This period is extended to nine months in relations with distant countries.

2. If the compensation is to be borne by several Administrations in accordance with Article 62, the whole of the compensation due must be paid to the Administration of origin within the period mentioned in § 1, by the first Administration, which, having duly received the packet under enquiry, is unable to prove its regular transfer to the next service. It rests with this Administration to recover from the other Administrations responsible their share of the amount of compensation paid to the sender.

3. The repayment is made free of cost to the creditor Administration by means of either a money order, a cheque or a draft payable at sight in the capital or a commercial centre in the creditor country, or in coin current in that country.

4. When responsibility is admitted, as well as in the case provided for in Article 64, § 3, the amount of indemnity may be recovered from the country responsible by means of an Account, either directly, or through the intermediary of an Administration which exchanges Accounts regularly with the Administration responsible.

5. After the period of six months, the sum due to the Administration of origin bears interest, at the rate of 5 per cent. per annum, counting from the day of expiry of the said period. This period is extended to nine months in relations with distant countries.

6. The Administration of origin may only claim repayment from the Administration responsible within a period of one year counting from the date of despatch of the notification of the loss, or, if the case arises, from the date of expiry of the period prescribed by Article 64, § 3.

7. The Administration whose responsibility is duly proved and which has at first declined to pay the compensation must bear all additional charges resulting from the unwarranted delay in payment.

8. Administrations may come to an agreement to liquidate periodically the compensation which they have paid to the senders and which they have agreed to be justified.

CHAPTER III.—ALLOCATION OF POSTAGE COLLECTIONS. TRANSIT RATES

ARTICLE 66. *Allocation of Postage Collections*

Except in the cases expressly provided for by the Convention, each Administration keeps the whole of the charges which it has collected.

ARTICLE 67. *Transit Rates*¹⁵

1. Correspondence exchanged in closed mails between two Administrations, by means of the services of one or more other Administrations (third services), is subject to transit charges to be paid to each of the countries traversed or whose services take part in the conveyance, as indicated in the following table:

	PER KILOGRAMME	
	of letters and postcards <i>Fr. c.</i>	of other articles <i>Fr. c.</i>
1. LAND TRANSITS		
Up to 1,000 kilometres ..	0.60	0.08
Above 1,000 up to 2,000 km. . .	0.80	0.12
" 2,000 " 3,000 " . .	1.20	0.16
" 3,000 " 6,000 " . .	2.00	0.24
" 6,000 " 9,000 " . .	2.80	0.32
" 9,000 kilometres ..	3.60	0.40
2. SEA TRANSITS		
Up to 300 nautical miles ..	0.60	0.08
Above 300 up to 1,500 nautical miles ..	1.60	0.20
Between Europe and North America . .	2.40	0.32
Above 1,500 up to 6,000 nautical miles . .	3.20	0.40
Above 6,000 nautical miles .	4.80	0.60

2. The transit rates for sea conveyance over a distance not exceeding 300 nautical miles are fixed at one-third of the amounts specified in § 1, if the Administration concerned already receives, on account of the mails conveyed, the payment applicable to land transit.

3. In the case of sea conveyance performed by two or more Administrations, the charges paid for the entire sea transit may not exceed 4 francs 80 per kilogramme of letters and postcards, and 60 centimes per kilogramme of other articles. Should occasion arise, these maximum amounts are shared between the Administrations participating in the service, in proportion to the distances traversed.

4. In the absence of any other arrangement, the direct sea conveyance between two countries by means of vessels maintained by one of them is considered as a third service, as well as conveyance between two offices of the same country, by means of services maintained by another country.

5. Small packets, newspapers or packets of newspapers and periodicals sent in virtue of the Agreement concerning subscriptions to newspapers and periodicals, as well as insured boxes despatched under the Agreement con-

cerning insured letters and boxes, are considered as "other articles" as regards transit.

6. Mis-sent mails are regarded, in respect of the payment of transit charges, as if they had followed their normal route.

ARTICLE 68. *Exemption from Transit Charges*

The correspondence exempt from postage mentioned in Article 52, reply postcards returned to the country of origin, redirected articles, undelivered articles, advices of delivery, postal money orders, and all other documents relative to the postal service, e.g., communications concerning the postal cheque service, are exempt from all charges for land or sea transit.

ARTICLE 69. *Extraordinary Services*

The transit rates specified in Article 67 do not apply to conveyance by means of extraordinary services specially established or maintained by one Administration at the request of one or more other Administrations. The conditions of this class of conveyance are regulated

¹⁵See Protocols X, XI, pp. 903-6.

by mutual consent between the Administrations concerned.

ARTICLE 70. *Payments and Accounting*

1. The transit charges are borne by the Administration of the country of origin.

2. The general accounting for these charges is based on data obtained from statistics taken once in every three years, during a period of 14 days. This period is extended to 28 days for mails exchanged less than six times a week by the services maintained by any one country. The Detailed Regulations fix the period of the statistics and the duration of their application.

3. When the annual balance between two Administrations does not exceed 25 francs, the debtor Administration is exempt from all payment.

4. Every Administration is authorised to submit for the consideration of a Commission of arbitrators the results of statistics which, in its opinion, differ too much from reality. The arrangements for arbitration are as laid down in Article 12.

5. The arbitrators are empowered to fix in a fair and reasonable manner the transit charges proper to be paid.

ARTICLE 71. *Exchange of Closed Mails with Ships of War*

1. Closed mails may be exchanged between the post offices of any one of the contracting countries and the commanding officers of naval divisions or ships of war of the same country stationed abroad, or between the commanding officer of one of those naval divisions or one of those ships of war and the commanding officer of another division or of another ship of the same country, through the medium of the land or sea services maintained by other countries.

2. Correspondence of every description enclosed in these mails must consist exclusively of such as is addressed to or sent by the officers and crews of the ships to or from which the mails are forwarded; the rates and conditions of despatch applicable to them are settled, according to its internal regulations, by the Postal Administration of the country to which the ships belong.

3. In the absence of any contrary arrangement, the Administration of the country to which the ships of war belong is accountable to the intermediate Administrations for the transit charges on the mails calculated in accordance with the provisions of Article 67.

MISCELLANEOUS PROVISIONS

ARTICLE 72. *Non Observance of Principle of Freedom of Transit*

When a country does not observe the provisions of Article 28, relating to freedom of transit, Administrations have the right to suppress the postal service with that country. They must give previous notice of this measure, by telegraph, to the Administrations concerned.

ARTICLE 73. *Undertakings Regarding Penal Measures*

The contracting countries undertake to adopt, or to propose to their respective legislatures, the necessary measures:

- (a) for punishing the counterfeiting of postage stamps, even if withdrawn from circulation, of international reply coupons and of postal identity cards;

- (b) for punishing the use or the putting into circulation:

- (1) of counterfeit postage stamps (even if withdrawn from circulation) or used postage stamps, as well as of counterfeit impressions of stamping or printing machines or of impressions already used,
- (2) of counterfeit international reply coupons;
- (3) of counterfeit postal identity cards;
- (c) for punishing the fraudulent use of genuine postal identity cards;
- (d) for prohibiting and suppressing the fraudulent manufacture and the putting into circulation of impressed and adhesive stamps in use in the postal service, forged or imitated in such a manner that they could be mistaken for the impressed and adhesive stamps issued by the Administration of any one of the contracting countries,
- (e) for preventing and, if necessary, for punishing the insertion in postal packets of opium, morphine, cocaine or other narcotics, as well as explosive or easily inflammable substances, unless their insertion is expressly authorised by the Convention and Agreements.

FINAL PROVISIONS

ARTICLE 74. *Entry into Force and Duration of the Convention*

The present Convention shall come into force on the 1st of July, 1948, and shall remain in operation for an indefinite period.

In faith whereof, the plenipotentiaries of the Governments of the above-named countries have signed the present Convention in a single copy which shall remain in the Archives of the Government of the French Republic and of which a copy shall be delivered to each party.

Done at Paris, the 5th of July, 1947.

FINAL PROTOCOL OF THE CONVENTION

At the moment of proceeding to sign the Universal Postal Convention concluded this day, the undersigned plenipotentiaries have agreed as follows:

I.—WITHDRAWAL OF CORRESPONDENCE ALTERATION OF ADDRESS

The provisions of Article 54 do not apply to Great Britain or to those British Dominions, Colonies and Protectorates whose internal legislation does not permit the withdrawal or the alteration of the address of correspondence at the request of the sender.

II.—EQUIVALENTS: MAXIMUM AND MINIMUM LIMITS

1. Each country has the right to increase up to 40 per cent. or to reduce by as much as 20 per cent. the postage rates prescribed by Article 36, § 1, as indicated in the following table [on the page opposite].

2. The rates adopted must, as far as possible, maintain the same proportions to one another as the basic rates, each Administration being empowered to round up or to round down its rates to suit its currency.

3. The rates adopted by a country apply to the charges to be collected on unpaid or insufficiently prepaid inward correspondence.

	LOWER LIMIT (gold value) centimes	HIGHER LIMIT (gold value) centimes
Letters:		
first unit of weight	16	28
each succeeding unit	9.6	16.8
Postcards:		
single	9.6	16.8
reply-paid	19.2	33.6
Commercial papers:		
first unit of weight	6.4	11.2
each succeeding unit	3.2	5.6
minimum charge	16	28
Printed papers:		
first unit of weight	6.4	11.2
each succeeding unit	3.2	5.6
Blind literature, per 1,000 grammes	1.6	2.8
Samples of merchandise:		
first unit of weight	6.4	11.2
each succeeding unit	3.2	5.6
Small packets:		
per 50 grammes	6.4	11.2
minimum charge	32	56
"Phonopost" packets:		
first unit of weight	12	21
each succeeding unit	8	14

III.—EXCEPTION AS REGARDS THE APPLICATION OF THE TARIFF FOR COMMERCIAL PAPERS, PRINTED PAPERS AND SAMPLES OF MERCHANDISE

Notwithstanding the provisions of Article 36, countries have the right not to apply to commercial papers, printed papers and samples the rate fixed for the first unit of weight, and to maintain for that weight unit the rate of 4 centimes, with a minimum of 8 centimes for samples of merchandise.

IV.—OUNCE AVOIRDUPOIS

As an exceptional measure, it is agreed that countries which, by reason of their internal regulations, are unable to adopt the metric-decimal system of weight, are empowered to substitute for it the ounce avoirdupois (28.3465 grammes) taking one ounce as equivalent to 20 grammes for letters and "phonopost" packets, and two ounces as equivalent to 50 grammes for commercial papers, printed papers, blind literature, samples and small packets.

V.—POSTING OF CORRESPONDENCE ABROAD

No country is bound to forward, nor to deliver to the addressees, correspondence which the senders domiciled in its territory post or cause to be posted in a foreign country with the object of profiting by the lower rates in force there. The rule is applied without distinction both to correspondence made up in the country where the sender resides and then carried across the frontier, and to correspondence made up in a foreign country. The Administration concerned is empowered either to return to origin the articles in question, or to tax them at its inland rates. The method of collecting the charges is left to its discretion.

VI.—INTERNATIONAL REPLY COUPONS

Administrations have the right not to undertake, or to limit, the sale of international reply coupons.

VII.—REGISTRATION FEE

Countries which cannot fix at 40 centimes the registration fee prescribed by Article 57, § 2, are authorised to charge a fee which may amount to 50 centimes or to the charge fixed for their inland service.

VIII.—AIR SERVICES

1. The provisions regarding the conveyance of letter mails by air are annexed to the Universal Postal Convention and are considered as forming an integral part of it and of its Detailed Regulations.

2. But, notwithstanding the general rules of the Convention, the modification of these provisions may be considered from time to time by a Conference composed of the representatives of the Administrations directly concerned.

3. This Conference may be summoned by the intermediary of the International Bureau at the request of at least three of these Administrations.

4. The whole of the provisions proposed by this Conference must be submitted, by the intermediary of the International Bureau, to the vote of the countries of the Union. The decision will be taken by a majority vote.

IX.—EXCEPTION AS REGARDS THE FREEDOM OF TRANSIT OF SMALL PACKETS

In modification of the provisions of Article 28, the Postal Administration of the Union of Soviet Socialist Republics is authorised not to permit the transit of small packets through its territories on the understanding that this restriction is applied without distinction to all the countries of the Union.

X.—SPECIAL TRANSIT CHARGES FOR CONVEYANCE BY THE TRANS-SIBERIAN AND THE TRANSANDINE RAILWAYS

1. In the modification of the provisions of Article 67,

§ 1 (Table), the Postal Administration of the Union of Soviet Socialist Republics is authorized to collect transit charges for the Trans Siberian Railway for both routes (Manchuria or Vladivostok) at the rate of Fr. 4.50 per kilogramme for letters and postcards and Fr. 0.50 per kilogramme for other articles for distances exceeding 6,000 kilometres.

2. The Administration of the Argentine Republic is authorised to collect a fee of 30 centimes per kilogramme over and above the transit rates mentioned in Article 67, § 1 (1.), of the Convention, in respect of correspondence of all kinds forwarded in transit by the Argentine section of the Transandine Railway.

XI.—SPECIAL TRANSIT CONDITIONS FOR AFGHANISTAN

Notwithstanding the provisions of Article 67, § 1, the Administration of Afghanistan is authorised provisionally, by reason of its special difficulties as regards means of transport and communication, to effect the transit of closed mails and *à découvert* correspondence across its territory on conditions specially agreed with the Administrations concerned.

XII.—SPECIAL WAREHOUSING CHARGES AT ADEN

As an exceptional measure, the Administration of Aden is authorised to collect a fee of 40 centimes per bag for all mails warehoused at Aden, provided that this Administration does not receive payment for a land or sea transit in respect of the mails in question.

XIII.—SPECIAL TRANSHIPMENT CHARGES

Exceptionally, the Portuguese Administration is authorised to collect 40 centimes per bag on all the mails transhipped at the Port of Lisbon.

XIV.—PROTOCOL LEFT OPEN TO COUNTRIES NOT REPRESENTED

The Protocol remains open to the countries of the Union not represented at the Congress, in order to permit them to accede to the Convention and to the Agreements there concluded, or only to one or other of them.

XV.—PROTOCOL LEFT OPEN TO COUNTRIES REPRESENTED FOR SIGNATURE AND ACCESSION

The Protocol remains open to those countries whose representatives have to-day signed only the Convention, or only a certain number of the Agreements drawn up by the Congress, in order to permit them to accede to the other Agreements signed this day, or to one or other of them.

XVI.—PERIOD FOR THE NOTIFICATION OF ACCESSIONS

The accessions referred to in Articles XIV and XV must be notified diplomatically by the respective Governments to the Government of the French Republic, and by it to the other States of the Union. The period allowed to the said Governments for this notification will expire on the 1st of July, 1948.

XVII.—PROTOCOL LEFT OPEN TO COUNTRIES TEMPORARILY PRECLUDED FROM ACCEDING TO THE CONVENTION AND THE AGREEMENTS

1. Spain, Morocco (Spanish Zone) and the whole of the Spanish Colonies, temporarily precluded from acceding to the Convention and the Agreements in consequence of a decision of the XIIth Universal Postal Congress taken in conformity with the resolution of the

General Assembly of the United Nations of the 12th December, 1946, may accede to these Acts, without submitting to the formalities prescribed by Article 3, as soon as that resolution is repealed or becomes objectless.

2. Germany, Japan and Korea, temporarily precluded from acceding to the Convention and the Agreements, may accede to these Acts, without submitting to the formalities prescribed by Article 3, when the time is considered opportune by the responsible authority.

3. The accessions mentioned in §§ 1 and 2 must be notified diplomatically by the Governments concerned to the Government of the French Republic and by it to the other States of the Union.

In faith whereof, the undermentioned plenipotentiaries have drawn up the present Protocol which shall have the same force and validity as if its provisions were inserted in the text itself of the Convention, and they have signed it in a single copy which shall remain in the Archives of the Government of the French Republic and of which a copy shall be delivered to each party.

Done at Paris, the 5th of July, 1947.

ANNEX III

AGREEMENT BETWEEN THE UNITED NATIONS AND THE UNIVERSAL POSTAL UNION

PREAMBLE

In consideration of the obligations placed upon the United Nations by Article 57 of the Charter of the United Nations, the United Nations and the Universal Postal Union agree as follows:

Article 1

The United Nations recognizes the Universal Postal Union (hereinafter called the Union) as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

ARTICLE II

RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be invited to attend all the Union's congresses, administrative conferences and commissions, and to participate, without vote, in the deliberations of these meetings.

2. Representatives of the Union shall be invited to attend meetings of the Economic and Social Council of the United Nations (hereinafter called the Council), of its commissions and committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

3. Representatives of the Union shall be invited to attend the meetings of the General Assembly during which questions within the competence of the Union are under discussion, for purposes of consultation, and to participate, without vote, in the deliberations of the main committees of the General Assembly with respect to items concerning the Union.

4. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the Members of the General Assembly, the Council and its commissions, and the Trusteeship Council, as

appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

Article III

PROPOSAL OF AGENDA ITEMS

Subject to such preliminary consultation as may be necessary, the Union shall include in the agenda of its congresses, administrative conferences or commissions, or, as the case may be, shall submit to its members in accordance with the provisions of the Universal Postal Convention, items proposed to it by the United Nations. Similarly, the Council, its commissions and committees, and the Trusteeship Council shall include in their agenda items proposed by the Union.

Article IV

RECOMMENDATIONS OF THE UNITED NATIONS

1. The Union agrees to arrange for the submission as soon as possible, for appropriate action, to its congresses or its administrative conferences or commissions, or to its members, in conformity with the provisions of the Universal Postal Convention, of all formal recommendations which the United Nations may make to it. Such recommendations will be addressed to the Union and not directly to its members.

2. The Union agrees to enter into consultation with the United Nations, upon request, with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it will co-operate with any body which the Council may establish for the purpose of facilitating such co-ordination and will furnish such information as may be required for the carrying out of this purpose.

Article V

EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the Union.

2. Without prejudice to the generality of the provisions of the preceding paragraph:

(a) The Union shall submit to the United Nations an annual report on its activities;

(b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in article XI;

(c) The Union shall furnish written advice on questions within its competence as may be requested by the Trusteeship Council;

(d) The Secretary-General of the United Nations shall, upon request, consult with the Director of the International Bureau of the Union regarding the provision to the Union of such information as may be of special interest to it.

Article VI

ASSISTANCE TO THE UNITED NATIONS

The Union agrees to co-operate with and to give assistance to the United Nations, its principal and subsidiary organs, so far as is consistent with the provisions of the Universal Postal Convention.

As regards the Members of the United Nations, the Union agrees that in accordance with Article 103 of the Charter no provision in the Universal Postal Convention or related agreements shall be construed as preventing or limiting any State in complying with its obligations to the United Nations.

Article VII

PERSONNEL ARRANGEMENTS

The United Nations and the Union agree to co-operate as necessary to ensure as much uniformity as possible in the conditions of employment of personnel, and to avoid competition in the recruitment of personnel.

Article VIII

STATISTICAL SERVICES

1. The United Nations and the Union agree to co-operate with a view to securing the greatest possible usefulness and utilization of statistical information and data.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the appropriate agency for the collection, analysis, publication, standardization and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as it may be essential for its own purposes or for the improvement of statistics throughout the world.

Article IX

ADMINISTRATIVE AND TECHNICAL SERVICES

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding the establishment of competitive or overlapping services.

2. Arrangements shall be made between the United Nations and the Union with regard to the registration and deposit of official documents.

Article X

BUDGETARY ARRANGEMENTS

The annual budget of the Union shall be transmitted to the United Nations, and the General Assembly may make recommendations thereon to the Congress of the Union.

Article XI

FINANCING OF SPECIAL SERVICES

In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or information in accordance with article V or with any other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

Article XII

INTER-AGENCY AGREEMENTS

The Union will inform the Council of the nature and scope of any agreement between the Union and any specialized agency or other inter-governmental organization, and further agrees to inform the Council of the preparation of any such agreements.

Article XIII

LIAISON

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking in agreement whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as is appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

Article XIV

IMPLEMENTATION OF THE AGREEMENT

The Secretary-General of the United Nations and the President of the Executive and Liaison Commission of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of operating experience of the two organizations.

Article XV

ENTRY INTO FORCE

This agreement is annexed to the Universal Postal Convention concluded in Paris in 1947. It will come into force after approval by the General Assembly of the United Nations, and, at the earliest, at the same time as this Convention.

Article XVI

REVISION

On six months' notice given on either part, this agreement shall be subject to revision by agreement between the United Nations and the Union.

Paris, 4 July 1947.

VIII. *The World Health Organization*¹

A. ORIGIN

The Constitution providing for the establishment of a World Health Organization (WHO)² was adopted on July 22, 1946, by the International Health Conference, called for the purpose by the Economic and Social Council. There were 64 states, the Allied Control Authorities for Germany, Japan and Korea, respectively, and ten international organizations represented at the Conference, which met in New York from June 19 to July 22, 1946.

The Conference also established an Interim Commission³ to carry out essential international functions prior to the coming into being of the permanent Organization and to develop plans and proposals for the first World Health Assembly. The

Interim Commission consisted of representatives of the following eighteen States elected by the Conference to act for all signatories to the Constitution: Australia, Brazil, Canada, China, Egypt, France, India, Liberia, Mexico, Netherlands, Norway, Peru, Ukrainian S.S.R., U.S.S.R., United Kingdom, United States, Venezuela and Yugoslavia. The Interim Commission held its first meeting on July 19, 1946, and continued to function until dissolved by resolution of the first World Health Assembly.

On April 7, 1948, WHO came officially into being, 26 Members of the United Nations having accepted its Constitution.

B. PURPOSES AND FUNCTIONS

The objective of WHO, as stated in Article 1 of its Constitution, is "the attainment by all peoples of the highest possible level of health". The preamble defines health as "a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity".

The functions of the Organization necessary to attain this objective are enumerated in Article 2. In general, WHO is to serve as the co-ordinating authority on international health work, to maintain certain necessary international services, to promote and conduct research in the field of health and to promote improved standards of teaching in the health, medical and related professions. The following are among its other functions:

1. To assist governments, upon request, in strengthening health services;
2. To furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of governments;
3. To promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition,

housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;

4. To promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;

5. To foster activities in the field of mental health, especially those affecting the harmony of human relations;

6. To assist in developing an informed public opinion among all peoples on matters of health.

¹For further details on the origin of WHO and the early activities of the Interim Commission, see *Yearbook of the United Nations, 1946-47*, pp. 789-93. See also the reports of the Interim Commission to the United Nations (E/593 and E/786), report of the Interim Commission to the First World Health Assembly, resolutions of the Health Assembly, reports of expert committees, and the report of the first session of the Executive Committee (EB2/1). See also Bibliography of this *Yearbook*, Appendix III.

²The text of the Constitution of the World Health Organization is reproduced in the *Yearbook of the United Nations, 1946-47*, pp. 793-800.

³For text of Arrangement Concluded by the Governments Represented at the International Health Conference (to establish the Interim Commission), see *ibid.*, pp. 801-2.

C. ORGANIZATION

The main organs of WHO, as provided in its Constitution, are the World Health Assembly, the Executive Board and the Secretariat.

The World Health Assembly, in which all Members may be represented, meets at least once annually. It determines the policies of the Organization. It reviews the work of WHO and instructs the Executive Board in regard to matters upon which action, study, investigation or report may be considered desirable. Among its other duties, the Assembly is empowered to adopt regulations pertaining to international quarantine and sanitary measures, uniform standards and nomenclatures and various other questions of international importance in the health field.

New Members may be admitted into WHO, if they are Members of the United Nations, by accepting the Constitution. For other states to become Members the approval of their membership applications by a simple majority vote of the Health Assembly is required. The Constitution also provides that territories or groups of territories not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application by the appropriate authority.

Decisions of the Organization on important questions, such as the adoption of conventions or agreements, the approval of agreements bringing WHO into relationship with other international organizations, and amendments to the Constitution, require a two-thirds majority of the Members present and voting. Decisions on other questions are taken by a simple majority vote.

The Executive Board consists of eighteen technically qualified persons designated by eighteen Members elected by the Health Assembly, taking into account an equitable geographical distribution. Members are normally elected for three-year terms, but to ensure continuity it is provided in the WHO Constitution that six of the Members elected by the first Assembly should hold office for one year, six for two and six for the full three-year term. The Board meets at least twice a year. Its chief function is to implement decisions and policies of the Assembly, but it may also take emergency measures within the functions and financial resources of WHO in order to deal with events requiring immediate action, such as epidemics.

The Secretariat is headed by a Director-General,

appointed by the Assembly on the nomination of the Executive Board. The Director-General appoints the technical and administrative staff required and supervises their work.

Committees composed of experts were established to further the work of WHO in specific fields. There were, as of September 21, 1948, ten such Expert Committees, on: Malaria, Tuberculosis, Venereal Infections, Maternal and Child Welfare, Health Statistics, International Epidemiology and Quarantine, Biological Standardization, the Unification of Pharmacopoeias, Habit-forming Drugs, and Insecticides. The establishment of other expert committees—on industrial hygiene, the hygiene of seafarers, parasitic diseases and virus diseases—was authorized by the Health Assembly, but funds had not yet been provided. Study groups on cholera, smallpox, plague, typhus, and trachoma were jointly set up by WHO and the Office International d'hygiène publique. Joint Committees were operating—one on Nutrition with FAO and one on Health Policy with the United Nations International Children's Emergency Fund (UNICEF). The establishment of other joint committees was planned—for example with ILO on industrial hygiene and on the hygiene of seafarers. A standing Committee on Non-Governmental Organizations was established by the Board to carry out negotiations with such organizations.

The Organization has its headquarters in Geneva and maintains a technical liaison office in New York.

The following regional organizations were provided for by the first Health Assembly as soon as a majority of WHO Members in these areas agreed to participate: Eastern Mediterranean, Western Pacific, Southeast Asia, European, African and American. Regional organizations, each consisting of a regional committee and a regional office, are to keep informed of the various requirements in their respective areas and implement the health programs decided upon by WHO. Regional committees, composed of WHO Members and Associate Members in the area, are to formulate the policies and supervise the work of the regional offices.

A special temporary administrative office for Europe, to assist in the health rehabilitation of war-devastated areas, was authorized by the first session of the Executive Board. It was decided that

this office should be established on January 1, 1949, after a meeting of European Members of WHO.

Delegates from Afghanistan, Burma, Ceylon, India and Siam agreed to meet in New Delhi in October 1948, to discuss the establishment of the Southeast Asia regional organization and programs for raising the health standards in individual countries of the area.⁴

The existing Sanitary Bureau at Alexandria, which is to be integrated with WHO, is to serve as the WHO regional organization in the Eastern Mediterranean area.

The American area is to be served by the Pan American Sanitary Organization, which is to be incorporated as the WHO regional organization when fourteen of its 21 members have ratified the WHO Constitution.⁵ The WHO regional organization for the Americas is to co-operate with the United Nations Economic Commission for Latin America to ensure that adequate health measures are provided in the area concurrently with economic development. Similar co-operation is to be carried out by WHO with other regional United Nations organizations.

D. ACTIVITIES PRIOR TO JULY 1, 1947

The Interim Commission held three sessions during this period, in July and in November 1946, and during 1947 from March 31 to April 12.

On October 16, 1946, the Interim Commission assumed the responsibilities of the Health Organization of the League of Nations concerned with biological standardization and epidemiological reporting. In April 1947 it began operating the Singapore Epidemiological Intelligence Station. The epidemiological services of UNRRA in connection with the International Sanitary Conventions of 1944 for maritime and aerial navigation were transferred to the Interim Commission on December 1, 1946. Numerous technical responsibilities of the Office international d'hygiène publique, relating to the administration and revision of existing sanitary conventions, were also taken over by the Interim Commission.

As a result of the transfer of UNRRA's health activities in Europe as from January 1, 1947, and in the Far East as from April 1, the Interim Commission continued field service programs in Austria, Byelorussian S.S.R., China, Czechoslovakia, Ethiopia, Finland, Greece, Hungary, Italy, Korea, Philippines, Poland, Ukrainian S.S.R. and Yugoslavia. These services included funds for fellowships, visiting lecturers, and the acquisition of medical literature, as well as mission operations in Greece and Italy for the control of tuberculosis and malaria, and in China and Ethiopia to deal with special health problems in those countries.

Other activities undertaken by the Interim Commission before July 1, 1947, included, *inter alia*, preparatory work in connection with the international lists of diseases and causes of death, and special studies on venereal diseases, infant mortality and biological standardization.

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

During this period the Interim Commission held three sessions: its fourth, from August 30 to September 13, 1947; its fifth, from January 22 to February 7, 1948; and its sixth and final session, from June 18 to 23, 1948. At its fifth session, the Interim Commission felt assured that the required number of states would shortly accept the WHO Constitution, and therefore decided to convene the first World Health Assembly in Geneva on June 24, 1948.

The Health Assembly met in Geneva from June 24 to July 24, 1948. It elected the states to designate the members of the Executive Board, which then held its first session in Geneva, from July 16 to 26, 1948.

On the nomination of the Executive Board, the

⁴This organization was established in New Delhi on January 1, 1949.

⁵This condition was fulfilled early in 1949.

Assembly unanimously appointed Brock Chisholm (Canada) as Director-General of WHO for a five-year term of office. Dr. Chisholm had served as Executive Secretary of the Interim Commission since July 1946.

The Assembly approved on July 10, 1948, the agreement⁶ establishing WHO's relationship with the United Nations. This action brought the agreement into force, since it had previously been approved by the United Nations General Assembly on November 15, 1947.

The Assembly considered reports prepared by the Interim Commission on its activities since its inception and on a program of work for the permanent Organization.

The Health Assembly decided on the regional organization of WHO (see above) and drew up a program for the full Organization.

The Interim Commission had recommended that the work of WHO be directed primarily to campaigns for reducing the incidence of malaria, tuberculosis and venereal diseases, which, it was considered, could be efficiently controlled through international action, and to the improvement of maternal and child health throughout the world. The Assembly added to these programs the improvement of nutrition and of environmental sanitation. It established the policies WHO was to follow in carrying out these six campaigns, which would be undertaken in 1949 and developed over succeeding years, and recommended in each instance that governments take preventive, curative, legislative, social and other measures necessary to their success.

The Assembly approved activities on a more limited scale to deal with other medical and health problems. These include: the organization of public-health administrations; the control of five parasitic diseases, including schistosomiasis and filariasis; the control of four virus diseases — poliomyelitis, rabies, influenza and trachoma; and activities relating to mental health, alcoholism and drug addiction.

The Interim Commission had previously prepared a survey of the size and strength of public health services in various countries and on national resources for the training of staff for these services. It had also made a preliminary survey of alcoholism and in 1948 began preliminary work with respect to the incidence, control and treatment of schistosomiasis, which incapacitates millions of persons annually in the agricultural regions of Africa, Asia and South America.

An outline of the principal activities of the In-

terim Commission and WHO from July 1, 1947, to September 21, 1948, is given below.

1. Malaria

The Interim Commission decided that malaria, which attacks hundreds of millions of persons each year, causing the death of approximately 3,000,000 annually, was of sufficient importance to warrant immediate international action for its control. It accordingly presented for the approval of the Health Assembly a general plan for world malaria control prepared by its Expert Committee on Malaria.

Assistance in carrying out programs begun by UNRRA for malaria control and for the eradication of the anopheline mosquito in Greece and Italy was continued by WHO missions operating in those countries. As a result of DDT spraying and other control measures carried out in Italy and Sicily since 1946, 93 deaths from malaria were recorded for 1947 as compared with 285 in 1946 and 386 in 1945; it was hoped that by the end of 1949, malaria would have been completely wiped out in Italy. In Greece the program has reduced the incidence of malaria, which had previously averaged one million cases annually, by more than 80 per cent. It is estimated that the malaria control program in Greece has saved more than 30,000,000 man-days in agricultural work alone.

At the request of UNICEF, WHO is providing technical assistance and guidance in connection with anti-malaria projects, financed by UNICEF, to be undertaken in certain Far Eastern countries, including Siam and Indo-China.

The Organization also supplies governments, on request, with medical literature and information concerning the latest scientific developments for the prevention and treatment of malaria and gives expert advice concerning national control programs.

In its world-wide campaign to control malaria, WHO will undertake similar measures. It is selecting the areas for its operation on the basis of: (1) the feasibility of effective control; and (2) the potential increase in food production, in co-operation with FAO, since the disease is one of the main factors affecting agricultural development. According to the policies laid down by the Executive Board at its first session, in July 1948, WHO is to assist governments on request, through its regional organizations, in setting up permanent malaria

⁶The text of the Agreement between the United Nations and WHO is reproduced on pp. 919-23.

control services suited to local needs. It is to provide individual experts and operational demonstration teams to advise and assist governments in developing local and national programs; these teams are to remain in the assigned areas for at least two years. The Board decided that WHO should form three such teams as soon as possible. The Organization is to assist in a training program by providing expert lecturers on request to established schools and fellowships for training in malariaology. It is also to assist in educating the public, through various means, on the subject of malaria and its control.

In view of the effectiveness of DDT, the Board recommended that its production and distribution be stimulated. It requested the Director-General to refer to the appropriate body of the Economic and Social Council of the United Nations the questions of regional production and of the waiver of customs duties to permit wider distribution.

Finally, the Board made recommendations with respect to the treatment of malaria through drug administration and decided that additional research was required in both the treatment and eradication of the disease.

2. Tuberculosis

It is estimated that the annual mortality from tuberculosis is between four and five million and that between forty and fifty million persons annually contract the disease. The Interim Commission recognized that, since tuberculosis had reached epidemic proportions in many areas of the world, international measures were required for its control. At its fifth session in January and February 1948, the Commission decided on a program to provide fellowships to train medical officers in administration, epidemiology, and laboratory and clinical work; to provide demonstration field-teams to various countries on request; to assist in developing uniform procedures and techniques in both clinical and laboratory aspects of tuberculosis prevention and treatment; and to advise governments conducting campaigns against tuberculosis on the facilities they required. It was also decided that WHO might give financial grants to governments and distribute information on recent developments of special importance. In view of the prevalence of tuberculosis among immigrants, the Commission recommended that medical examinations be made at the point of departure.

A meeting of international experts, called by the Interim Commission, was held in July 1948 to

study and report on the use of streptomycin in the treatment of tuberculosis. The conference indicated that this drug could be used to treat several forms of tuberculosis, but that the streptomycin regimen suitable in each case must be designed to meet individual requirements. The drug should be used only as an auxiliary in the general treatment of the disease, the conference pointed out, as its curative effect was partially dependent on other therapeutic measures, such as bed rest and pneumothorax. The conference recommended that streptomycin be distributed only to institutions, medical centres, and teaching hospitals regularly concerned with the study, diagnosis and treatment of tuberculosis, and that further research as to the use and effects of the drug be undertaken.

At the request of UNICEF, the Interim Commission began early in 1948 to provide technical assistance and guidance in a mass immunization program being carried out jointly by UNICEF and the Danish Red Cross and its Scandinavian associates.⁷ Under this program, an estimated total of 50,000,000 children and adolescents in Europe alone were to be tuberculin-tested for tuberculosis infection. Those who registered negative to the tuberculin test, estimated at 15,000,000, were to be immunized by BCG (*Bacillus Calmette Guérin*) vaccination. UNICEF provided funds for the extension of this program of tuberculin testing and BCG vaccination to India, Morocco, Algeria and other countries outside Europe.

The Organization planned a large-scale medical research program on tuberculosis based on results obtained in conducting the mass immunization program. The cards kept on all persons tested and vaccinated were to be analyzed by WHO for the preparation of current and long-term studies on tuberculosis, especially as regards mortality and morbidity rates in different countries.

Several BCG laboratories were set up before September 1948 through the efforts of WHO. Since it was not practical to ship BCG to India, a team of WHO experts sent to that country in May 1948 set up a laboratory for the production of BCG, taught qualified Indian personnel how to produce the vaccine and began training personnel to administer it. The large-scale tuberculin-testing and vaccination program was put into operation by the Indian Government and WHO on August 11, 1948. Small teams of experts were sent to China and Greece in 1947 and to Ethiopia in May 1948 by the Interim Commission to demonstrate and to teach people in those countries how to

⁷See p. 622.

administer BCG. Each country receiving assistance from WHO teams must agree beforehand to continue the work of tuberculosis control when the teams leave that country.

Among other activities to further its world-wide campaign against tuberculosis, the Interim Commission, and later the permanent Organization, assisted in the establishment of mass radiography centres in China and of a chest hospital and sanatorium in Greece, and in the provision of X-ray apparatus, equipment for 152 dispensaries and thousands of hospital beds in Italy. It trained 250 nurses in Greece for work in tuberculosis. The Organization provided scholarships and fellowships to enable doctors from a number of these countries to train in other countries in the latest methods of treatment of tuberculosis, and in the technique of the preparation and use of tuberculin and BCG. It also provided, on request, visiting lecturers, literature on the different aspects of tuberculosis, and epidemiological data to governments and interested organizations, as well as advice to governments, hospitals and other institutions on their particular problems of control and treatment of tuberculosis.

3. Venereal Diseases

On the basis of a report of its Expert Committee on Venereal Diseases, which met in January 1948, the Interim Commission recommended to the first World Health Assembly an international venereal disease program, with primary emphasis on syphilis in its early stages. World mortality from late manifestations of syphilis is estimated at millions of cases yearly, and the annual rate of acquired infections is estimated to range from a minimum of 20 million upwards to 100 million cases and more. Estimates for gonorrhea are two to three times higher.

The international venereal disease program, as approved by the Assembly, is based on WHO assistance, which includes expert advice on various aspects of venereal disease control, fellowships for advanced study, initiation of local and national programs by demonstration teams, the furnishing of basic equipment and supplies and technical information, and co-operation with the United Nations and other international organizations on social and economic aspects of the venereal disease problem. By September 1, 1948, 28 countries had requested one or more types of assistance.

The Assembly also approved WHO medical guidance and technical responsibility in large-scale attacks on syphilis among children and expectant

and nursing mothers, as requested by UNICEF early in 1948. Congenital syphilis continues to be a significant cause of mortality and of mental and physical handicaps of infants and children all over the world. In under-developed areas, infant mortality from congenital syphilis is estimated at more than ten per cent.

In view of the short supply of penicillin in many areas of the world, the Assembly authorized the Director-General of WHO to make a survey of penicillin requirements and production and to take the necessary measures to ensure its wider availability. Negotiations were undertaken with UNRRA for the transfer to WHO of funds to complete the UNRRA program of penicillin production and to rehabilitate UNRRA penicillin plants located in Byelorussian S.S.R., China, Czechoslovakia, Italy, Poland, Ukrainian S.S.R. and Yugoslavia.

As of September 1948, only two countries, the United States and Poland, had launched national campaigns for the treatment of syphilis based on large-scale use of penicillin. Under the Polish program, based on expert advice given by WHO, 540,000 persons had been examined and 43,000 cases of syphilis and 27,000 cases of gonorrhea treated between April 1 and August 31, 1948.

Similar campaigns were being planned in Yugoslavia and Bulgaria; venereal disease administrations in these countries were visited in June 1948 by WHO experts, who surveyed the problem and initiated control programs. Five European countries had signified, by September 1948, their intention to participate in this plan, with which UNICEF will collaborate with a \$2,000,000 allocation for the prenatal and infantile syphilis program.

The epidemiological importance of transfer of venereal disease from one country to another via the maritime communications route led to the conclusion of the Brussels Agreement of 1924 concerning facilities to be accorded merchant seamen for the treatment of venereal diseases. Revision and extension of this Agreement were begun by the Interim Commission and are being continued by WHO. In consultation with ILO, the World Health Assembly decided that the Brussels Agreement should be expanded into an international health regulation for venereal disease. This regulation will cover displaced persons, foreign laborers, emigrants and other migrants.

Another aim of the international venereal disease program of WHO is the standardization of serodiagnostic techniques in syphilis, including es-

establishment of an international reference centre for test performance evaluation and the holding of International Serological Laboratory conferences, following the traditions of the Health Organization of the League of Nations.

4. Health Statistics

The work of preparing the sixth revision of the international lists of diseases and causes of death, previously undertaken every ten years under the auspices of the French Government, was continued by the Interim Commission during 1947 and 1948. The Expert Committee established for the purpose completed the lists at its second session in October 1947 for final clearance by an International Conference for the Sixth Decennial Revision of the International Lists of Diseases and Causes of Death, which met in Paris in April 1948 on the invitation of the French Government.

The Conference approved, with minor reservations, the new classification as well as several recommendations of the Committee concerning other problems relating to the international comparability of morbidity and mortality statistics. The Committee met in May to incorporate the changes suggested by the conference. In the revised lists as drawn up by the committee, diseases and injuries are classified on the same basis as causes of death. The publication of the lists was approved by the Health Assembly. The final version of the lists was to be published in December 1948 as an *international Manual of the International Statistical Classification of Diseases, Injuries and Causes of Death*, incorporating the classification, special lists for tabulation and the procedures to be followed in assigning the underlying cause of death.

The *Manual* was to come into effect on January 1, 1950, together with the Regulations adopted by the Assembly to ensure the compilation and publication of statistics according to the revised lists. The Regulations, which are to be binding on Members of WHO without the necessity of national legislation, represent the first health legislation ever adopted by an international organization. It is anticipated that with the use of these lists on a world-wide basis the relative frequency and seriousness, as well as the effectiveness of treatment, of a given disease can readily be determined.

The Expert Committee on Health Statistics, the establishment of which was authorized by the Assembly, is charged with advising, when necessary, on the practical application of the lists.

5. Epidemiological Services

The Interim Commission decided in 1947 that the entire field of the international control of epidemics should be re-examined in the light of modern scientific knowledge. An Expert Committee, therefore, began preparing the formulation of uniform sanitary Regulations to replace existing international sanitary conventions concerning cholera, smallpox, plague, typhus and yellow fever—the "pestilential" diseases. The Regulations, after approval by the Health Assembly, will become automatically binding on all countries which do not lodge an objection within a stated period.

The Organization continued to provide epidemiological intelligence services under the existing conventions, involving notifications to public health administrations on the incidence and spread of pestilential diseases. Epidemiological information from all over the world is collected in Geneva and sent to the Epidemiological Intelligence Station at Singapore, for the Far East, the Pan American Sanitary Bureau, for the Americas; and the Sanitary Bureau at Alexandria, for the Middle East. Information received from Geneva, together with that received from 334 Eastern seaports and airports, is redistributed from Singapore by twelve radio stations in daily and weekly bulletins. Beginning in January 1949, daily reports on epidemic diseases were to be broadcast, in addition, from WHO headquarters in Geneva; the Geneva station would reach Europe, Africa and the Americas, while the WHO Epidemiological Intelligence Station in Singapore would continue to cover Asia and the Far East.

The Expert Committee, in April 1948, decided to include louse-borne relapsing fever among the pestilential diseases, and to include cerebrospinal meningitis, dengue fever, influenza and poliomyelitis among the diseases for which immediate notification must be made in case of an epidemic.

The Organization advised national health authorities on the control and latest methods of treatment of the pestilential diseases, as well as on trachoma and psittacosis.

Telegraphic information sent out from Geneva is confirmed by the *Weekly Epidemiological Record*, airmailed to all countries of the world except Far Eastern countries. The latter receive the *Weekly Fasciculus*, issued by the Singapore Station to confirm and expand the information broadcast.

From June 1947 statistical information on infectious diseases, birth-rates, general and infant mortality, etc., has been published by WHO in the monthly *Epidemiological and Vital Statistics Re-*

port, and preparation of the former League of Nations series of *Annual Epidemiological and Vital Statistics* has been continued by WHO.

6. Technical Assistance

The Interim Commission, and later WHO, provided field missions, visiting lecturers, grants for fellowships or study tours and medical literature on request to a number of countries. The Interim Commission also provided emergency assistance to Egypt to control the cholera epidemic in that country.

Following an official notification from the Egyptian Government on September 27, 1947, of the outbreak of cholera, the Commission offered its assistance in the procurement of anticholera vaccine. It surveyed vaccine production facilities in Europe and the United States, and made arrangements for the special production of additional quantities sufficient to meet the emergency. As a result, more than 32 tons of cholera vaccine, blood plasma and other urgently needed supplies were shipped by air to Egypt, and, as a safety measure, to surrounding countries, from Afghanistan, Australia, Belgium, Brazil, China, Italy, Netherlands, Spain, Turkey, U.S.S.R., Union of South Africa, United States and the Control Authorities of Japan and Southern Korea, as well as the International Red Cross. All requests for supplies were consolidated to avoid competitive bidding. Air shipping arrangements for all supplies, generally dispatched within 48 hours of the receipt of requests, were made by the Interim Commission.

The Expert Committee on Quarantine, called by the Commission for an emergency meeting in October, charted a preventive campaign and advised on sanitary measures and treatment of cases. The WHO *Weekly Epidemiological Record* published, and the Singapore Station broadcast, summaries of previous cholera epidemics in Egypt, reminders to health administrations of relevant provisions of the international sanitary conventions and trends of the disease in Egypt. The Interim Commission repeatedly denied reports appearing in the press of the spread of the disease to countries outside Egypt and induced health authorities to repeal unwarranted quarantine restrictions against cholera-free countries. The Organization reported that not a single case of cholera occurred abroad as a result of the Egyptian epidemic. The epidemic was brought under control within six weeks, the first time in medical history that an epidemic which spread at a rate of more than a thousand cases a day was checked in so short a time, and

mortality was seven times less than during the previous epidemic.

Missions of the Interim Commission, and later of WHO, were stationed in China, Ethiopia, Greece and Italy, and liaison officers were stationed in Austria, Hungary, the Philippines and Poland.

The largest of the missions provided assistance in emergency public health measures and the training of personnel in China. It consisted of 32 staff members of the Organization, eighteen of them in teaching positions. The emergency measures included, apart from tuberculosis control, the epidemic control of plague, cholera and kala azar (black fever) and surveys of the port-quarantine service. Assistance was given to the National Institute for the production of biologicals and pharmaceuticals, and experts helped to organize the warehousing and distribution of medical supplies. The mission also assisted Chinese Health Authorities in neuro-psychiatry, child and maternal welfare and general problems of public health administration. Training was provided for medical personnel, hospital and public health nurses, sanitary engineers and X-ray and laboratory technicians.

The WHO medical mission to Ethiopia was mainly concerned with providing elementary training for nurses and sanitary engineers. As of September 1948, a total of 94 Ethiopian students had received certificates as dressers and primary certificates had been granted to approximately 40 sanitary inspectors. When the mission first went to Ethiopia, there was only one doctor, too old to practise full-time, one qualified Ethiopian nurse and one sanitary inspector. The mission completed a survey of environmental hygiene in Addis Ababa and made recommendations for emergency and routine measures. It was instrumental in establishing permanent delousing stations. It made surveys of tuberculosis, venereal diseases and malaria in the area and conducted extensive field trials for the control of mosquito larvae. The mission in addition advised on measures to prevent the spread of cholera from Egypt.

The missions to Greece and Italy were mainly concerned with the control of malaria and tuberculosis, as described above. Other operations in Greece included assistance in occupational therapy, the welfare of the blind and orthopaedic bursaries. In Italy the mission advised the Italian Government on the control of trachoma, the establishment of port and frontier quarantine stations, the creation of a national nutrition and orthogenetic centre, and maternity and child welfare.

Special medical teams in collaboration with the

Unitarian Committee of America were sent to Austria in July 1947, and to Finland and Poland in July and August 1948, to lecture and demonstrate the latest techniques in particular branches of medicine and surgery.

A WHO expert was sent to the Middle East in September 1948 to survey the health conditions among the Palestine refugees.

During the period from July 1, 1947, to September 21, 1948, the Organization supplied medical literature and periodicals to Austria, Byelorussian S.S.R., China, Czechoslovakia, Ethiopia, Finland, Greece, Hungary, Italy, Poland, Ukrainian S.S.R. and Yugoslavia.

It provided fellowships to 430 doctors and other health personnel from the following countries for specialized training and refresher courses in various fields of medicine: Austria, China, Czechoslovakia, Finland, Greece, Hungary, Italy, Korea, Philippines, Poland and Yugoslavia. Recipients of these fellowships were placed for training in the United States and Canada, the United Kingdom and other countries of Western Europe and in the U.S.S.R. All fellows must agree to return to their own countries to utilize the knowledge they have acquired through this fellowship program. As of September 21, 1948, 210 had completed their studies and 220 were still studying or awaiting transportation. WHO prepared a fellowship manual based on actual experience in the organization and rehabilitation of public-health and medical education in the war-devastated countries.

On the basis of a questionnaire on technical assistance sent to its Member countries, 30 Members, as of September 1948, had requested advisory and demonstration services; 30 had requested WHO fellowships to train medical and public health personnel in modern techniques; and 22 had requested medical literature, supplies and equipment.

7. Publications

In addition to the epidemiological publications mentioned above, the Organization issues several publications designed to place at the disposal of public health administrations, and the medical and related professions, technical information on current problems and on the development of the activities of the Organization and its expert committees. These include the *Official Records of the World Health Organization*, containing minutes of meetings and corresponding documents and reports; the *Bulletin of the World Health Organization*,

the chief scientific publication of WHO, which has been published since January 1948, replacing the *Bulletin mensuel* of the Office international d'hygiène publique and the *Bulletin of the Health Organization* of the League of Nations; the *International Digest of Health Legislation*, containing reproductions, translations or extracts from the more important health legislation throughout the world; and the *Chronicle of the World Health Organization*, providing monthly information on the current activities of the Organization.

Specialized monographs are also published from time to time. A monograph on cancer treatment statistics and a monograph on modern methods of treatment of venereal diseases, as well as an international list of treatment centres for venereal diseases, were as of September 1948 being prepared for publication by WHO.

8. Other Activities

a. BIOLOGICAL STANDARDIZATION

The Organization continued its study and experimental research aimed at establishing international standards for a large number of biologicals, including various blood groups and the RH factor, cholera vaccine, whooping cough vaccine, scarlet fever antitoxin, diphtheria and tetanus toxoids, purified tuberculin and BCG.

It also considered replacing the existing standards for certain substances, including digitalis and vitamins A and D, with new standards which would result in purer preparations. Numerous laboratories in Europe, America and India collaborate in conducting the necessary research on these substances, and two laboratories, the State Serum Institute at Copenhagen and the laboratory of the Medical Research Council at Hampstead (London), distribute preparations of standardized biologicals to centres in various countries for storage and redistribution within each country.

b. UNIFICATION OF PHARMACOPOEIAS

In October 1947 an expert committee began working toward the establishment of a unified system of nomenclature of drugs, so as to provide that the same name should represent in all countries a preparation of the same strength and composition. The Expert Committee on the Unification of Pharmacopoeias reviewed and approved monographs on important drugs previously adopted by the League of Nations and adopted a large number

of draft monographs prepared by various members of the Committee.

The publication during 1949 of an international pharmacopoeia, similar in form to national pharmacopoeias, was authorized by the World Health Assembly. The monographs contained in the international pharmacopoeia will have authority in a country only after they have been approved by that country.

c. INSULIN PRODUCTION

Among its other activities the Organization made a survey of world requirements and production of insulin. To increase the supply of insulin, which the survey disclosed was far short of requirements, the Director-General, in August 1948, directed the attention of Member nations to a new method for producing insulin. This method, developed in Germany, makes possible the preserva-

tion of animal pancreas glands without the need for low refrigeration. Countries not producing insulin were asked to place their supplies of pancreas glands at the disposal of producing countries.

d. INFLUENZA CONTROL

As a protection against a recurrence of an influenza epidemic similar to that of 1918, the World Health Organization established a World Influenza Centre, located in the National Institute of the Medical Research Council, London. The Centre is to collect and distribute information on any influenza epidemics, to gather and diagnose strains responsible for these epidemics and to help train personnel in countries now lacking qualified workers. Twenty-seven countries, including Egypt, France, Italy, Sweden and the United States, subsequently established national influenza centres to collaborate with the Centre.

F. BUDGET

The program of the Interim Commission for 1947 was financed by: a loan of \$1,300,000 by the United Nations for the period from the beginning of operations to the end of 1947; a grant of \$1,500,000 from UNRRA residual funds for the continuation of the health assistance to governments formerly provided by that Administration; and the equivalent of \$21,412 transferred from the Board of Liquidation of the League of Nations to constitute a working capital fund for the Epidemiological Intelligence Station at Singapore. Actual expenditures during these two years were as follows:

BUDGET (In United States Currency)

	1947	1948*
Organizational meetings	\$ 70,506.95	\$226,217.15
New York Office	209,671.43	188,480.78
Geneva Office	420,627.00	570,855.78
Epidemiological Intelligence Station, Singapore	15,375.47	21,818.86
Field services	573,119.29	714,238.83
Technical services	269,036.94	54,127.12
Technical meetings	44,234.77	38,066.42

The first World Health Assembly approved a total budget of \$5,000,000 for WHO operations during 1949 as follows:

Organizational meetings (World Health Assembly and Executive Board)	\$ 264,000
Secretariat	2,411,105
Regional Offices	300,000
Epidemiological Intelligence Station, Singapore	59,365
Advisory and demonstration services to Governments	903,350
Technical services	862,500
Technical meetings	199,680
	<hr/> \$5,000,000

The Director-General is authorized to make transfers under certain conditions within all parts of the above budget, provided the total budget is not exceeded, and the Executive Board is authorized to make the necessary allocations of funds to give effect to the programs of WHO.

By decision of the Executive Board, Members of WHO are required to make contributions to the budget of the Organization in United States dollars or Swiss francs. Contributions to the budgets for 1948 and 1949 are assessed according to the criteria used by the United Nations in assessing its Members for 1948.^a In the case of Members of

^aTo August 31, 1948, date of cessation of existence of Interim Commission and assumption of duties by WHO.

^bSee pp. 164-65.

WHO which are not Members of the United Nations, the Health Assembly determined assessments on the following unit scale:

Country	Units
Albania	5
Austria	22
Bulgaria	17
Ceylon	5
Finland	17

Country	Units
Hungary	24
Ireland	43
Italy	252
Monaco	5
Portugal	47
Roumania	42
Switzerland	120
Transjordan	5

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF WHO

Afghanistan	Ethiopia	Poland
Albania	Finland	Portugal
Argentina	France	Roumania
Australia	Greece	Saudi Arabia
Austria	Haiti	Siam
Belgium	Hungary	Sweden
Brazil	Iceland	Switzerland
Bulgaria	India	Syria
Burma	Iran	Transjordan
Byelorussian	Iraq	Turkey
S.S.R.	Ireland	Ukrainian S.S.R.
Canada	Italy	Union of South
Ceylon	Liberia	Africa
China	Mexico	U.S.S.R.
Czechoslovakia	Monaco	United Kingdom
Denmark	Netherlands	United States
Dominican	New Zealand	Venezuela
Republic	Norway	Yugoslavia
Egypt	Pakistan	
El Salvador	Philippines	

MEMBERS OF THE EXECUTIVE BOARD

For one year:	Appointed by:
G. M. Redshaw	Australia
S. F. Chellappah	Ceylon
M. H. Hafezi	Iran
K. Evang	Norway
M. Mackenzie	United Kingdom
H. van Zile Hyde	United States

For two years:

G. H. de Paula Souza	Brazil
W. W. Yung	China
Sir A. T. Shousha Pasha	Egypt
J. Parisot	France
J. Zozaya	Mexico
N. A. Vinogradov	U.S.S.R.

For three years:

N. Evstafiev	Byelorussian S.S.R.
Colonel Chandrar Mani	India
C. van den Berg	Netherlands
B. Kozusznik	Poland
H. S. Gear	Union of South Africa
A. Stampar	Yugoslavia

OFFICERS

Director General:

Brock Chisholm (Canada)

Chairman of the Executive Board.

Sir Aly Tewfik Shousha Pasha (Egypt)

Vice-Chairmen:

Karl Evang (Norway)

W. W. Yung (China)

HEADQUARTERS

Address: World Health Organization

Palais des Nations, Geneva

Telephone: Geneva 2800

Cable Address: UNISANTE GENEVA

NEW YORK OFFICE

Address: World Health Organization

Technical Liaison Office

350 Fifth Avenue

Telephone: CHickering 4-6000

Cable Address: UNSANTE NEW YORK

ANNEX II

AGREEMENT BETWEEN THE UNITED NATIONS AND THE WORLD HEALTH ORGANIZATION

Preamble

Article 57 of the Charter of the United Nations provides that specialized agencies established by inter-governmental agreement and having wide international responsibilities as defined in their basic instruments in economic, social, cultural, educational, health and related fields shall be brought into relationship with the United Nations.

Article 69 of the Constitution of the World Health Organization provides that the Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter.

Therefore, the United Nations and the World Health Organization agree as follows:

Article I

The United Nations recognizes the World Health Organization as the specialized agency responsible for taking such action as may be appropriate under its Constitution for the accomplishment of the objectives set forth therein.

Article II

RECIPROCAL REPRESENTATION

1. Representatives of the United Nations shall be invited to attend the meetings of the World Health Assembly and its committees, the Executive Board, and such general, regional or other special meetings

as the Organization may convene, and to participate, without vote, in the deliberations of these bodies.

2. Representatives of the World Health Organization shall be invited to attend meetings of the Economic and Social Council of the United Nations (hereinafter called the Council) and of its commissions and committees, and to participate, without vote, in the deliberations of these bodies with respect to items on their agenda relating to health matters.

3. Representatives of the World Health Organization shall be invited to attend meetings of the General Assembly for purposes of consultation on matters within the scope of its competence.

4. Representatives of the World Health Organization shall be invited to attend meetings of the main committees of the General Assembly when matters within the scope of its competence are under discussion, and to participate, without vote, in such discussions.

5. Representatives of the World Health Organization shall be invited to attend the meetings of the Trusteeship Council, and to participate, without vote, in the deliberations thereof with respect to items on the agenda relating to matters within the competence of the World Health Organization.

6. Written statements of the World Health Organization shall be distributed by the Secretariat of the United Nations to all members of the General Assembly, the Council and its commissions, and the Trusteeship Council, as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the World Health Organization to all members of the World Health Assembly or the Executive Board, as appropriate.

Article III

PROPOSAL OF AGENDA ITEMS

Subject to such preliminary consultation as may be necessary, the World Health Organization shall include in the agenda of the Health Assembly or Executive Board, as appropriate, items proposed to it by the United Nations. Similarly, the Council and its commissions and the Trusteeship Council shall include in their agenda items proposed by the World Health Organization.

Article IV

RECOMMENDATIONS OF THE UNITED NATIONS

1. The World Health Organization, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter, and the function and power of the Council, under Article 62 of the Charter, to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission, as soon as possible, to the Health Assembly, the Executive Board or such other organ of the World Health Organization as may be appropriate, of all formal recommendations which the United Nations may make to it.

2. The World Health Organization agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Organization or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The World Health Organization affirms its intention of co-operating in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to participate in and to co-operate with any body or bodies which the Council may establish for the purpose of facilitating such co-ordination, and to furnish such information as may be required for the carrying out of this purpose.

Article V

EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of information and documents shall be made between the United Nations and the World Health Organization.

2. Without prejudice to the generality of the provisions of paragraph 1:

(a) The World Health Organization agrees to transmit to the United Nations regular reports on the activities of the Organization;

(b) The World Health Organization agrees to comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information, subject to the conditions set forth in article XVI;

(c) The Secretary-General shall, upon request, transmit to the Director-General of the World Health Organization such information, documents or other materials as may from time to time be agreed between them.

Article VI

PUBLIC INFORMATION

Having regard to the functions of the World Health Organization, as defined in article 2, paragraphs (q) and (r), of its Constitution, to provide information in the field of health and to assist in developing an informed public opinion among all peoples on matters of health, and with a view to furthering co-operation and developing joint services in the field of public information between the Organization and the United Nations, a subsidiary agreement on such matters shall be concluded as soon as possible after the coming into force of the present agreement.

Article VII

ASSISTANCE TO THE SECURITY COUNCIL

The World Health Organization agrees to co-operate with the Council in furnishing such information and rendering such assistance for the maintenance or restoration of international peace and security as the Security Council may request.

Article VIII

ASSISTANCE TO THE TRUSTEESHIP COUNCIL

The World Health Organization agrees to co-operate

with the Trusteeship Council in the carrying out of its functions and in particular agrees that it will, to the greatest extent possible, render such assistance as the Trusteeship Council may request in regard to matters with which the Organization is concerned.

Article IX

NON-SELF-GOVERNING TERRITORIES

The World Health Organization agrees to co-operate with the United Nations in giving effect to the principles and obligations set forth in Chapter XI of the Charter with regard to matters affecting the well-being and development of the peoples of Non-Self-Governing Territories.

Article X

RELATIONS WITH THE INTERNATIONAL COURT OF JUSTICE

1. The World Health Organization agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorizes the World Health Organization to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Organization and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Health Assembly or by the Executive Board acting in pursuance of an authorization by the Health Assembly.

4. When requesting the International Court of Justice to give an advisory opinion, the World Health Organization shall inform the Economic and Social Council of the request.

Article XI

HEADQUARTERS AND REGIONAL OFFICES

1. The World Health Organization agrees to consult with the United Nations before making any decision concerning the location of its permanent headquarters.

2. Any regional or branch offices which the World Health Organization may establish shall, so far as is practicable, be closely associated with such regional or branch offices as the United Nations may establish.

Article XII

PERSONNEL ARRANGEMENTS

1. The United Nations and the World Health Organization recognize that the eventual development of a single unified international civil service is desirable from the standpoint of effective administrative co-ordination, and with this end in view agree to develop, as far as is practicable, common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the World Health Organization agree to co-operate to the fullest extent

possible in achieving these ends and in particular they agree to:

(a) Consult together concerning the establishment of an international civil service commission to advise on the means by which common standards of recruitment in the secretariats of the United Nations and of the specialized agencies may be ensured,

(b) Consult together concerning other matters relating to the employment of their officers and staff, including conditions of service, duration of appointments, classification, salary scales and allowances, retirement and pension rights and staff regulations and rules with a view to securing as much uniformity in these matters as shall be found practicable;

(c) Co-operate in the interchange of personnel when desirable on a temporary or permanent basis, making due provision for the retention of seniority and pension rights;

(d) Co-operate in the establishment and operation of suitable machinery for the settlement of disputes arising in connexion with the employment of personnel and related matters.

Article XIII

STATISTICAL SERVICES

1. The United Nations and the World Health Organization agree to strive for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national Governments and other organizations from which such information may be collected.

2. The World Health Organization recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, dissemination and improvement of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the World Health Organization as the appropriate agency for the collection, analysis, publication, standardization, dissemination and improvement of statistics within its special sphere, without prejudice to the right of the United Nations to concern itself with such statistics so far as they may be essential for its own purpose or for the improvement of statistics throughout the world.

4. The United Nations shall, in consultation with the specialized agencies, develop administrative instruments and procedures through which effective statistical co-operation may be secured between the United Nations and the agencies brought into relationship with it.

5. It is recognized as desirable that the collection of statistical information should not be duplicated by the United Nations or any of the specialized agencies whenever it is practicable for any of them to utilize information or materials which another may have available.

6. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the World Health Organization for incorporation in its basic statistical series or special reports should, so far as is practicable, be made available to the United Nations.

Article XIV

ADMINISTRATIVE AND TECHNICAL SERVICES

1. The United Nations and the World Health Organization recognize the desirability, in the interest of administrative and technical uniformity and of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment and operation of competitive or overlapping facilities and services among the United Nations and the specialized agencies.

2. Accordingly, the United Nations and the World Health Organization agree to consult together concerning the establishment and use of common administrative and technical services and facilities in addition to those referred to in articles XII, XIII and XV, in so far as the establishment and use of such services may from time to time be found practicable and appropriate.

3. Arrangements shall be made between the United Nations and the World Health Organization with regard to the registration and deposit of official documents.

Article XV

BUDGETARY AND FINANCIAL ARRANGEMENTS

1. The World Health Organization recognizes the desirability of establishing close budgetary and financial relationships with the United Nations in order that the administrative operations of the United Nations and of the specialized agencies shall be carried out in the most efficient and economical manner possible, and that the maximum measure of co-ordination and uniformity with respect to these operations shall be secured.

2. The United Nations and the World Health Organization agree to co-operate to the fullest extent possible in achieving these ends and, in particular, shall consult together concerning the desirability of the inclusion of the budget of the Organization within a general budget of the United Nations. Any arrangements to this effect shall be defined in a supplementary agreement between the two organizations.

3. Pending the conclusion of any such agreement, the following arrangements shall govern budgetary and financial relationships between the World Health Organization and the United Nations:

(a) The Secretary-General and the Director-General shall arrange for consultation in connexion with the preparation of the budget of the World Health Organization.

(b) The World Health Organization agrees to transmit its proposed budget to the United Nations annually at the same time as such budget is transmitted to its members. The General Assembly shall examine the budget or proposed budget of the Organization and may make recommendations to it concerning any item or items contained therein.

(c) Representatives of the World Health Organization shall be entitled to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the World Health Organization or general administrative or financial questions affecting the Organization are under consideration.

(d) The United Nations may undertake the collection of contributions from those members of the World

Health Organization which are also Members of the United Nations in accordance with such arrangements as may be defined by a later agreement between the United Nations and the Organization.

(e) The United Nations shall, upon its own initiative or upon the request of the World Health Organization, arrange for studies to be undertaken concerning other financial and fiscal questions of interest to the Organization and to other specialized agencies with a view to the provision of common services and the securing of uniformity in such matters.

(f) The World Health Organization agrees to conform, as far as may be practicable, to standard practices and forms recommended by the United Nations.

Article XVI

FINANCING OF SPECIAL SERVICES

1. In the event of the World Health Organization being faced with the necessity of incurring substantial extra expenses as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with articles V, VII, VIII, or with other provisions of this agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the World Health Organization shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance provided by the United Nations, in so far as they apply to the World Health Organization.

Article XVII

UNITED NATIONS "LAISSEZ-PASSER"

Officials of the World Health Organization shall have the right to use the *laissez-passer* of the United Nations in accordance with the special arrangements to be negotiated between the Secretary-General of the United Nations and the Director-General of the World Health Organization.

Article XVIII

INTER-AGENCY AGREEMENTS

The World Health Organization agrees to inform the Council of any formal agreement between the Organization and any other specialized agency, inter-governmental organization or non-governmental organization, and in particular agrees to inform the Council of the nature and scope of any such agreement before it is concluded.

Article XIX

LIAISON

1. The United Nations and the World Health Organization agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever further measures may be necessary to make this liaison fully effective.

2. The liaison arrangements provided for in the foregoing articles of this agreement shall apply, as

far as is appropriate, to the relations between such branch or regional offices as may be established by the two organizations, as well as between their central headquarters.

Article XX

IMPLEMENTATION OF THE AGREEMENT

The Secretary-General and the Director-General may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable in the light of the operating experience of the two organizations.

Article XXI

REVISION

This agreement shall be subject to revision by agreement between the United Nations and the World Health Organization.

Article XXII

ENTRY INTO FORCE

This agreement shall come into force on its approval by the General Assembly of the United Nations and the World Health Assembly.

IX. The International Telecommunication Union¹

A. ORIGIN AND HISTORY

The Convention establishing an International Telegraph Union was signed at Paris on May 17, 1865, by the plenipotentiaries of twenty founding States: Austria, Baden, Bavaria, Belgium, Denmark, France, Greece, Hanover, Italy, Netherlands, Norway, Portugal, Prussia, Russia, Saxony, Spain, Sweden, Switzerland, Turkey and Württemberg. In 1885, at Berlin, the first regulations relating to international telephone services were inserted in the Telegraph Regulations annexed to the Union Convention.

A preliminary meeting of nine states was held in 1903 in Berlin to consider communication between ships and the land. This was followed by the first International Radio-telegraph Conference, held at Berlin in 1906, to which all the maritime countries in the world were invited. Twenty-seven states became signatories to the Radio-telegraph Convention of November 3, 1906, establishing the principle of compulsory intercommunication between vessels at sea and the land. Furthermore, 21 states made intercommunication between vessels at sea compulsory. Thus the Radio-telegraph Union came into being.

On December 9, 1932, the first International Telecommunication Convention was signed at Madrid. This Convention provided for the fusion of the International Telegraph Union and the International Radio-telegraph Union into a single organization. The new organization, the International Telecommunication Union, came into being on January 1, 1934. The Madrid Convention was revised in 1947 by a Plenipotentiary Conference held at Atlantic City, New Jersey. Signed by 72 countries on October 2, 1947, the Atlantic City Convention was to come into force on January 1, 1949. Various provisions of the revised Convention, however, came into force in 1948 on an interim basis.

Following is a full list of the conferences held to date by the International Telecommunication Union and its two predecessors: *Telegraph Conferences*: Paris, 1865; Vienna, 1868; Rome, 1872; St. Petersburg, 1875; London, 1879; Berlin, 1885; Paris, 1890; Budapest, 1896; London, 1903; Lisbon, 1908; Paris, 1925; Brussels, 1928; Madrid, 1932; Cairo, 1938. *Radio Conferences*: Berlin, 1906; London, 1912; Washington, 1927; Madrid, 1932; Cairo, 1938; Atlantic City, 1947.

B. PURPOSES AND FUNCTIONS

The purposes of ITU, as set forth in Article 3 of the International Telecommunication Convention, Atlantic City, 1947, are:

- "(a) to maintain and extend international cooperation for the improvement and rational use of telecommunication of all kinds;
- "(b) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;
- "(c) to harmonize the actions of nations in the attainment of those common ends."

To achieve these purposes, the Union undertakes to:

- "(a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;

¹For further details concerning the origin and activities of ITU, see the report of the International Telecommunication Union to the United Nations (E/812), *Final Act of the International Telecommunication and Radio Conference, Atlantic City, 1947* and the *Telecommunication Journal*, issues from July 1947 to October 1948, inclusive. See also Bibliography of this Yearbook, Appendix III.

"(b) foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

"(c) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication service;

"(d) undertake studies, formulate recommendations, and collect and publish information on telecommunication matters for the benefit of all Members and Associate Members."

C. ORGANIZATION

As originally organized, ITU was an agency which, meeting at long intervals, drew up regulations governing radio, telephone and telegraph communications. It was necessary to change the whole structure of the organization to deal with the rapid technical developments of recent years. The revised Convention adopted at Atlantic City by the Plenipotentiary Telecommunication Conference strengthens the functions and responsibilities of those organs established under the Madrid Convention, and in addition provides for continuing supervisory and co-ordination functions through an Administrative Council, and for additional technical functions through an International Frequency Registration Board (I.F.R.B.). Although the Atlantic City Convention, in accordance with its terms, was not to come into force until January 1, 1949, as decided by the Conference, these two new bodies held their first meetings in September 1947 to elect their officers, and began their operations on a provisional basis in January 1948.

As at present organized, the structure of ITU consists of a Plenipotentiary Conference, Administrative Conferences and the permanent organs of the Union: the Administrative Council, the General Secretariat, the International Frequency Registration Board, the International Telegraph Consultative Committee (C.C.I.T.), the International Telephone Consultative Committee (C.C.I.F.) and the International Radio Consultative Committee (C.C.I.R.).²

The supreme organ of the Union is the Plenipotentiary Conference, at which all Members of the Union may be represented. It considers the report of the Administrative Council on the activities of the Union; establishes the basis for ITU's budget for a five-year period; approves the accounts; elects the members of the Administrative Council; enters into and revises formal agreements with other international bodies; and deals with such telecommunication questions as may be necessary. This Conference normally meets once every five years,

at a place and date fixed by the preceding Conference. Each Member has one vote in the Union. Decisions can be taken only when at least one half of the accredited delegations are present or represented. Decisions on the admission of a new Member to ITU require a two-thirds majority. All other decisions of ITU are taken by majority vote.

Administrative Conferences, at which all Members may be represented, generally meet at the same time and place as the Plenipotentiary Conference. The Administrative Telegraph and Telephone Conference and the Administrative Radio Conference revise and draft new telecommunication regulations with which they are respectively concerned. The Administrative Radio Conference, moreover, elects the members of the I.F.R.B. and reviews its activities. Regional administrative conferences and special international administrative conferences to deal with special telecommunication questions are also held.

The Administrative Council is composed of eighteen Members of ITU elected by the Plenipotentiary Conference. The Council supervises the Union's administrative functions between sessions of the Plenipotentiary Conference, reviews and approves the annual budget, appoints the Secretary-General and the two Assistant Secretaries-General of the Union and co-ordinates the work of ITU with that of other international organizations. The Council normally meets at the seat of the Union once a year and at such other times as it thinks necessary, or at the request of six of its members. The Secretary-General of the Union acts as Secretary of the Administrative Council.

In the new organization decided on at Atlantic City, the General Secretariat succeeds the Bureau of the International Telecommunication Union,

²The official abbreviations, C.C.I.T., C.C.I.F., and C.C.I.R., derive from the French titles of these consultative committees: *Comité consultatif international télégraphique*, *Comité consultatif international téléphonique* and *Comité consultatif international des radiocommunications*.

which had been located at Berne since 1868 (at that time under the International Telegraph Union); Geneva was selected by the Atlantic City Plenipotentiary Conference as the new headquarters of ITU.³ Throughout 1948 the activities of the General Secretariat were under the control of the Swiss Confederation, as was the case with the Bureau, especially with regard to financial and personnel matters. On January 1, 1949, however, as provided by the Plenipotentiary Conference, the supervisory responsibilities for the administration of the Union were to be assumed by the Administrative Council. Under the direction of the Secretary-General, the General Secretariat carries out the secretariat work preparatory to and following conferences of the Union, publishes the recommendations and principal reports of the permanent organs of the Union, international or regional telecommunication agreements, a journal of general information and documentation concerning telecommunication (*Telecommunication Journal*), general data and other official documents of the Union. The Secretariat also prepares, for submission to the Administrative Council, an annual budget and draws up an annual financial operating account.

The International Frequency Registration Board (I.F.R.B.) consists of eleven members appointed by as many states elected on a regional basis by the Administrative Radio Conference. Each regular session of the Administrative Radio Conference

determines the number of members of I.F.R.B. The Atlantic City Radio Conference elected the first members. Members serve, as stated in Article 6 of the Convention, not as representatives of their countries, or of a region, but "as custodians of an international public trust". The I.F.R.B. records all frequency assignments and furnishes advice to Members of ITU with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur.

The International Telegraph Consultative Committee (C.C.I.T.) studies technical, operating and tariff questions relating to telegraphy and facsimile⁴ and issues recommendations on them. The International Telephone Consultative Committee (C.C.I.F.) has the same duties in relation to telephony. The International Radio Consultative Committee (C.C.I.R.) studies and issues recommendations concerning technical and operating questions relating to radio, the solution of which depends principally on considerations of a technical radio character. The work of each consultative committee is reviewed by its plenary assembly, which normally meets once every two years. The plenary assembly appoints the director of the consultative committee concerned; study groups are established by the plenary assembly to deal with particular questions. Each committee is served by a specialized secretariat and may have the use of a laboratory and of technical installations.

D. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

The principal accomplishment of ITU during this period was the revision of the International Telecommunication Convention by the Plenipotentiary Conference, which met in Atlantic City from July 2 to October 2, 1947; the revised Convention was scheduled to come into force on January 1, 1949. As heretofore, Telegraph Regulations, Telephone Regulations, Radio Regulations and Additional Radio Regulations are annexed to the Convention. The Radio and Additional Radio Regulations were revised in 1947 at Atlantic City by the Administrative Radio Conference. The Telegraph and Telephone Regulations are to be revised by the Administrative Telegraph and Telephone Conference, scheduled to convene in Paris in May 1949.

The Administrative Radio Conference, having

established a new table of frequency allocations to the various services, decided that a new international frequency list was to be drawn up by a Provisional Frequency Board (P.F.B.) set up for the purpose, and by various regional and service conferences (which allot frequencies to stations in a particular service, such as the maritime service). Co-ordinated work on this frequency list was continued through 1948 by the P.F.B. with the assistance of the I.F.R.B.

The preparation of a high frequency broadcast plan was entrusted to the Administrative High

³The General Secretariat was transferred to Geneva on October 26, 1948.

⁴As defined in the Radio Regulations, Article 1, 10, facsimile is "a system of telecommunication for the transmission of fixed images with a view to their reception in a permanent form".

Frequency Broadcasting Conference, which met concurrently with the Plenipotentiary Conference at Atlantic City; this task was to be completed by a similar broadcasting conference scheduled to convene in Mexico City on October 22, 1948.

The plenary assemblies of two of the Union's consultative committees met during the year to study the improvements in telegraphy and radio and make recommendations in their respective fields.

Further details of these activities are given below.

1. Plenipotentiary Conference

In addition to changing the organization of ITU, the Plenipotentiary Conference considered the question of membership in the Union. According to Article 1 of the revised Convention, new Members are admitted into the Union, if they are Members of the United Nations or if they are listed in Annex I to the Convention, by depositing an instrument of accession to the Convention with the Secretary-General of ITU. Other states must first have their applications for membership approved by two thirds of the Members of ITU. Spain, on the one hand, and the Spanish Zone of Morocco and the totality of Spanish Possessions, on the other hand, are, for the present, prevented from becoming parties to the International Telecommunication Convention of Atlantic City, in accordance with the United Nations General Assembly resolution debarring Franco Spain from membership in any organization brought into relationship with the United Nations.⁵ The telecommunication services of the United Nations are entitled to the rights and are bound by the obligations of the Convention and of the Regulations and are accordingly entitled to be represented at all Conferences of the Union in a consultative capacity. The Convention also provides that, under certain conditions, Associate Members may be admitted into the Union.

Although the Convention provides for the appointment of the chief officers of the General Secretariat by the Administrative Council, the Plenipotentiary Conference named as the first Secretary-General Franz von Ernst (Switzerland), who had served as Director of the Bureau of ITU since 1935, and as Assistant Secretaries-General Léon Mulatier (France) and Gerald C. Gross (United States).

The Conference also approved an agreement establishing the relationship of ITU with the

United Nations. The agreement came into force provisionally on November 15, 1947, with its subsequent approval by the General Assembly of the United Nations. It was scheduled to enter into force officially on January 1, 1949, at the same time as the revised Convention.

The Final Act of the Plenipotentiary Conference comprises the Convention, with its 49 articles and five annexes, the most important of which are the General Regulations and the agreement between the Union and the United Nations; a Final Protocol containing reservations made by certain signatory states; a series of additional protocols concerning, for example, the provisional application of the terms of the Convention,⁶ and a series of resolutions, recommendations and opinions.

2. Administrative Radio Conference

The Administrative Radio Conference met in Atlantic City from May 15 to October 2, 1947. Recent scientific advances had made obsolete the Radio Regulations drawn up by the Cairo Conference of 1938. The Atlantic City Radio Conference therefore revised these regulations, which, along with the Convention, were to come into force in part on January 1, 1949.

The revised Radio Regulations set up a new world-wide frequency allocation table extending up to 10,500,000 kilocycles (the Cairo Conference of 1938 had charted the spectrum only up to 200,000 kilocycles). The Conference allocated the revised frequency bands to the various services, such as fixed service, maritime service, aeronautical service, and broadcasting service. Practical machinery for putting this new allocation into effect was set up. Under the Cairo Regulations every country was free to use any frequency on the condition of creating no interference. The country had only to register its frequencies with the Bureau of ITU in Berne. With a view to developing arrangements which would economize spectrum space, the Conference established the International Frequency Registration Board (I.F.R.B.), and charged it with the registration of frequencies

⁵See *Yearbook of the United Nations*, 1946-47, pp. 129-30.

⁶The texts of the International Telecommunication Convention, its five annexes, the Final Protocol and Additional Protocols are reproduced on pp. 932-54. The *Telegraph Regulations* (Cairo, 1938), *Telephone Regulations* (Cairo, 1938), and *Radio Regulations* (Atlantic City, 1947), also annexed to the Convention are not included herein but may be obtained from the General Secretariat of ITU.

3. *International Frequency List*

The Radio Conference further established a Provisional Frequency Board (P.F.B.), to prepare, with the advisory assistance of the I.F.R.B., a new international frequency list. When completed, this list will form the basis of the work of the I.F.R.B. During the preparation of this list, notices of frequency assignments will be made in conformity with the Cairo Radio Regulations. The list is to include all information concerning existing stations, stations under construction, and planned stations to be constructed in the near future. The P.F.B. was to assign frequencies to fixed stations, tropical broadcasting stations, and land stations, within the frequency band between ten kilocycles and 30,000 kilocycles. The P.F.B. was to take into account the existing utilization of frequencies and the undesirability of making unnecessary changes.

Frequency requirements from the different countries were assembled so that the P.F.B., assisted by the I.F.R.B., had all the material to start with the task of assigning the required frequencies to the different stations, after it had established technical and engineering guidance.

The Administrative Radio Conference at Atlantic City had decided that special conferences could be held to assign frequencies to regional or exclusive service bands and that the work of making these assignments should not be duplicated by the P.F.B. In this connection, the Radio Conference had recognized the need for a new regional broadcasting agreement and a new frequency allocation plan for broadcasting stations of the European area. It therefore decided to call a conference to draw up these instruments. The European Broadcasting Conference met in Copenhagen from June 25 to September 15, 1948. Prior to the Conference, a preparatory committee of eight states met in Brussels from January 15 to March 20, 1948, and again from May 11 to June 9, 1948, and drew up for presentation to the Conference a preliminary draft plan for the allocation of medium and long waves to broadcasting stations in the 33 countries of the European region. The European Conference fixed March 15, 1950, at 0200 hours (G.M.T.) as the date of entry into force of the European Broadcasting Convention and Plan annexed thereto.

Concurrently with the European Broadcasting Conference, a Maritime Regional Radio Conference was held in Copenhagen from June 25 to September 17, 1948, to examine the frequency requirements of the maritime services and allocate

frequencies to European coastal stations from the North Sea to the Mediterranean. The Conference allocated frequencies within the 415-490 kc. and 510-525 kc. bands to these coastal stations and drew up lists showing these allocations for countries non-signatories to the International Telecommunication Convention as well as for the contracting countries. The Conference also recommended measures designed to eliminate or reduce interference between stations.

The Administrative Radio Conference recognized that frequency allocations for the aeronautical mobile service (a radiocommunication service between stations on board aircraft or between aircraft and land stations carrying on a service with aircraft stations) could best be worked out by an international aviation organization. The International Civil Aviation Organization was therefore invited to participate in the Aeronautical Radio Conference called by ITU in Geneva on May 15, 1948. Delegates of ICAO also attended the meetings of the preparatory committee of the Conference, which met from April 26 to May 14, 1948.

The P.F.B. was to integrate the allocation plans prepared by the European, maritime and aeronautical conferences with those which it prepared, the total was to be included in the draft new international frequency list, to be completed by May 17, 1949. The draft list was to be circulated to Members of ITU. Final decision with respect to the list was to be taken by a special Administrative Radio Conference, scheduled to convene on October 17, 1949. With the approval of the international frequency list by the special Administrative Radio Conference, the P.F.B. was to be dissolved.

4. *High Frequency Broadcasting*

The Administrative High Frequency Broadcasting Conference met in Atlantic City from August 15 to October 2, 1947. The work of this Conference was mainly devoted to preparing for the next administrative conference concerning high frequency broadcasting, scheduled to convene in Mexico City in October 22, 1948. Although delegates from 78 countries at the Administrative Radio Conference had decided to allocate larger frequency bands to international broadcasting, they failed at the High Frequency Broadcasting Conference to agree on the principles according to which these bands would be used. It was therefore decided that another administrative conference concerning high frequency broadcasting should be

held in Mexico City on October 22, 1948. The Atlantic City Conference prepared the schedule, directives and agenda for the Mexico City Conference, and established a Planning Committee to prepare a draft assignment plan for the coming conference and suggest the most effective means of implementing the proposed plan.

5. International Consultative Committees

The International Telegraph Consultative Committee held its sixth meeting in Brussels from May 11 to 27, 1948. The Committee studied the improvements in telegraphy since its previous meeting in 1936. In the light of these advances, it studied questions pertaining to telegraph subscribers' services, the revision of the system of charges and a European automatic switching telegraphic network.

The International Radio Consultative Committee held its fifth meeting in Stockholm from July 12 to 31, 1948.

E. BUDGET

The ordinary expenses of the Union include the expenses pertaining to the meetings of the Administrative Council, the salaries of the staff and other expenses of the General Secretariat, the International Frequency Registration Board, the international consultative committees, and the laboratories and technical installations created by the Union. These expenses are borne by all Members and Associate Members.

The extraordinary expenses include all expenses pertaining to plenipotentiary conferences, administrative conferences, and meetings of the international consultative committees. They are borne by the Members and Associate Members who have agreed to participate in these conferences and meetings. Private operating agencies and international organizations contribute to the extraordinary expenses of the administrative conferences and the meetings of the international consultative committees in which they participate, in proportion to the number of units corresponding to the class chosen by them. The Administrative Council may, nevertheless, excuse certain international organizations from contributing to these expenses.

6. Publications

In addition to the *Final Act of the International Telecommunication and Radio Conferences, Atlantic City, 1947*, and the reports of other meetings held by the Union, ITU issued a large number of technical publications during the period under review. These include: *Liste de fréquences*, fifteenth edition; *Nomenclature des stations fixes (Index à la liste des fréquences pour les stations fixes en service)*, with monthly supplements; *Statistique générale de la téléphonie, année 1946*; *Statistique générale des radio-communications pour l'année 1946*; *General Telegraph Statistics for the year 1946*; *List of Aeronautical Stations and Aircraft Stations*, eighteenth edition, *Map of Coastal Stations open for public correspondence*, fifth edition. The last three publications listed were issued in both English and French, the others were issued in French.

ITU publishes a periodic *Telecommunication Journal* containing general information and documentation concerning telecommunication. The *Journal* was issued only in French until January 1948; beginning with the January issue, the *Journal* has been published in English, French and Spanish.

The Atlantic City Plenipotentiary Conference authorized the Administrative Council to approve, for the period 1949 to 1952, inclusive, annual provisions for ordinary expenses up to four million Swiss francs per annum. Excess expenditure may be authorized after having been approved by the majority of the Members and Associate Members of the Union.

At its third session, held in Geneva beginning September 18, 1948, the Council adopted the following budget for 1948, within the framework set up by the Plenipotentiary Conference.

ORDINARY BUDGET:

	Sw Francs
Administrative Council	238,000
Telegraph and Telephone Division	492,700
Radio Division	752,000
TOTAL	1,482,700

EXTRAORDINARY BUDGET:

Telegraph and Telephone Division	76,200
Radio Division	32,500
Conference and Meetings (including 1,865,000 for P.F.B. and I.F.R.B.)	2,199,000
TOTAL	2,307,700

The table of classes of contribution is as follows: 1st class, 30 units; 2nd class, 25 units; 3rd class, 20 units; 4th class, 15 units; 5th class, 10 units; 6th class, 5 units; 7th class, 3 units; and 8th class, 1 unit. Each Member or Associate Member chooses the class in which it wishes to be included and pays in advance its annual contributory share, calculated on the basis of the budgetary provisions. Publications of ITU are distributed without charge to Members of the Union, the number of copies corresponding to the units selected in each case.

Under the terms of the Additional Protocol X to the International Telecommunication Convention,⁷ Members were permitted to select different classes of contributions for the expenses of the radio service, and for the expenses of the telegraph and telephone service during 1948. Each Member is required to select a single class of contribution for meeting these expenses during 1949 and subsequent years. Members of ITU have accordingly chosen the following classes of contribution for the year 1948:

COUNTRY ^a	Radio Service 1948		Telegraph and Telephone Service 1948	
	CLASS OF CON- TRIBUTION	NO. OF UNITS	CLASS OF CON- TRIBUTION	NO. OF UNITS
Afghanistan	VIII	1	VIII	1
Albania	—	—	VIII	1
Argentina	II	25	II	25
Australia	I	30	I	30
Austria	VIII	1	VIII	1
Belgium	V	10	V	10
Belgian Congo	VII	3	VII	3
Bolivia	VII	3	VII	3
Brazil	II	25	II	25
Bulgaria	VII	3	VII	3
Burma	VII	3	VII	3
Byelorussian S.S.R.	VI	5	VI	5
Canada	II	25	—	—
Chile	VII	3	VII	3
China	II	25	II	25
Chosen (Korea)	—	10	—	10
Colombia	VII	3	VI	5
Costa Rica	VII	3	VII	3
Cuba	VI	5	—	—
Czechoslovakia	V	10	V	10
Denmark	V	10	V	10
Dominican Republic	V	10	V	10
Ecuador	VI	5	VII	3
Egypt	V	10	V	10
El Salvador	VII	3	VII	3
Estonia	VI	5	VI	5
Ethiopia	VII	3	VII	3
Finland	VI	5	VI	5
France	I	30	I	30
Colonies, Protectorates, and Overseas Territories under French Mandate	II	25	II	25
Germany	—	25	—	25
Greece	VI	5	VI	5
Guatemala	VII	3	VII	3
Haiti	VIII	1	VIII	1
Honduras	VII	3	—	—
Hungary	VIII	1	VIII	1
Iceland	VIII	1	VIII	1
India	I	30	I	30
Iran	VIII	1	VIII	1
Iraq	VIII	1	VIII	1
Irish Free State	VI	5	VI	5
Israel (from July 1, 1948)	VII	1½	VII	1½
Italy	II	25	II	25
Aegean Italian Islands	—	3	—	3

^aSee pp. 951-52.

⁷See footnote on opposite page.

COUNTRY*	Radio Service 1948		Telegraph and Telephone Service 1948	
	CLASS OF CON- TRIBUTION	NO. OF UNITS	CLASS OF CON- TRIBUTION	NO. OF UNITS
Italian East Africa	—	5	—	5
Japan	—	25	—	25
South Sea Islands under Japanese Mandate	—	3	—	3
Karafuto	—	3	—	3
Kwangtung, leased territory	—	3	—	3
Latvia	VI	5	VI	5
Lebanon	VIII	1	VIII	1
Liberia	VII	3	—	—
Libya	VII	3	—	3
Lithuania	VII	3	VII	3
Luxembourg	VII	3	VII	3
Mexico	V	10	V	10
Monaco	VIII	1	VIII	1
Mongolia	VII	3	VII	3
Morocco	VII	3	VII	3
Netherlands, Curaçao and Surinam	V	10	V	10
Netherland Indies	V	10	V	10
New Zealand	VI	5	VI	5
Nicaragua	VII	3	VII	3
Norway	V	10	V	10
Pakistan	IV	15	IV	15
Panama	VII	3	VII	3
Paraguay	VII	3	VII	3
Peru	VI	5	VI	5
Philippines	VI	5	—	—
Poland	III	20	III	20
Portugal	IV	15	VI	5
Portuguese Colonies	IV	6*	IV	12†
Roumania	VI	5	IV	15
San Marino	VIII	1	—	—
Siam	V	10	V	10
Southern Rhodesia	VIII	1	VIII	1
Spain‡	—	20	—	20
Spanish Colonies‡	VII	3	—	—
Spanish Territories on the Gulf of Guinea‡	VII	3	—	—
Spanish Zone of the Protectorate of Morocco ‡	—	3	—	3
Sweden	V	10	V	10
Switzerland	V	10	V	10
Syria	VII	3	VII	3
Taiwan	—	3	—	3
Transjordan	VIII	1	VIII	1
Tunisia	VII	3	VII	3
Turkey	V	10	V	10
Ukrainian S.S.R.	IV	15	IV	15
Union of South Africa	II	25	II	25
U.S.S.R.	II	25	II	25
United Kingdom of Great Britain and Northern Ireland	I	30	I	30
United States	I	30	—	—
Territories of United States	I	30	—	—
Uruguay	VI	5	VI	5
Vatican City	VIII	1	VIII	1
Venezuela	V	10	VI	5
Yugoslavia	VI	5	IV	15
Yemen	—	—	VII	3
TOTALS		847½		760½

*The names of countries listed are translations from a list, in French, furnished by the ITU General Secretariat.

†Portuguese Colonies: Portuguese West Africa, 3 units; Portuguese East Africa and Portuguese Asiatic Possessions, 3 units.

‡Portuguese Colonies: Angola, 3 units; Portuguese Colonies in Africa (with the exception of Angola and Mozambique), 3 units; Portuguese Colonies of Asia and Oceania, 3 units; Mozambique, 3 units.

‡See Additional Protocol III to the Convention, p. 951.

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(as of September 21, 1948)

SIGNATORIES TO THE REVISED ITU CONVENTION^a

Albania	Luxembourg
Argentina	Mexico
Australia	Monaco
Austria	Netherlands, Curaçao and Surinam
Belgium	Netherland Indies
Belgian Congo and Territories of Ruanda-Urundi	New Zealand
Brazil	Nicaragua
Bulgaria	Norway
Burma	Pakistan
Byelorussian S.S.R.	Panama
Canada	Peru
Chile	Philippines
China	Poland
Colombia	Portugal
Cuba	Portuguese Colonies
Czechoslovakia	Roumania
Denmark	Saudi Arabia
Dominican Republic	Siam
Ecuador	Southern Rhodesia
Egypt	Sweden
El Salvador	Switzerland
Ethiopia	Syria
Finland	Turkey
France	Ukrainian S.S.R.
French Protectorates of Morocco and Tunisia	Union of South Africa and Mandated Territory of South West Africa
Colonies, Protectorates, and Overseas Territories under French Mandate	U.S.S.R.
Greece	United Kingdom
Guatemala	Colonies, Protectorates, Overseas Territories and Territories under Mandate or Trusteeship of United Kingdom
Haiti	United States
Honduras	Territories of United States
Hungary	Uruguay
Iceland	Vatican City
India	Venezuela
Iran	Yugoslavia
Iraq	
Ireland	
Italy	
Lebanon	

Ivan Danilenko (U.S.S.R.)
 Fioranvanti Dellamula (Argentina)
 John A. Gracie (United Kingdom)
 Paul D. Miles (United States)
 René Petit (France)
 Noel Hamilton Roberts (Union of South Africa)
 J. J. Svoboda (Czechoslovakia)
 T. K. Wang (China)
 Sidney H. Witt (Australia)

OFFICERS OF THE ADMINISTRATIVE COUNCIL

Chairman for 1948:

UNITED STATES

Vice-Chairmen:

CHINA

FRANCE

U.S.S.R.

UNITED KINGDOM

OFFICERS OF THE I.F.R.B. (FOR 1948)

Chairman:

Paul D. Miles

Vice-Chairman:

Sidney H. Witt

OFFICERS OF THE INTERNATIONAL CONSULTATIVE COMMITTEES

Director of the C.C.I.T.

(to be appointed in May 1949)

Director of the C.C.I.F.

Georges Valensi (France)

Director of the C.C.I.R.

Balt van der Pol (Netherlands)

Vice-Director of the C.C.I.R.

L. W. Hayes (United Kingdom)

OFFICERS OF THE GENERAL SECRETARIAT

Secretary-General:

Dr. Franz von Ernst (Switzerland)

Assistant Secretaries-General:

Léon Mulatier (France)

Gerald C. Gross (United States)

HEADQUARTERS^b

Address: International Telecommunication Union
 Effingerstrasse 1
 Berne, Switzerland

ANNEX II

INTERNATIONAL TELECOMMUNICATION CONVENTION

(Atlantic City, 1947)

PREAMBLE

While fully recognizing the sovereign right of each country to regulate its telecommunication, the plenipotentiaries of the Contracting Governments have agreed to conclude the following Convention, with a view to ensuring the effectiveness of telecommunication.

^aSee also Annex 1 to Convention, p. 941.^bThe headquarters were transferred to Geneva on October 26, 1948. The address is Palais Wilson, Geneva (Cable address: BURINTERNA GENEVA. Telephone 21550.)

In addition to the signatories to the Convention, the following States are eligible to join ITU when they accede to the Convention:

Afghanistan	Costa Rica	Paraguay
Bolivia	Liberia	Yemen

MEMBERS OF THE ADMINISTRATIVE COUNCIL

Argentina	France	Switzerland
Brazil	Italy	Turkey
Canada	Lebanon	U.S.S.R.
China	Pakistan	United Kingdom
Colombia	Poland	United States
Egypt	Portugal	Yugoslavia

INTERNATIONAL FREQUENCY REGISTRATION BOARD (I.F.R.B.)

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CHAPTER I.—COMPOSITION, FUNCTIONS AND STRUCTURE OF THE UNION

ARTICLE 1. *Composition of the Union*

1. The International Telecommunication Union shall comprise Members and Associate Members.

2. A Member of the Union shall be:

(a) any country or group of territories listed in Annex I upon signature and ratification of, or accession to, this Convention, by it or on its behalf;

(b) any country not listed in Annex I which becomes a Member of the United Nations and which accedes to this Convention in accordance with Article 17;

(c) any sovereign country not listed in Annex I and not a Member of the United Nations which applies for membership in the Union and which, after having secured approval of such application by two-thirds of the Members of the Union, accedes to this Convention in accordance with Article 17.

3. (1) All Members shall be entitled to participate in conferences of the Union and shall be eligible for election to any of its organs.

(2) Each Member shall have one vote at any conference of the Union and at any meeting of an organ of the Union of which it is a Member.

4. An Associate Member shall be:

(a) any country which has not become a Member of the Union in accordance with paragraph 2 of this Article, by acceding to this Convention in accordance with Article 17, after its application for Associate Membership has received approval by a majority of the Members of the Union;

(b) any territory or group of territories, not fully responsible for the conduct of its international relations, on behalf of which this Convention has been accepted by a Member of the Union in accordance with Article 17 or 18, provided that its application for Associate Membership is sponsored by such Member, after the application has received approval by a majority of the Members of the Union;

(c) any trust territory on behalf of which the United Nations has acceded to this Convention in accordance with Article 19, and the application of which for Associate Membership has been sponsored by the United Nations.

5. Associate Members shall have the same rights and obligations as Members of the Union, except that they shall not have the right to vote in any Conference or other organ of the Union. They shall not be eligible for election to any organ of the Union of which the Members are elected by a plenipotentiary or administrative conference.

6. For the purposes of paragraphs 2 (c) and 4 (a) and (b) above, if an application for Membership or Associate Membership is made during the interval between two plenipotentiary conferences, the Secretary General shall consult the Members of the Union; a Member shall be deemed to have abstained if he has not replied within four months after his opinion has been requested.

ARTICLE 2. *Seat of the Union*

The seat of the Union and of its permanent organs shall be at Geneva.

ARTICLE 3. *Purposes of the Union*

1. The purposes of the Union are:

(a) to maintain and extend international cooperation for the improvement and rational use of telecommunication of all kinds;

(b) to promote the development of technical facilities and their most efficient operation with a view to improving the efficiency of telecommunication services, increasing their usefulness and making them, so far as possible, generally available to the public;

(c) to harmonize the actions of nations in the attainment of those common ends.

2. To this end, the Union shall in particular:

(a) effect allocation of the radio frequency spectrum and registration of radio frequency assignments in order to avoid harmful interference between radio stations of different countries;

(b) foster collaboration among its Members and Associate Members with a view to the establishment of rates at levels as low as possible consistent with an efficient service and taking into account the necessity for maintaining independent financial administration of telecommunication on a sound basis;

(c) promote the adoption of measures for ensuring the safety of life through the cooperation of telecommunication service;

(d) undertake studies, formulate recommendations, and collect and publish information on telecommunication matters for the benefit of all Members and Associate Members.

ARTICLE 4. *Structure of the Union*

The organization of the Union shall be as follows:

1. the Plenipotentiary Conference which is the supreme organ of the Union;

2. Administrative Conferences;

3. the permanent organs of the Union which are:

(a) the Administrative Council,

(b) the General Secretariat,

(c) the International Frequency Registration Board (I.F.R.B.),

(d) the International Telegraph Consultative Committee (C.C.I.T.),

(e) the International Telephone Consultative Committee (C.C.I.F.),

(f) the International Radio Consultative Committee (C.C.I.R.).

ARTICLE 5. *Administrative Council*

A. ORGANIZATION AND WORKING ARRANGEMENTS

1. (1) The Administrative Council shall be composed of eighteen Members of the Union elected by the plenipotentiary conference with due regard to the need for equitable representation of all parts of the world. The Members of the Council shall hold office until the election of their successors. They are eligible for re-election.

(2) If between two plenipotentiary conferences a seat becomes vacant on the Administrative Council, it shall pass by right to the Member of the Union, from the same region as the Member whose seat is vacated, who had obtained at the previous election the largest number of votes among those not elected.

2. Each of the Members of the Administrative Council

shall appoint, to serve on the Council, a person qualified in the field of telecommunication services.

3. (1) Each Member of the Council shall have one vote.

(2) In taking its decisions, the Administrative Council shall follow the procedure provided in the General Regulations currently in force. In cases not covered by the General Regulations, it may adopt its own rules of procedure.

4. The Administrative Council shall elect five of its Members to assume the Chairmanship and Vice Chairmanships during the period which normally elapses between two plenipotentiary conferences. Each of these five Members shall assume the Chairmanship in turn for one year only, including the Chairmanship throughout the last meeting convened during that year. The Chairmanship shall be decided each year by agreement among these five Members or by lot.

5. The Administrative Council shall normally meet at the seat of the Union, once a year and at such other times as it deems necessary or at the request of six of its Members.

6. The Chairman of the International Frequency Registration Board, the Directors of the International Consultative Committees and the Vice-Director of the International Radio Consultative Committee shall participate as of right in the deliberations of the Administrative Council, but without taking part in the voting. Nevertheless the Council may exceptionally hold meetings confined to its own Members.

7. The Secretary General of the Union shall act as Secretary of the Administrative Council.

8. In the intervals between plenipotentiary conferences, the Administrative Council shall act on behalf of the plenipotentiary conference within the limits of the powers delegated to it by the latter.

9. Only the travelling and subsistence expenses incurred by Members of the Administrative Council in this capacity shall be borne by the Union.

B. DUTIES

10. (1) The Administrative Council shall be responsible for taking all steps to facilitate the implementation by the Members and Associate Members of the provisions of the Convention, of the Regulations and of the decisions of the Plenipotentiary Conference.

(2) It shall ensure the efficient coordination of the work of the Union.

11. In particular, the Administrative Council shall:

(a) perform any duties assigned to it by the plenipotentiary conferences;

(b) in the interval between plenipotentiary conferences, be responsible for effecting the co-ordination with all international organizations contemplated in Articles 26 and 27 of this Convention, and to this end appoint, on behalf of the Union, one or more representatives to participate in the conferences of such organizations, and when necessary, of coordinating committees established in conjunction with those organizations;

(c) appoint the Secretary General and the two Assistant Secretaries General of the Union;

(d) supervise the administrative functions of the Union;

(e) review and approve the annual budget of the Union;

(f) arrange for the annual audit of the accounts

of the Union prepared by the Secretary General and approve them for submission to the next plenipotentiary conference;

(g) arrange for the convening of plenipotentiary and administrative conferences of the Union as provided for in Articles 10 and 11;

(b) coordinate the activities of all the other organs of the Union, consider and take such action as it deems appropriate on requests or recommendations made to it by such organs and fill vacancies thereon ad interim as prescribed in the Regulations,

(i) perform the other functions prescribed for it in this Convention and, within the framework of the Convention and the Regulations, the functions deemed necessary for the proper administration of the Union.

ARTICLE 6. *International Frequency Registration Board*

1. The essential duties of the International Frequency Registration Board shall be:

(a) to effect an orderly recording of frequency assignments made by the different countries so as to establish, in accordance with the procedure provided for in the Radio Regulations, the date, purpose and technical characteristics of each of these assignments, with a view to ensuring formal international recognition thereof;

(b) to furnish advice to Members and Associate Members with a view to the operation of the maximum practicable number of radio channels in those portions of the spectrum where harmful interference may occur.

2. The International Frequency Registration Board shall be composed of independent members, all nationals of different countries, Members of the Union. Each ordinary administrative radio conference shall determine the number of its members, and the method of their election with a view to ensuring a balanced selection of the members from the various parts of the world.

3. Members of the Board shall be elected by each ordinary administrative radio conference according to the procedure established by that conference.

4. The working arrangements of the Board are defined in the Radio Regulations.

5. (1) The members of the Board shall serve, not as representatives of their respective countries, or of a region, but as custodians of an international public trust.

(2) No member of the Board shall request or receive instructions relating to the exercise of his duties from any Government or a member thereof or from any public or private organization or person. Furthermore, each Member and Associate Member must respect the international character of the Board and of the duties of its members and shall refrain from any attempt to influence any of them in the exercise of their duties.

(3) No member of the Board or of its staff shall participate in any manner or have any financial interest whatsoever in any branch of telecommunication, apart from the work of the Board.

ARTICLE 7. *Condition to be fulfilled before serving on the Administrative Council and the International Frequency Registration Board*

1. No person designated by an elected Member to serve on the Administrative Council or on the International Frequency Registration Board may exercise his

functions until an instrument of ratification or of accession has been deposited by that Member or on its behalf.

2. Any country which ceases to be a Member of the Union for any reason whatsoever may not be represented in either the Administrative Council or the International Frequency Registration Board.

ARTICLE 8. *International Consultative Committees*

1. (1) The duties of the International Telegraph Consultative Committee (C.C.I.T.) shall be to study technical, operating and tariff questions relating to telegraphy and facsimile and to issue recommendations on them.

(2) The duties of the International Telephone Consultative Committee (C.C.I.R.) shall be to study technical, operating and tariff questions relating to telephony and to issue recommendations on them.

(3) The duties of the International Radio Consultative Committee (C.C.I.R.) shall be to study technical radio questions and operating questions the solution of which depends principally on considerations of a technical radio character and to issue recommendations on them.

2. The questions studied by each International Consultative Committee, on which it shall issue recommendations, are those submitted to it by the plenipotentiary conference, by an administrative conference, by the Administrative Council, by another Consultative Committee or by the International Frequency Registration Board. A Consultative Committee shall likewise issue its recommendations on questions the study of which has been decided upon by its Plenary Assembly or proposed by at least twelve Members or Associate Members in the interval between meetings of the Plenary Assembly concerned.

3. The International Consultative Committees shall have as members:

- (a) administrations of Members and Associate Members of the Union;
- (b) recognized private operating agencies which express a desire to have their experts participate in the work of these Committees.

4. Each Consultative Committee shall work through the medium of:

- (a) the Plenary Assembly, meeting normally every two years, provided that a meeting shall take place about one year previous to the relative administrative conference; each meeting of a Plenary Assembly normally shall be held in a place fixed by the previous meeting of that Assembly;
- (b) study groups, which shall be set up by the Plenary Assembly to deal with questions to be studied;
- (c) a Director, who shall be appointed by the Plenary Assembly for an indefinite period, but with the reciprocal right of terminating the appointment; the Director of the Radio Consultative Committee shall be assisted by a Vice-Director specializing in broadcasting, appointed under the same conditions;
- (d) a specialized Secretariat, which assists the Director;
- (e) laboratories or technical installations set up by the Union.

5. (1) Consultative Committees shall observe the rules of procedure in the General Regulations annexed to this Convention.

(2) The Plenary Assembly of a Consultative Committee may adopt such additional rules of procedure as may facilitate the work of the Committee if they do not conflict with the General Regulations.

6. The working arrangements of the Consultative Committees are defined in Part II of the General Regulations annexed to this Convention.

ARTICLE 9. *General Secretariat*

1. The General Secretariat of the Union shall be directed by the Secretary General, who shall be responsible to the Administrative Council for the performance of his duties.

2. The Secretary General shall:

- (a) appoint the staff of the General Secretariat in accordance with any directives of the plenipotentiary conference and the rules established by the Administrative Council;
- (b) organize the work of the General Secretariat and undertake administrative arrangements for the specialized divisions of the permanent organs of the Union; these divisions shall be under the supervision of the Secretary General for administrative purposes only and shall work directly under the orders of the Directors of the organs concerned; the appointment of technical and administrative staff to these divisions shall be made by the Secretary General in accordance with the decisions of the organ concerned and in agreement with the appropriate Director;
- (c) carry on secretarial work preparatory to, and following, conferences of the Union;
- (d) provide, where appropriate in cooperation with the inviting Government, the Secretariat of every conference of the Union, and when so requested, or provided in the Regulations annexed hereto, the Secretariat of meetings of the permanent organs of the Union or meetings placed under its auspices;
- (e) keep up to date the official master lists compiled from data supplied for this purpose by the permanent organs of the Union or by administrations;
- (f) publish the recommendations and principal reports of the permanent organs of the Union;
- (g) publish international and regional telecommunication agreements communicated to him by the parties thereto and keep up to date records of them;
- (h) prepare, publish and keep up to date:
 - 1. a record of the composition and structure of the Union,
 - 2. the general statistics and the official service documents of the Union as prescribed by the Regulations annexed hereto;
 - 3. such other documents as the conferences or the Administrative Council may direct;
- (i) distribute the published documents;
- (j) collect and publish, in suitable form, data both national and international regarding telecommunication throughout the world;
- (k) collect and publish such information as would be of assistance to Members and Associate Members regarding the development of technical methods with a view to achieving the most efficient operation of telecommunication services and especially the best possible use of

- radio frequencies so as to diminish interference;
- (l) publish periodically, with the help of information put at his disposal or which he may collect, including that which he may obtain from other international organizations, a journal of general information and documentation concerning telecommunication;
 - (m) prepare an annual budget for submission to the Administrative Council which, after approval by the Council, shall be transmitted for information to all Members and Associate Members;
 - (n) prepare a financial operating report and accounts to be submitted annually to the Administrative Council and a consolidated account immediately preceding each plenipotentiary conference; these accounts, after audit and approval by the Administrative Council, shall be circulated to the Members and Associate Members and be submitted to the next plenipotentiary conference for examination and final approval;
 - (o) prepare an annual report of his official activities which, after approval by the Administrative Council, shall be transmitted to all Members and Associate Members;
 - (p) perform all other secretarial functions of the Union.
3. The Secretary General or one of the two Assistant Secretaries General shall participate, in a consultative capacity, in the meetings of the International Consultative Committees.
4. The Secretary General, the Assistant Secretaries General and the members of the General Secretariat shall receive salaries on a basis established by the plenipotentiary conference.
5. The paramount consideration in the recruitment of the staff and in the determination of the conditions of service shall be the necessity of securing for the Union the highest standards of efficiency, competence, and integrity. Due regard must be paid to the importance of recruiting the staff on as wide a geographical basis as possible.
6. (1) In the performance of their duties the Secretary General, the Assistant Secretaries General and the staff must not seek or receive instructions from any government or from any other authority external to the Union. They must refrain from any action which might reflect on their position as international officials and shall be responsible solely to the Union.
- (2) Each Member and Associate Member undertakes to respect the exclusively international character of the responsibilities of the Secretary General, the Assistant Secretaries General and the staff and not to seek to influence them in the discharge of their responsibilities.

ARTICLE 10. *Plenipotentiary Conferences*

1. The Plenipotentiary Conference shall:
 - (a) consider the report of the Administrative Council on the activities of the Union;
 - (b) establish the basis for the budget of the Union for the next five years;
 - (c) finally approve the accounts of the Union;
 - (d) elect the Members of the Union which are to serve on the Administrative Council;
 - (e) revise the Convention if it considers this necessary;

- (f) if necessary, enter into any formal agreement or revise any existing formal agreement between the Union and any other international body;
 - (g) deal with such other telecommunication questions as may be necessary.
2. The Plenipotentiary Conference normally shall meet once every five years at a time and place fixed by the preceding Plenipotentiary Conference.
3. The time or place of the next Plenipotentiary Conference may be changed:
- (a) when at least twenty Members of the Union have proposed a change to the Administrative Council;
 - (b) on the proposal of the Administrative Council.
- In either case, the Administrative Council, with the concurrence of a majority of the Members of the Union, shall fix the new time or the new place, or both, and shall indicate, if necessary, the agenda.

ARTICLE 11. *Administrative Conferences*

1. (1) The Administrative Conferences shall:
 - (a) revise the Regulations provided for in Article 13 paragraph 2 of this Convention with which they are respectively concerned;
 - (b) deal with all other matters deemed necessary within the terms of the Convention and the General Regulations, or in accordance with any directive given by the Plenipotentiary Conference.
- (2) The radio administrative conference shall:
 - (a) elect the members of the International Frequency Registration Board;
 - (b) review its activities.
2. The administrative conferences shall meet at the same place and at the same time as the Plenipotentiary Conference, in general, every five years.
3. (1) An extraordinary administrative conference may be convened:
 - (a) by a decision of the Plenipotentiary Conference which shall determine its agenda and the time and place of its meeting; or
 - (b) when at least twenty Members of the Union have made known to the Administrative Council their desire that such a Conference shall be held to consider an agenda proposed by them; or
 - (c) on the proposal of the Administrative Council.
- (2) In the cases specified in (b) and (c) of subparagraph (1) above, the Administrative Council, with the concurrence of a majority of the Members of the Union, shall determine the time and place of the Conference as well as its agenda.

ARTICLE 12. *Rules of Procedure of Conferences*

1. Before entering on its deliberation, each Conference shall adopt Rules of Procedure in accordance with which the discussions and work are organized and conducted.
2. For this purpose each Conference shall take as a basis the provisions of the General Regulations annexed to this Convention, with such modifications as it thinks fit.

ARTICLE 13. *Regulations*

1. The General Regulations contained in Annex 4 shall have the same force and duration as this Convention, subject to the provisions of Article 12 of the Convention.

2. The provisions of this Convention are completed by the following sets of Administrative Regulations:

Telegraph Regulations,
Telephone Regulations,
Radio Regulations,
Additional Radio Regulations.

3. These Regulations shall be binding on all Members and Associate Members. However, Members and Associate Members shall notify the Secretary General of their approval of any revision of any of the Administrative Regulations by an administrative conference in the interval between two plenipotentiary conferences. The Secretary General shall inform Members and Associate Members promptly regarding receipt of such notifications of approval.

4. In case of inconsistency between a provision of the Convention and a provision of the Regulations, the Convention shall prevail.

ARTICLE 14. *Finances of the Union*

1. The expenses of the Union shall be classified as ordinary expenses and extraordinary expenses.

2. The ordinary expenses of the Union shall be kept within the limits prescribed by the Plenipotentiary Conference. They shall include, in particular, the expenses pertaining to the meetings of the Administrative Council, the salaries of the staff and other expenses of the General Secretariat, of the International Frequency Registration Board, of the International Consultative Committees, and of the laboratories and technical installations created by the Union. These ordinary expenses shall be borne by all Members and Associate Members.

3. (1) The extraordinary expenses shall include all expenses pertaining to plenipotentiary conferences, administrative conferences and meetings of the International Consultative Committees. They shall be borne by the Members and Associate Members who have agreed to participate in these conferences and meetings.

(2) Private operating agencies and international organizations shall contribute to the extraordinary expenses of the administrative conferences and the meetings of the International Consultative Committees in which they participate, in proportion to the number of units corresponding to the class chosen by them among the classes provided in paragraph 4 of this Article. The Administrative Council may, nevertheless, excuse certain international organizations from contributing to these expenses.

(3) Expenses incurred by laboratories and technical installations of the Union, in measurements, testing, or special research for individual Members or Associate Members, groups of Members or Associate Members, or regional organizations or others, shall be borne by those Members or Associate Members, groups, organizations or others.

4. For the purpose of apportioning expenses, Members and Associate Members shall be divided into 8 classes, each contributing on the basis of a fixed number of units, namely:

1st class: 30 units	5th class: 10 units
2nd class: 25 units	6th class: 5 units
3rd class: 20 units	7th class: 3 units
4th class: 15 units	8th class: 1 unit

5. Each Member and Associate Member shall inform the Secretary General of the class in which it wishes to be included. This decision shall be communicated to the

other Members and Associate Members by the Secretary General and shall not be changed during the interval between the coming into force of this Convention and the opening of the next Plenipotentiary Conference.

6. Members and Associate Members shall pay in advance their annual contributory shares calculated on the basis of the estimated expenditure of the Union for the following financial year.

7. The amounts due shall bear interest from the beginning of each financial year of the Union with regard to ordinary expenses and from the date on which accounts for extraordinary expenses, and for documents supplied, are sent to Members and Associate Members. This interest shall be at the rate of 3% (three per cent) per annum during the first six months after the date on which the amounts are due and at the rate of 6% (six per cent) per annum from the beginning of the seventh month.

ARTICLE 15. *Languages*

1. (1) The official languages of the Union shall be Chinese, English, French, Russian and Spanish.

(2) In case of dispute, the French text shall be authentic.

2. The final documents of the plenipotentiary and administrative conferences as well as the final acts and protocols, shall be drawn up in the languages mentioned above in versions equivalent in form and content.

3. (1) All other documents of the conferences shall be drawn up in English, French and Spanish.

(2) All service documents of the Union shall be published in the five official languages.

(3) All other documents for general distribution prepared by the Secretary General in the course of his duties shall be drawn up in English, French and Spanish.

4. (1) In conferences and at the meetings of the permanent organs of the Union, the debates shall be conducted with the aid of an efficient system of reciprocal translations from and into English, French and Spanish.

(2) Other languages may also be used in the debates provided that the delegations using them make arrangements themselves for oral translation into any one of the languages mentioned in the preceding sub-paragraph. Similarly, delegates may, if they wish, arrange for speeches to be translated orally into their own languages from one of the languages mentioned in the preceding sub-paragraph.

5. Each Member and Associate Member shall share the expenses attributable to the use of the authorized languages, with respect to one of these languages only. For oral languages and working documents of conferences and meetings of organs of the Union, the Administrative Council shall lay down rules by which the Secretary General shall calculate the share of each Member and Associate Member in accordance with the number of units which it has chosen in accordance with paragraph 5 of Article 14; for other documents, the Secretary General shall calculate this share in accordance with the cost price of the copies purchased.

CHAPTER II.—APPLICATION OF THE CONVENTION AND REGULATIONS

ARTICLE 16. *Ratification of the Convention*

1. This Convention shall be ratified by each of the signatory Governments. The instruments of ratification shall be deposited, in as short a time as possible, with the

Secretary General by diplomatic channel through the intermediary of the Government of the country of the seat of the Union. The Secretary General shall notify the Members and Associate Members of each deposit of ratification.

2. After the entry into force of this Convention in accordance with Article 49, each instrument of ratification shall become effective on the date of its deposit with the General Secretariat.

3. If one or more of the signatory Governments do not ratify the Convention, it shall not thereby be less valid for the Governments which have ratified it.

ARTICLE 17. *Accession to the Convention*

1. The Government of a country, not a signatory of this Convention, may accede thereto at any time subject to the provisions of Article 1.

2. The instrument of accession shall be deposited with the Secretary General by diplomatic channel through the intermediary of the Government of the country of the seat of the Union. Unless otherwise specified therein, it shall become effective upon the date of its deposit. The Secretary General shall notify the Members and Associate Members of each accession when it is received and shall forward to each of them a certified copy of the act of accession.

ARTICLE 18. *Application of the Convention to Countries or Territories for Whose Foreign Relations Members of the Union Are Responsible*

1. Members of the Union may declare at any time that their acceptance of this Convention applies to all or a group or a single one of the countries or territories for whose foreign relations they are responsible.

2. A declaration made in accordance with paragraph 1 of this Article shall be communicated to the Secretary General of the Union. The Secretary General shall notify the Members and Associate Members of each such declaration.

3. The provisions of paragraphs 1 and 2 of this Article shall not be deemed to be obligatory in respect of any country, territory or group of territories listed in Annex 1 of this Convention.

ARTICLE 19. *Application of the Convention to Trust Territories of the United Nations*

The United Nations shall have the right to accede to this Convention on behalf of any territory or group of territories placed under its administration in accordance with a trusteeship agreement as provided for in Article 75 of the Charter of the United Nations.

ARTICLE 20. *Execution of the Convention and Regulations*

1. The Members and Associate Members are bound to abide by the provisions of this Convention and the Regulations annexed thereto in all telecommunication offices and stations established or operated by them which engage in international services or which are capable of causing harmful interference to radio services of other countries, except in regard to services exempted from these obligations in accordance with the provisions of Article 47 of this Convention.

2. They are also bound, in addition, to take the necessary steps to impose the observance of the provisions of this Convention and of the Regulations annexed thereto upon recognized private operating agencies and upon

other agencies authorized to establish and operate telecommunication which engage in international services or which operate stations capable of causing harmful interference to the radio services of other countries.

ARTICLE 21. *Denunciation of the Convention*

1. Each Member and Associate Member which has ratified, or acceded to, this Convention shall have the right to denounce it by a notification addressed to the Secretary General of the Union by diplomatic channel through the intermediary of the Government of the country of the seat of the Union. The Secretary General shall advise the other Members and Associate Members thereof.

2. This denunciation shall take effect at the expiration of a period of one year from the day of the receipt of notification of it by the Secretary General.

ARTICLE 22. *Denunciation of the Convention on Behalf of Countries or Territories for Whose Foreign Relations Members of the Union Are Responsible*

1. The application of this Convention to a country, territory or group of territories in accordance with Article 18 may be terminated at any time, and such country, territory or group of territories, if it is an Associate Member, ceases upon termination to be such.

2. The declarations of denunciation contemplated in the above paragraph shall be notified in conformity with the conditions set out in paragraph 1 of Article 21; they shall take effect in accordance with the provisions of paragraph 2 of that article.

ARTICLE 23. *Abrogation of Earlier Conventions and Regulations*

This Convention and the Regulations annexed thereto shall abrogate and replace, in relations between the Contracting Governments, the International Telegraph Conventions of Paris (1865), of Vienna (1863), of Rome (1872), of St. Petersburg (1875), and the Regulations annexed to them and also the International Radio-telegraph Conventions of Berlin (1906), of London (1912) and of Washington (1927) and the Regulations annexed to them, and the International Telecommunication Convention of Madrid (1932), the Radio Regulations and the Additional Radio Regulations of Cairo (1938).

ARTICLE 24. *Relations with Non-contracting States*

1. Each Member and Associate Member reserves to itself and to the recognized private operating agencies the right to fix the conditions under which it admits telecommunications exchanged with a State which is not a party to this Convention.

2. If a telecommunication originating in the territory of such a non contracting State is accepted by a Member or Associate Member, it must be transmitted and, in so far as it follows the telecommunication channels of a Member or Associate Member, the obligatory provisions of the Convention and Regulations and the usual charges shall apply to it.

ARTICLE 25. *Settlement of Differences*

1. Members and Associate Members may settle their differences on questions relating to the application of this Convention or of the Regulations contemplated in Article 13, through diplomatic channels, or according to procedures established by bilateral or multilateral treaties concluded between them for the settlement of

international disputes, or by any other method mutually agreed upon.

2. If none of these methods of settlement is adopted, any Member or Associate Member party to a dispute may submit the dispute to arbitration in accordance with the procedure defined in Annex 3.

CHAPTER III.—RELATIONS WITH THE UNITED NATIONS AND WITH INTERNATIONAL ORGANIZATIONS

ARTICLE 26. *Relations with the United Nations*

1. The relationship between the United Nations and the International Telecommunication Union is defined in the agreement, the text of which appears in Annex 5 of this Convention.

2. In accordance with the provisions of Article XV of the above-mentioned agreement, the telecommunication operating services of the United Nations shall be entitled to the rights and bound by the obligations of this Convention and of the Regulations annexed thereto. Accordingly, they shall be entitled to attend all conferences of the Union, including meetings of the International Consultative Committees, in a consultative capacity. They shall not be eligible for election to any organ of the Union, the Members of which are elected by a plenipotentiary or administrative conference.

ARTICLE 27. *Relations with International Organizations*

In furtherance of complete international coordination on matters affecting telecommunication, the Union will cooperate with international organizations having related interests and activities.

CHAPTER IV.—GENERAL PROVISIONS RELATING TO TELECOMMUNICATION

ARTICLE 28. *The Right of the Public to Use the International Telecommunication Service*

Members and Associate Members recognize the right of the public to correspond by means of the international service of public correspondence. The service, the charges, and the safeguards shall be the same for all private users in each category of correspondence without any priority or preference.

ARTICLE 29. *Stoppage of Telecommunications*

1. Members and Associate Members reserve the right to stop the transmission of any private telegram which may appear dangerous to the security of the state or contrary to their laws, to public order or to decency, provided that they immediately notify the office of origin of the stoppage of any such telegram or any part thereof, except when such notification may appear dangerous to the security of the state.

2. Members and Associate Members also reserve the right to cut off any private telephone or telegraph communication which may appear dangerous to the security of the state or contrary to their laws, to public order or to decency.

ARTICLE 30. *Suspension of Services*

Each Member or Associate Member reserves the right to suspend the international telecommunication service for an indefinite time, either generally or only for certain relations and/or for certain kinds of correspondence, outgoing, incoming or in transit, provided that it immediately notifies such action to each of the other Mem-

bers and Associate Members through the medium of the General Secretariat.

ARTICLE 31. *Responsibility*

Members and Associate Members accept no responsibility towards users of the international telecommunication services, particularly as regards claims for damages.

ARTICLE 32. *Secrecy of Telecommunication*

1. Members and Associate Members agree to take all possible measures, compatible with the system of telecommunication used, with a view to ensuring the secrecy of international correspondence.

2. Nevertheless, they reserve the right to communicate such correspondence to the competent authorities in order to ensure the application of their internal laws or the execution of international conventions to which they are parties.

ARTICLE 33. *Establishment, Operation, and Protection of Telecommunication Installations and Channels*

1. Members and Associate Members shall take such steps as may be necessary to ensure the establishment, under the best technical conditions, of the channels and installations necessary to carry on the rapid and uninterrupted exchange of international telecommunications.

2. So far as possible, these channels and installations must be operated by the best methods and procedures developed as a result of practical operating experience, maintained in proper operating condition and kept abreast of scientific and technical progress.

3. Members and Associate Members shall safeguard these channels and installations within their jurisdiction.

4. Unless other conditions are laid down by special arrangements, each Member and Associate Member shall take such steps as may be necessary to ensure maintenance of those sections of international telecommunication circuits within its control.

ARTICLE 34. *Notification of Infringements*

In order to facilitate the application of the provisions of Article 20, Members and Associate Members undertake to inform each other of infringements of the provisions of this Convention and of the Regulations annexed thereto.

ARTICLE 35. *Charges and Free Services*

The provisions regarding charges for telecommunication and the various cases in which free services are accorded are set forth in the Regulations annexed to this Convention.

ARTICLE 36. *Priority of Government Telegrams and Telephone Calls*

Subject to the provisions of Article 45, Government telegrams shall enjoy priority over other telegrams when priority is requested for them by the sender. Government telephone calls may also be accorded priority, upon specific request and to the extent practicable, over other telephone calls.

ARTICLE 37. *Secret Language*

1. Government telegrams and service telegrams may be expressed in secret language in all relations.

2. Private telegrams in secret language may be admitted between all countries with the exception of those which have previously notified, through the medium of

the General Secretariat, that they do not admit this language for those categories of correspondence.

3. Members and Associate Members which do not admit private telegrams in secret language originating in or destined for their own territory must let them pass in transit, except in the case of suspension of service provided for in Article 30.

ARTICLE 38. *Rendering and Settlements of Accounts*

1. Administrations of Members and Associate Members and recognized private operating agencies which operate international telecommunication services, shall come to an agreement with regard to the amount of their credits and debits.

2. The statements of accounts in respect to debits and credits referred to in the preceding paragraph shall be drawn up in accordance with the provisions of the Regulations annexed to this Convention, unless special arrangements have been concluded between the parties concerned.

3. The settlement of international accounts shall be regarded as current transactions and shall be effected in accordance with the current international obligations of the countries concerned, in those cases where their governments have concluded arrangements on this subject. Where no such arrangements have been concluded, and in the absence of special arrangements made under Article 40 of this Convention, these settlements shall be effected in accordance with the Regulations.

ARTICLE 39. *Monetary Unit*

The monetary unit used in the composition of the tariffs of the international telecommunication services and in the establishment of the international accounts shall be the gold franc of 100 centimes, of a weight of 10/31 of a gramme and of a fineness of 0.900.

ARTICLE 40. *Special Arrangements*

Members and Associate Members reserve for themselves, for the private operating agencies recognized by them and for other agencies duly authorized to do so, the right to make special arrangements on telecommunication matters which do not concern Members and Associate Members in general. Such arrangements, however, shall not be in conflict with the terms of this Convention or of the Regulations annexed thereto, so far as concerns the harmful interference which their operation might be likely to cause to the radio services of other countries.

ARTICLE 41. *Regional Conferences, Agreements and Organizations*

Members and Associate Members reserve the right to convene regional conferences, to conclude regional agreements and to form regional organizations, for the purpose of settling telecommunication questions which are susceptible of being treated on a regional basis. However, such agreements must not be in conflict with this Convention.

CHAPTER V.—SPECIAL PROVISIONS FOR RADIO

ARTICLE 42. *Rational Use of Frequencies and Spectrum Space*

Members and Associate Members recognize that it is desirable to limit the number of frequencies and the spectrum space used to the minimum essential to provide in a satisfactory manner the necessary services.

ARTICLE 43. *Intercommunication*

1. Stations performing radio communication in the mobile service shall be bound, within the limits of their normal employment, to exchange radiocommunications reciprocally without distinction as to the radio system adopted by them.

2. Nevertheless, in order not to impede scientific progress, the provisions of the preceding paragraph shall not prevent the use of a radio system incapable of communicating with other systems, provided that such incapacity is due to the specific nature of such system and is not the result of devices adopted solely with the object of preventing intercommunication.

3. Notwithstanding the provisions of paragraph 1, a station may be assigned to a restricted international service of telecommunication, determined by the purpose of such telecommunication, or by other circumstances independent of the system used.

ARTICLE 44. *Harmful Interference*

1. All stations, whatever their purpose, must be established and operated in such a manner as not to result in harmful interference to the radio services or communications of other Members or Associate Members or of recognized private operating agencies, or of other duly authorized operating agencies which carry on radio service, and which operate in accordance with the provisions of the Radio Regulations.

2. Each Member or Associate Member undertakes to require the private operating agencies which it recognizes and the other operating agencies duly authorized for this purpose, to observe the provisions of the preceding paragraph.

3. Further, the Members and Associate Members recognize the desirability of taking all practicable steps to prevent the operation of electrical apparatus and installations of all kinds from causing harmful interference to the radio services or communications mentioned in paragraph 1 of this Article.

ARTICLE 45. *Distress Calls and Messages*

1. Radio stations shall be obliged to accept, with absolute priority, distress calls and messages regardless of their origin, to reply in the same manner to such messages, and immediately to take such action in regard thereto as may be required.

2. The international telegraph and telephone services must accord absolute priority to communications concerning safety of life at sea or in the air.

ARTICLE 46. *False or Deceptive Distress or Safety Signals. Irregular Use of Call Signs*

Members and Associate Members agree to take the steps required to prevent the transmission or circulation of false or deceptive distress or safety signals and the use, by a station, of call signs which have not been regularly assigned to it.

ARTICLE 47. *Installations for National Defence Services*

1. Members and Associate Members retain their entire freedom with regard to military radio installations of their army, naval and air forces.

2. Nevertheless, these installations must, so far as possible, observe regulatory provisions relative to giving assistance in case of distress and to the measures to be taken to prevent harmful interference, and the provisions of the Regulations concerning the types of emission and

the frequencies to be used, according to the nature of the service performed by such installations.

3. Moreover, when these installations take part in the service of public correspondence or other services governed by the Regulations annexed to this Convention, they must, in general, comply with the regulatory provisions for the conduct of such services.

CHAPTER VI.—DEFINITIONS

ARTICLE 48. *Definitions*

In this Convention, unless the context otherwise requires,

- (a) the terms which are defined in Annex 2 of this Convention shall have the meanings therein assigned to them;
- (b) other terms which are defined in the Regulations referred to in Article 13 shall have the meanings therein assigned to them.

CHAPTER VII.—FINAL PROVISIONS

ARTICLE 49. *Effective Date of the Convention*

The present Convention shall enter into force on January first nineteen hundred forty nine between countries, territories or groups of territories, in respect of which instruments of ratification or accession have been deposited before that date.

In witness whereof, the respective plenipotentiaries have signed the Convention in each of the English and French languages, in a single copy, in which in case of dispute, the French text shall be authentic, and which shall remain deposited in the archives of the Government of the United States of America and one copy of which shall be forwarded to each signatory Government.

Done at Atlantic City, October 2, 1947.

ANNEX 1¹⁴

1. Afghanistan
2. People's Republic of Albania
3. Saudi Arabia (Kingdom of)
4. Argentine Republic
5. Australia (Commonwealth of)
6. Austria
7. Belgium
8. The Byelorussian Soviet Socialist Republic
9. Burma
10. Bolivia
11. Brazil
12. Bulgaria
13. Canada
14. Chile
15. China
16. Vatican City (State of)
17. Colombia (Republic of)
18. Portuguese Colonies
19. Colonies, Protectorates, Overseas Territories and Territories under mandate or trusteeship of the United Kingdom of Great Britain and Northern Ireland
20. Colonies, Protectorates and Overseas Territories under French Mandate
21. Belgium Congo and Territories of Ruanda Urundi
22. Costa Rica
23. Cuba
24. Denmark
25. Dominican Republic
26. Egypt
27. El Salvador (Republic of)
28. Ecuador
29. United States of America
30. Ethiopia
31. Finland
32. France
33. Greece
34. Guatemala
35. Haiti
36. Honduras (Republic of)
37. Hungary
38. India
39. Netherlands Indies
40. Iran
41. Iraq
42. Ireland
43. Iceland
44. Italy
45. Lebanon
46. Liberia
47. Luxembourg
48. Mexico
49. Monaco
50. Nicaragua
51. Norway
52. New Zealand
53. Pakistan
54. Panama
55. Paraguay
56. Netherlands, Curacao & Surinam
57. Peru
58. Philippines (Republic of the)
59. Poland (Republic of)
60. Portugal
61. French Protectorates of Morocco and Tunisia
62. People's Federal Popular Republic of Yugoslavia
63. The Ukrainian Soviet Socialist Republic
64. Southern Rhodesia
65. Roumania
66. United Kingdom of Great Britain and Northern Ireland
67. Siam
68. Sweden
69. Swiss Confederation
70. Syria
71. Czechoslovakia
72. Territories of the United States of America
73. Turkey
74. Union of South Africa and the mandated territory of South-West Africa
75. Union of Soviet Socialist Republics
76. Uruguay (Oriental Republic of)
77. Venezuela (United States of)
78. Yemen

ANNEX 2¹⁵

DEFINITION OF TERMS USED IN THE INTERNATIONAL TELECOMMUNICATION CONVENTION

Administration: Any department or service of a government responsible for implementing the obligations

¹⁴See Article 1, paragraph 2 (a).

¹⁵See Article 48.

undertaken in the International Telecommunication Convention and the Regulations annexed thereto.

Private operating agency: Any individual or company or corporation other than a governmental establishment or agency, which operates a telecommunication installation intended for an international telecommunication service or which is capable of causing harmful interference with such a service.

Recognized private operating agency: Any private operating agency, as defined above, which operates a service of public correspondence or of broadcasting and upon which the obligations provided for in Article 20 are imposed by the Member or Associate Member in whose territory the head office of the agency is situated.

Delegate: A person representing a government at a plenipotentiary conference, or a person representing a Government or an administration at an administrative conference, or at a meeting of an International Consultative Committee.

Delegation: The totality of the delegates, representatives and experts as the case may be of the same country. Each delegation may include one or more attachés and one or more interpreters. Each Member and Associate Member shall be free to make up its delegation as it wishes. In particular, it may include in its delegation, in the capacity of delegates or of advisers, representatives of private telecommunication operating agencies which it recognizes, and of other private enterprises interested in the telecommunication field which are recognized as such by their respective governments.

Representative: A person representing a recognized private operating agency at an administrative conference, or at a meeting of an International Consultative Committee.

Expert: A person representing a national scientific or industrial organization authorized by the Government of its country to be present at an administrative conference or at a meeting of an International Consultative Committee.

Observer: A person representing a Government, or a person representing an international organization with which the International Telecommunication Union has an interest in cooperating.

International Service: A telecommunication service between offices or stations in different countries or between mobile stations which are not in the same country or are subject to different countries.

Mobile Service: A service of radiocommunication between mobile and land stations or between mobile stations.

Broadcasting Service: A radiocommunication service of transmissions to be received directly by the general public.¹²

Telecommunication: Any transmission, emission or reception of sign, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems.

Telegraphy: A system of telecommunication for the transmission of written matter by the use of a signal code.

Telephony: A system of telecommunication set up for the transmission of speech or, in some cases, other sounds.

Telegram: Written matter intended to be transmitted by telegraphy; this term also includes radiotelegram unless otherwise specified.

Government Telegrams and Government Telephone

Calls: These are telegrams or telephone calls originating with any of the authorities specified below:

- (a) the Head of a State;
- (b) the Head of a Government and members of a Government;
- (c) the Head of a colony, protectorate, overseas territory or territory under suzerainty, authority, trusteeship or mandate of a Member or Associate Member of the United Nations;
- (d) Commanders-in-Chief of military forces, land, sea or air;
- (e) diplomatic or consular agents;
- (f) the Secretary General of the United Nations and the Heads of the subsidiary organs of the United Nations;
- (g) the International Court of Justice at The Hague.

Replies to Government telegrams as defined herein shall also be regarded as Government telegrams.

Service Telegram: Those originating with telecommunication administrations of Members and Associate Members, with recognized private operating agencies or with the Secretary General of the Union and relating to international telecommunication or to objects of public interest mutually agreed upon by the administrations and private operating agencies concerned.

Private Telegrams: Telegrams other than service or Government telegrams.

Radiocommunication: Any telecommunication by means of Hertzian waves.

Hertzian Waves: Electromagnetic waves of frequencies between 10 kc/s and 3,000,000 Mc/s.

Radio: A general term applied to the use of Hertzian waves.

Harmful interference: Any radiation or any induction which endangers the functioning of a radionavigation service or of a safety service¹³, or obstructs or repeatedly interrupts a radio service operating in accordance with the Radio Regulations.

ANNEX 3¹⁴

ARBITRATION

1. The party which appeals to arbitration shall initiate the arbitration procedure by transmitting to the other party to the dispute a notice of the submission of the dispute to arbitration.

2. The parties shall decide by agreement whether the arbitration is to be entrusted to individuals, administrations or governments. If within one month after notice of submission of the dispute to arbitration, the parties have been unable to agree upon this point, the arbitration shall be entrusted to governments.

3. If arbitration is to be entrusted to individuals, the arbitrators must neither be nationals of the parties involved in the dispute, nor have their domicile in the countries parties to the dispute, nor be employed in their service.

4. If arbitration is to be entrusted to governments, or to administrations thereof, these must be chosen from

¹²This service may include transmissions of sounds or transmissions by television, facsimile or other means.

¹³Any radio service, the operation of which is directly related, whether permanently or temporarily, to the safety of human life and the safeguarding of property, shall be considered as a safety service.

¹⁴See Article 25.

among the Members or Associate Members which are not parties to the dispute, but which are parties to the agreement, the application of which caused the dispute.

5. Within three months from the date of receipt of the notification of the submission of the dispute to arbitration, each of the two parties to the dispute shall appoint an arbitrator.

6. If more than two parties are involved in the dispute, an arbitrator shall be appointed in accordance with the procedure set forth in paragraphs 4 and 5 above, by each of the two groups of parties having a common position in the dispute.

7. The two arbitrators thus appointed shall choose a third arbitrator who, if the first two arbitrators are individuals and not governments or administrations, must fulfill the conditions indicated in paragraph 3 above, and in addition must not be of the same nationality as either of the two arbitrators. Failing an agreement between the two arbitrators as to the choice of a third arbitrator, each of these two arbitrators shall nominate a third arbitrator who is in no way concerned in the dispute. The Secretary General of the Union shall then draw lots in order to select the third arbitrator.

8. The parties to the dispute may agree to have their dispute settled by a single arbitrator appointed by agreement; or alternatively, each party may nominate an arbitrator, and request the Secretary General of the Union to draw lots to decide which of the persons so nominated is to act as the single arbitrator.

9. The arbitrator or arbitrators shall be free to decide upon the procedure to be followed.

10. The decision of the single arbitrator shall be final and binding upon the parties to the dispute. If the arbitration is entrusted to more than one arbitrator, the decision made by the majority vote of the arbitrators shall be final and binding upon the parties.

11. Each party shall bear the expenses it shall have incurred in the investigation and presentation of the arbitration. The costs of arbitration other than those incurred by the parties themselves shall be divided equally between the parties to the dispute.

12. The Union shall furnish all information relating to the dispute which the arbitrator or arbitrators may need.

ANNEX 4

GENERAL REGULATIONS ANNEXED TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

PART I. GENERAL PROVISIONS REGARDING CONFERENCES

CHAPTER I.—INVITATION AND ADMISSION TO PLENIPOTENTIARY CONFERENCES

1. The inviting Government, in collaboration with the Administrative Council, shall fix the definitive date and the exact place of the Conference.

2. One year before this date, the inviting Government shall send invitations to the Members and Associate Members.

3. The replies of the invited Members and Associate Members must reach the inviting Government not later than one month before the date of opening of the Conference.

4. Immediately after the inviting Government has sent the invitations, the Secretary General shall request the administrations of all Members and Associate Members to forward their proposals for the work of the Conference within a period of four months. The Secretary General shall assemble them and forward them, as soon as possible, to all Members and Associate Members.

5. The Administrative Council shall notify the United Nations of the place and date of the Conference in order that this Organization may participate in accordance with Article 26 of the Convention if it so desires.

6. Any permanent organ of the International Telecommunication Union shall be admitted, as of right, to the Conference and take part in its work in an advisory capacity.

7. The inviting Government, in agreement with the Administrative Council, may invite non-contracting Governments to send observers to take part in the conferences in an advisory capacity.

8. Delegations as defined in the Annex 2 to the Convention, and according to circumstances, the observers contemplated in paragraph 7 are admitted to the conference.

9. The provisions of the foregoing paragraphs shall apply, so far as practicable, to extraordinary plenipotentiary conferences.

CHAPTER 2.—INVITATION AND ADMISSION TO ADMINISTRATIVE CONFERENCES

1. The inviting Government, in agreement with the Administrative Council, shall fix the definitive date and the exact place of the conference.

2. One year before this date, in the case of an ordinary conference, and at least six months before in the case of an extraordinary conference, the inviting Government shall send invitations to the Members and Associate Members, which may communicate the invitation to the private operating agencies recognized by them. The inviting Government, in agreement with the Administrative Council, shall itself send a notification to the international organizations which may be interested in this conference.

3. The replies of the invited Members and Associate Members, regarding the Delegations of Governments and the representatives of recognized private operating agencies, must reach the inviting Government at the latest one month before the date of the opening of the conference.

4. (1) Applications made by international organizations for admission to the conferences must be sent to the inviting Government within a period of two months from the date of the notification as provided in paragraph 2.

(2) Four months before the meeting of the conference, the inviting Government shall forward to the Members and Associate Members the list of international organizations which have made application to take part in the conference, inviting them to state, within a period of two months, whether or not these applications should be granted.

5. The following shall be admitted to administrative conferences:

(a) Delegations as defined in the Annex 2 to the Convention;

(b) Representatives of recognized private operating agencies;

(c) Observers of international organizations if at least half of the Members whose replies have been received within the period prescribed in paragraph 4 have pronounced favourably.

6. Any admission of other international organizations to a conference shall be subject to a decision of the conference itself, taken at the first session of the Plenary Assembly.

7. The provisions of paragraphs 4, 5, 6 and 7 of Chapter 1 of the General Regulations are applicable to Administrative Conferences.

CHAPTER 3.—VOTING AT CONFERENCES

1. Each Member of the Union shall have one vote in accordance with Article 1 of the Convention.

2. (1) Each delegation shall present credentials. In the case of a plenipotentiary conference, these must be full powers signed by the Head of the Government or by the Minister of Foreign Affairs of the Member of the Union concerned.

(2) A special committee shall verify the credentials of each delegation during the first week of the conference.

(3) No delegation may exercise the right to vote until its credentials are declared to be in order by the special committee referred to above.

3. A duly accredited delegation may give a mandate to another duly accredited delegation to exercise its vote at one or more sessions at which it is unable to be present. In no case may one delegation exercise more than one such proxy vote.

CHAPTER 4.—PROCEDURE FOR CALLING EXTRAORDINARY ADMINISTRATIVE CONFERENCES OR FOR CHANGING THE TIME OR PLACE OF A CONFERENCE

1. When a Member or Associate Member of the Union communicates to the Chairman of the Administrative Council a desire for (a) an Extraordinary Administrative Conference, or (b) a change in the time and/or place of the next Plenipotentiary or Administrative Conference, it shall suggest a time and place.

2. On receipt of twenty or more requests, the Administrative Council shall inform all Members and Associate Members, give particulars and allow a period of six weeks for receipt of their comments. If there is unanimity of opinion among the Members on place and date, the Council shall ascertain whether the Government of the country in which the proposed meeting place is situated is prepared to act as inviting Government. If the answer is in the affirmative, the Council and the Government concerned shall arrange accordingly. If the answer is in the negative, the Council shall so inform the Members and Associate Members desiring the Conference, and invite alternative suggestions. On receipt of these suggestions, the Council shall, where appropriate, follow the consultation procedure set out in paragraph 3 below.

3. If more than one meeting place or date for the Conference is suggested, the Council shall consult the Government of each of the countries where the places are situated. When the views of the Governments have been ascertained, the Council shall invite all Members and Associate Members to choose one of the meeting places and/or dates which have been ascertained to be available. According to the wishes of the majority of the Members, the Council shall then arrange the Conference in col-

laboration with the inviting Government.

4. All Members and Associate Members shall dispatch their replies to a communication from the Administrative Council regarding the date and meeting place for a Conference in time for the replies to reach the Council within six weeks of the date of the communication from the Council.

CHAPTER 5.—METHOD OF PRESENTATION OF PROPOSALS FOR CONSIDERATION AT CONFERENCES

To be considered by the Conference, all proposals, the adoption of which will require revision of the text of the Convention or Regulations, must carry references identifying by Chapter, Article or Paragraph number those parts of the text which will require such revision.

CHAPTER 6.—RULES OF PROCEDURE OF CONFERENCES

RULE 1. *Order of Seating*

At sessions of the Plenary Assembly, the delegates, representatives, experts and attachés shall be grouped in delegations, and the delegations shall be seated in the alphabetical order of the French names of the countries represented.

RULE 2. *First Session of the Plenary Assembly*

The first session of the Plenary Assembly shall be opened by a person appointed by the inviting Government.

RULE 3. *Election of the Chairman and Vice Chairman*

The chairman and the vice-chairmen of the Conference shall be elected at the first session of the Plenary Assembly of the Conference.

RULE 4. *Powers of the Chairman*

1. The Chairman shall open and close the sessions of the Plenary Assembly, direct the deliberations and announce the results of the voting.

2. He shall also have the general direction of all the work of the Conference.

RULE 5. *Secretariat of the Conference*

The secretariat of the Conference shall be constituted at the first session of the Plenary Assembly and shall be composed of the personnel of the secretariat of the Union, and, if necessary, of personnel of the administration of the inviting Government.

RULE 6. *Appointment of Committees*

The Plenary Assembly may appoint committees to examine questions submitted for the consideration of the Conference. These committees may appoint subcommittees, which, in their turn, may appoint sub-subcommittees.

RULE 7. *Composition of Committees*

1. In plenipotentiary conferences, the committees shall be composed of Delegates of Members and Associate Members which have made application or which have been appointed by the Plenary Assembly.

2. (1) In administrative conferences, the committees may also include representatives of recognized private operating agencies.

(2) Experts of scientific or manufacturing telecommunication organizations, observers of international

organizations and persons appearing on behalf of societies, associations, or individuals may participate without vote in the committees, subcommittees, and sub-subcommittees of administrative conferences subject to the provisions of Chapter 2 and Chapter 6, Rule 9, of the General Regulations.

RULE 8. Chairmen, Vice-Chairmen and Reporters of Committees

1. The Chairman of the Conference shall submit for the approval of the Plenary Assembly the choice of the chairman, and of the vice-chairman or vice-chairmen of each committee.

2. The Chairman of each committee shall propose to his committee the nomination of the reporters and the choice of the chairmen, vice-chairmen, and reporters of the subcommittees of that committee.

RULE 9. Participation of Private Societies in Administrative Conferences

Societies, associations or individuals may be authorized by the Plenary Assembly or by committees to present petitions or submit resolutions provided that such petitions or resolutions are countersigned or supported by the Head of the Delegation of the country concerned. Such societies, associations or individuals may also attend certain sessions of these committees, but the speakers shall take part in the discussions only in so far as the Chairman of the Committee, in agreement with the Head of the Delegation of the country concerned, may deem desirable.

RULE 10. Summons to Sessions

The sessions of the Plenary Assembly and the sessions of committees and of subcommittees shall be announced either by letter or by notice posted in the meeting place of the Conference.

RULE 11. Order of Discussion

1. Persons desiring to speak may do so only after having obtained the consent of the Chairman. As a general rule they shall begin by announcing the name of their country or the name of their company and the country where its headquarters are located.

2. Any person speaking must express himself slowly and distinctly, separating his words and pausing frequently so that all his colleagues may be able to follow his meaning clearly.

RULE 12. Proposals Presented Before the Opening of the Conference

Proposals presented before the opening of the Conference shall be allocated by the Plenary Assembly to the appropriate committees appointed in accordance with Chapter 6, Rule 6, of the General Regulations.

RULE 13. Proposals Presented During a Conference

1. No proposal or amendment shall be submitted unless it is countersigned or supported by the Head of the Delegation of the country concerned or by his deputy.

2. The Chairman of the Conference shall decide whether the proposal or the amendment shall be announced to all delegations by distribution of copies or merely by oral statement.

3. At sessions of the Plenary Assembly, any authorized individual may read or request to be read, any proposal or amendment presented by him during a conference and may be allowed to explain his reasons therefor.

RULE 14. Proposals Presented to Committees During a Conference

1. Proposals or amendments presented after the opening of a conference must be delivered to the Chairman of the appropriate committee, or in case of doubt as to the appropriate committee, to the Chairman of the Conference.

2. Every proposal or amendment for modification of the Convention or the Regulations must be presented in the definitive form of words to be included in those documents.

3. The Chairman of the Committee concerned shall decide whether the proposal or amendment shall be announced to all members of the Committee by distribution of copies or merely by oral statement.

RULE 15. Postponed Proposals

When a proposal or an amendment has been reserved or when its examination has been postponed, the Delegation sponsoring it shall be responsible for seeing that it is not subsequently overlooked.

RULE 16. Voting Procedure in Sessions of the Plenary Assembly

1. In sessions of the Plenary Assembly each proposal or amendment shall be submitted to a vote after discussion.

2. For a valid vote to be taken at a session of the Plenary Assembly at least one-half of the delegations accredited to the Conference and having the right to vote must be present or represented at the session during which the vote is cast.

3. Voting shall take place by a show of hands. If a majority is not clearly apparent even after a recount has been taken, or if an individual count of the votes is requested, there shall be a roll call in the alphabetical order of the French names of the Members.

4. In sessions of the Plenary Assembly, no proposal or amendment shall be adopted unless it is supported by a majority of the delegations present and voting. In determining the number of votes required for a majority, abstentions shall not be taken into account. In case of a tie the measure shall be considered rejected.

5. Exceptions to the above rule shall be made with respect to membership in the Union, in which case the procedure shall be in accordance with that prescribed in Article 1 of the Convention.

6. If the number of abstentions exceeds one-half of the number of delegations present and voting, the measure shall be reconsidered at a subsequent session, at which time the abstentions shall not be taken into consideration.

7. If five or more delegations, present and entitled to vote, request, when a vote is about to be taken, that it shall be taken by secret ballot, this shall be done. The necessary steps shall be taken to guarantee secrecy.

RULE 17. Right of Vote and Voting Procedure in Committees

1. The right of vote in Committees shall be governed by Chapter 3 of the General Regulations.

2. Voting procedure in Committees shall be governed by the provisions of paragraphs 1, 3, 4, and 6 of Rule 16, of Chapter 6, of the General Regulations.

RULE 18. Adoption of New Provisions

1. As a general rule, delegations which cannot have their opinion regarding a provision accepted by the

others must endeavour to adopt the opinion of the majority.

2. However, if the measure proposed appears to a delegation to be of such a nature as to prevent its Government from ratifying the Convention or approving the Regulations, the delegation may express reservations final or provisional, regarding this measure.

RULE 19. *Minutes of the Sessions of the Plenary Assembly*

1. The minutes of the sessions of the Plenary Assembly shall be drawn up by the secretariat of the Conference.

2. (1) As a general rule, the minutes shall contain only the proposals and conclusions, with the chief reasons for them in concise terms.

(2) However, each delegate, representative or observer, shall have the right to require the insertion in the minutes, either summarized or in full, of any statement which he has made. In such case, he must himself supply its text to the secretariat of the Conference within two hours after the end of the session. It is recommended that this right shall only be used with discretion.

RULE 20. *Reports of Committees*

1. (1) The debates of the committees and subcommittees shall be summarized, session by session, in reports in which shall be brought out the essential points of the discussion, the various opinions which are expressed and which it is desirable that the Plenary Assembly should know, and the proposals and conclusions which emerge.

(2) However, each delegate, representative or observer shall have the right to require the insertion in the report, either summarized or in full, of any statement which he has made. In such case, he must himself supply to the reporter the text to be inserted within two hours after the end of the session. It is recommended that this right shall only be used with discretion.

2. If circumstances warrant, the committees or subcommittees shall prepare at the end of their work a final report in which they shall recapitulate in concise terms the proposals and the conclusions which result from the studies which have been entrusted to them.

RULE 21. *Adoption of Minutes and Reports*

1. (1) As a general rule, at the beginning of each session of the Plenary Assembly, or of each session of a committee or of a subcommittee, the minutes or the report of the preceding session shall be read.

(2) However, the Chairman may, if he considers such procedure satisfactory, and if no objection is raised, merely ask if any members of the Plenary Assembly, the Committee or the subcommittee, have any remarks to make on the content of the minutes or of the report.

2. The minutes or the report shall then be adopted or amended in accordance with the remarks which have been made and which have been approved by the Plenary Assembly, or by the committee or subcommittee.

3. Any final report must be approved by the respective committee or subcommittee.

4. (1) The minutes of the closing session of the Plenary Assembly shall be examined and approved by the Chairman of the Conference.

(2) The report of the last session of a committee or of a subcommittee shall be examined and approved by the Chairman of the committee or subcommittee.

RULE 22. *Editorial Committee*

1. The texts of the Convention or of the Regulations, which shall be worded so far as practicable in their definitive form, by the various committees, following the opinions expressed, shall be submitted to an editorial committee charged with perfecting their form without altering the sense and with combining them with those parts of the former texts which have not been altered.

2. The whole of the revised texts shall be submitted for the approval of the Plenary Assembly of the Conference which shall decide on them, or refer them back to the appropriate committee for further examination.

RULE 23. *Numbering*

1. The numbers of the chapters, articles and paragraphs of the texts subjected to revision shall be preserved until the first reading at a session of the Plenary Assembly. The passages added shall bear provisionally the numbers bis, ter, etc. and the numbers of deleted passages shall not be used.

2. The definitive numbering of the chapters, articles and paragraphs shall be entrusted to the Editorial Committee after their adoption following the first reading.

RULE 24. *Final Approval*

The texts of the Convention and of the Regulations shall be final after they have been read a second time and approved.

RULE 25. *Signature*

The final texts approved by the Conference shall be submitted for signature to the delegates provided with the necessary powers in the alphabetical order of the French names of the countries.

RULE 26. *Press Notices*

Official releases to the press about the work of the Conference shall be issued only as authorized by the Chairman or a Vice-Chairman of the Conference.

RULE 27. *Franking Privileges*

While attending conferences and meetings provided for in the Convention, Delegates and Representatives, as defined in the Annex to the Convention, the Secretary General, Assistant Secretaries General, Officials of the Secretariat of the Union and Members of the Administrative Council, shall be entitled to postal, telegraph and telephone franking privileges, to the extent arranged by the Government of the country in which the conference or meeting is held, in agreement with the other contracting governments and with the private operating agencies concerned.

PART II. INTERNATIONAL CONSULTATIVE COMMITTEES

CHAPTER 7.—GENERAL PROVISIONS

1. The provisions of Part II of the General Regulations supplement Article 8 of the Convention defining the scope and structure of the International Consultative Committees.

2. Consultative Committees shall also observe the applicable Rules of Procedure of Conferences contained in Part I of the General Regulations.

CHAPTER 8.—CONDITIONS FOR PARTICIPATION

1. (1) The International Consultative Committees shall have as members:

- (a) as of right; Administrations of Members and Associate Members;
- (b) upon request; such recognized private operating agencies as have expressed a desire to have their experts participate in the work of the Committees, subject to the procedure indicated below.

(2) The first request from a recognized private operating agency to take part in the work of a Consultative Committee shall be addressed to the Secretary General who shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned. A request from a private operating agency must be approved by the Administration of the Government recognizing it.

(3) Any private operating agency, member of a Consultative Committee, shall have the right to withdraw from participation in the work of this Consultative Committee when it so desires, by notifying the Director of the Committee. The withdrawal shall become effective one year from the date of the notification.

2. (1) International organizations, which are coordinating their work with the International Telecommunication Union and which have related activities, may be admitted to participate in the work of the Consultative Committees in an advisory capacity.

(2) The first request from an international organization to take part in the work of a Consultative Committee shall be addressed to the Secretary General who shall invite by telegram all the Members and Associate Members to say whether the request should be granted; the request shall be granted if the majority of the replies of the members received within a period of one month are favourable. The Secretary General shall inform all the Members and Associate Members and the Director of the Consultative Committee concerned of the result of the consultation.

3. (1) Scientific or manufacturing organizations, which are engaged in the study of telecommunication problems or in the design or manufacture of equipment intended for telecommunication services, may be admitted to participate in an advisory capacity in meetings of the Study Groups of the Consultative Committees, provided that their participation has received the approval of the administrations of the countries concerned.

(2) The first request from a scientific or manufacturing organization for admission to meetings of Study Groups of a Consultative Committee shall be addressed to the Director of the Consultative Committee; such a request must be approved by the administration of the country concerned.

CHAPTER 9.—DUTIES OF THE PLENARY ASSEMBLY

The duties of the Plenary Assembly shall be to approve for issue, to modify or to reject recommendations submitted to it by the Study Groups and to draw up lists of new questions to be studied, in accordance with paragraph 2 of Article 8 of the Convention. It shall submit to the Administrative Council a statement of the financial accounts of the Consultative Committee concerned.

CHAPTER 10.—MEETINGS OF THE PLENARY ASSEMBLY

1. The Plenary Assembly shall normally meet every two years, provided that a meeting shall take place about one year previous to the meeting of the relative Administrative Conference.

2. The date of the meeting of a Plenary Assembly may be advanced or postponed, with the approval of at least twelve participating countries, according to the state of progress of work of the Study Groups.

3. Each meeting of a Plenary Assembly shall be held in a place fixed by the previous meeting of the Plenary Assembly.

4. At each of these meetings, the Plenary Assembly shall be presided over by the Head of the Delegation of the country in which the meeting is held; the Chairman shall be assisted by Vice-Chairmen elected by the Plenary Assembly.

5. The Secretariat of the Plenary Assembly of a Consultative Committee shall be composed of the specialized Secretariat of that Committee, with the help, if necessary, of the personnel of the administration of the inviting Government and of the General Secretariat.

CHAPTER 11.—LANGUAGES AND METHOD OF VOTING IN SESSIONS OF THE PLENARY ASSEMBLIES

1. The languages used in the Plenary Meetings and in the official documents of the Consultative Committees shall be as provided in Article 15 of the Convention.

2. The Members which are authorized to vote at sessions of Plenary Assemblies of the Consultative Committees shall be as provided in Article 1, paragraph 3 (2) of the Convention. However, when a country is not represented by an administration, the representatives of the recognized private operating agencies of that member country shall, as a whole, and regardless of their number, be entitled to a single vote.

CHAPTER 12.—COMPOSITION OF STUDY GROUPS

The Plenary Assembly shall set up the necessary Study Groups to deal with questions to be studied; it shall designate the administrations, private operating agencies, international organizations and scientific and manufacturing organizations which shall take part in the work of the Study Groups, it shall name the Group Chairman who shall preside over each of the Study Groups.

CHAPTER 13.—TREATMENT OF BUSINESS

1. If a Study Group cannot solve a question by correspondence, the Group Chairman may, with the approval of his Administration suggest a meeting at a convenient place to discuss the question orally.

2. However, in order to avoid unnecessary journeys and prolonged absences, the Director of a Consultative Committee, in agreement with the Group Chairmen of the various Study Groups concerned, shall draw up the general plan of meetings of groups of Study Groups which are to meet in the same place during the same period.

3. The Director shall send reports made as a result of correspondence or of meetings, to the participating administrations, and to the private operating agencies which are members of the Consultative Committee. These shall be sent as soon as possible and, in any event, in

time for them to be received at least one month before the date of the next meeting of the Plenary Assembly. Questions which have not formed the subject of a report furnished in this way shall not appear in the agenda for the meeting of the Plenary Assembly.

CHAPTER 14.—DUTIES OF THE DIRECTOR. SPECIALIZED SECRETARIAT

1. (1) The Director of a Consultative Committee shall coordinate the work of the Study Groups and of the Plenary Assembly.

(2) He shall keep a file of all the correspondence of the Committee.

(3) The Director shall be assisted by a secretariat composed of a specialized staff to work under his direction and to aid him in the organization of the work of the Committee.

(4) The Director of the International Radio Consultative Committee shall also be assisted by a Vice-Director in accordance with Article 8 of the Convention.

2. The Director shall choose the technical and administrative members of the secretariat within the framework of the budget as approved by the Plenipotentiary Conference or the Administrative Council. The appointment of the technical and administrative personnel is made by the Secretary General in agreement with the Director.

3. The Director shall participate as of right, but in an advisory capacity, in meetings of the Plenary Assembly and of the Study Groups. He shall make all necessary preparations for meetings of the Plenary Assembly and of the Study Groups.

4. The Vice-Director of the International Radio Consultative Committee shall participate as of right in an advisory capacity in meetings of the Plenary Assembly and of the Study Groups when questions in which he is concerned are on the Agenda.

5. The Director shall submit to the Plenary Assembly a report on the activities of the Consultative Committee since the last meeting of the Plenary Assembly. After approval, this report shall be sent to the Secretary General.

6. The Director shall submit for the approval of the Plenary Assembly an estimate of the expenditure proposed for each of the next two years; after its approval by the Plenary Assembly, the Director shall send this estimate to the Secretary General; to be embodied in the annual estimates of the Union.

CHAPTER 15.—PREPARATION OF PROPOSALS FOR ADMINISTRATIVE CONFERENCES

One year before the appropriate Administrative Conference, representatives of the interested Study Groups of each Consultative Committee shall correspond with or meet with representatives of the General Secretariat in order to extract, from the recommendations issued by it since the preceding Administrative Conference, proposals for modification of the relative set of Regulations.

CHAPTER 16.—RELATIONS OF CONSULTATIVE COMMITTEES BETWEEN THEMSELVES AND WITH OTHER INTERNATIONAL ORGANIZATIONS

1. International Consultative Committees may form joint Study Groups to study and make recommendations on questions of common interest.

2. Any Consultative Committee may appoint a representative to attend, in an advisory capacity, meetings or other committees of the Union or other international organizations to which this Consultative Committee has been invited.

3. The Secretary General of the Union, or one of the two Assistant Secretaries General, the representatives of the International Frequency Registration Board, and the Directors of the other Consultative Committees of the Union or their representatives may attend meetings of the Consultative Committees in an advisory capacity.

CHAPTER 17.—FINANCES OF INTERNATIONAL CONSULTATIVE COMMITTEES

1. The salaries of the Directors of the International Consultative Committees, including the salary of the Vice-Director of the International Radio Consultative Committee, and the ordinary expenses of the specialized secretariats shall be included in the ordinary expenses of the Union in accordance with the provisions of Article 14 of the Convention.

2. The expenses of the meetings of the Plenary Assemblies and of the meetings of the Study Groups, including the extraordinary expenses of the Directors, the Vice-Director of the International Radio Consultative Committee, and of the whole of the Secretariat employed at such meetings shall be borne in the manner described below, by the administrations, private operating agencies and scientific or manufacturing organizations participating in such meetings.

3. An administration wishing to take part in the work of a Consultative Committee shall address a declaration to that effect to the Secretary General. This declaration shall include an undertaking to contribute to the extraordinary expenses of that Committee as set forth in the preceding paragraph, and also to pay for all documents supplied. This undertaking shall take effect as from the close of the meeting of the Plenary Assembly preceding the date of the declaration and shall remain in force until terminated by the administration concerned. Any notice of termination shall take effect as from the close of the meeting of the Plenary Assembly following the date of such notice. An administration giving notice of termination shall, however, be entitled to receive all documents pertaining to the last meeting of the Plenary Assembly held during the period of validity of its undertaking.

4. (1) Any private operating agency member of a Consultative Committee must contribute to the expenses referred to in paragraph 2 above and must pay for the documents with which it is supplied as from the close of the meeting of the Plenary Assembly immediately preceding the date of its application as provided for in Chapter 8, paragraph 1 (2) of the General Regulations. This obligation shall continue until any notice of withdrawal, made in accordance with Chapter 8, paragraph 1 (3) of the General Regulations, becomes effective.

(2) The provisions of paragraph 4 (1) above shall apply to scientific or manufacturing organizations and also to international organizations unless these latter are specifically exempted by the Administrative Council in accordance with Article 14 of the Convention.

5. The expenses of the Consultative Committees defined in paragraph 2 above shall be apportioned among the administrations which have undertaken to contribute, in proportion to the number of units which the respective Governments contribute to the ordinary expenses of the Union under Article 14 of the Convention. Private

operating agencies, international organizations and scientific or manufacturing organizations which have undertaken to contribute shall declare the class in which they wish to be placed for this purpose.

6. Each administration, private operating agency, international organization and scientific or manufacturing organization shall defray the personal expenses of its own participants.

ANNEX. 5

AGREEMENT BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL TELECOMMUNICATION UNION¹

* * *

FINAL PROTOCOL TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

(Atlantic City, 1947)

At the time of signing the International Telecommunication Convention of Atlantic City, the undersigned plenipotentiaries take note of the following statements:

I

For Canada:

The signature of Canada to this Convention is subject to the reservation that Canada does not accept Paragraph 3 of Article 13 of the Atlantic City Convention. Canada agrees to be bound by the Radio Regulations annexed to this Convention but does not at present agree to be bound by the Additional Radio Regulations nor by any Telegraph Regulations or Telephone Regulations.

II

For the Republic of Chile:

The Chairman of the Delegation from Chile in signing the Radio Regulations of Atlantic City makes a provisional reservation in regard to the provisions of paragraphs 990, 991, 992, 994, 995, 996 and 997 of Section II of Article 41 of said Regulations.

The Chairman of the Delegation from Chile in signing the International Telecommunication Convention of Atlantic City, makes a provisional reservation in regard to the provisions of Article 39 of the Atlantic City Convention.

III

For the Republic of Colombia:

The Republic of Colombia formally declares that the Republic of Colombia does not, by signature of this Convention on its behalf, accept any obligation in respect to the Telephone Regulations referred to in Article 13 of the Atlantic City Convention.

IV

For the Republic of Ecuador:

The Republic of Ecuador formally declares that by signature of this Convention, it does not accept any obligation in respect to the Telegraph Regulations, the Telephone Regulations, or the Additional Radio Regulations, referred to in Article 13 of the Atlantic City Convention.

V

For the United States of America:

Signature of this Convention for and in the name of

the United States of America constitutes, in accordance with its constitutional processes, signature also on behalf of all territories of the United States of America.

The United States of America formally declares that the United States of America does not, by signature of this Convention on its behalf, accept any obligation in respect of the Telegraph Regulations, the Telephone Regulations, or the Additional Radio Regulations referred to in Article 13 of the Atlantic City Convention.

VI

For the Union of Soviet Socialist Republics:

When signing the International Telecommunication Convention, the U.S.S.R. Delegation declared formally its disagreement with paragraph 2, article 1 of the Convention which it finds legally unfounded and contradictory to the other articles of the Convention and to the resolution of Madrid Telecommunication Conference.

At the same time the U.S.S.R. Delegation considers it unjustified that the following sovereign states, fully fledged participants of the Madrid Convention were without any legal foundation not included in the list of members of the Union set forth in Annex 1. the Latvian Soviet Socialist Republic, the Lithuanian Soviet Socialist Republic, the Estonian Soviet Socialist Republic and the People's Republic of Mongolia.

The U.S.S.R. Delegation is of the opinion that the whole status of Membership in the International Telecommunication Union should be brought up for revision at the next plenipotentiary conference.

VII

For the Republic of China:

The Republic of China formally declares that the Republic of China does not, by signature of this Convention, accept any obligation in respect of the Telephone Regulations referred to in Article 13 of the Atlantic City Convention.

VIII

For the Republic of the Philippines:

The signature of the Republic of the Philippines to the Atlantic City Convention is subject to the reservation that, for the present, it cannot agree to be bound by the Telephone and Telegraph Regulations referred to in Paragraph 3 of Article 13 of the above-mentioned Convention.

IX

For Pakistan:

The Delegation of Pakistan formally declares that Pakistan does not, by signature of this Convention on its behalf, accept any obligation in respect of the Telephone Regulations referred to in Article 13 of this Convention.

X

For the Republic of Peru

The Chairman of the Delegation of Peru, in signing the Atlantic City Convention, makes a provisional reservation with respect to the obligations established in Article 13 of the said Convention, in relation to the Telegraph Regulations, Telephone Regulations and Additional Radio Regulations.

¹For text, see pp. 952-54.

XI

For the Republic of Cuba:

Signature of this Convention for and in the name of Cuba is subject to the reservation that Cuba does not accept, in regard to the Telephone Regulations, Paragraph 3 of Article 13 of the Atlantic City Convention.

XII

For the United States of Venezuela:

The United States of Venezuela formally declares that the United States of Venezuela does not, by signature of this Convention on its behalf, accept any obligation in respect to the Telegraph Regulations, the Telephone Regulations or the Additional Radio Regulations referred to in Article 13 (Regulations).

XIII

For the Oriental Republic of Uruguay.

The Delegation of the Oriental Republic of Uruguay formally declares that by signature of this Convention the Oriental Republic of Uruguay does not accept any obligation in respect of the Telegraph Regulations, Telephone Regulations, or Additional Radio Regulations referred to in Article 13 of the Atlantic City Convention.

XIV

For the Kingdom of Saudi Arabia:

The Saudi Arabian Delegation, in signing this Convention, reserves for its Government the right to accept or not accept any obligation in respect of the Telegraph Regulations, Telephone Regulations, the Radio Regulations or the Additional Radio Regulations referred to in Article 13 of the Atlantic City Convention.

XV

For the Republic of Panama:

The Republic of Panama formally declares that by signature of this Atlantic City Convention of 1947, it does not accept any obligation in respect of the Telegraph Regulations, the Telephone Regulations, or the Additional Radio Regulations referred to in Article 13.

XVI

For Mexico:

The Mexican Delegation states that the signing of the International Telecommunication Convention of Atlantic City does not oblige the Mexican Government to accept the Telegraph Regulations, nor the Telephone Regulations, nor the Additional Radio Regulations referred to in Article 13 of the above-mentioned Convention.

XVII

For Ethiopia:

The Delegation of Ethiopia formally declares that it makes a temporary reservation in relation to Protocol I, concerning the Transitional Arrangements, as its powers are expressly subject to the limitation that all its signatures are subject to ratification.

XVIII

For Iraq:

Signature of this Convention on behalf of Iraq is subject to reservation in regard to the right of Iraq to accept or not accept the Telephone Regulations and Telegraph Regulations referred to in Article 13.

In witness whereof, the respective plenipotentiaries

have signed this Final Protocol of Signature in each of the English and French languages, in a single copy, which shall remain deposited in the archives of the Government of the United States of America and one copy of which shall be forwarded to each signatory government.

Done at Atlantic City, October 2, 1947.

ADDITIONAL PROTOCOLS TO THE INTERNATIONAL TELECOMMUNICATION CONVENTION

(Atlantic City, 1947)

At the time of signing the International Telecommunication Convention of Atlantic City, the undersigned plenipotentiaries have signed the following additional protocols:

I.—PROTOCOL CONCERNING TRANSITIONAL ARRANGEMENTS

The International Telecommunication Conference of Atlantic City has agreed to the following arrangements to ensure the satisfactory functioning of the Union and to facilitate the application of the International Telecommunication Convention of Atlantic City upon its coming into force on January 1, 1949:

1. (1) *The Administrative Council* shall be set up forthwith in accordance with the provisions of Article 5 of the Atlantic City Convention and shall forthwith function on a provisional basis until the coming into force of that Convention. It will hold its first meeting at Atlantic City.

(2) At that meeting the Administrative Council shall elect its Chairman and Vice-Chairmen and shall plan its work for the transitional period ending December 31, 1948, with a view to taking over, on January 1, 1949, its permanent functions.

2. (1) *The International Frequency Registration Board* shall be set up forthwith in accordance with the provisions of Article 6 of the Atlantic City Convention and shall function on a provisional basis until the coming into force of the said Convention.

(2) It will hold its first meeting at Atlantic City. For that meeting the Members of the Board may make temporary unpaid appointments of technically qualified persons without regard to all the conditions laid down in Article 6 of the Convention.

(3) At that meeting the Board shall be organized and its work shall be planned for the transitional period between January 1, 1948 and December 31, 1948, in accordance with the decisions taken by the International Radio Conference of Atlantic City with a view to its permanent establishment as provided for in the Convention of Atlantic City.

3. (1) *The General Secretariat* shall be set up forthwith in accordance with the provisions of Article 9 of the Atlantic City Convention. Until the coming into force of that Convention, it shall function on a provisional basis. With the consent of Swiss Government, its costs shall be filled as far as possible by the corresponding officials of the present Bureau in order to facilitate the transfer of duties upon the date of the coming into force of the Atlantic City Convention.

(2) Exceptionally, in derogation of that Convention, the International Telecommunication Conference of Atlantic City appoints the first holders of the posts of

Secretary General and Assistant Secretaries General. The present Director of the Bureau, Mr. F. von Ernst, is hereby appointed as Secretary General and the present Vice-Directors, Mr. Leon Mulatier and Mr. Gerald C. Gross, are appointed as Assistant Secretaries General. These officials shall perform the functions as provided for them in the Convention.

4. During the interim period the Secretary General shall send to all Members of the Union notification of the deposit of instruments of ratification and accession as provided in Articles 15 and 17 of the Convention.

II.—PROTOCOL CONCERNING GERMANY AND JAPAN

It is hereby agreed that Germany and Japan may accede to the International Telecommunication Convention of Atlantic City by fulfilling the provisions of Article 17 thereof at such time as the responsible authorities consider such accession appropriate. The formalities prescribed by Article 1 of that Convention shall not apply to these two countries.

III.—PROTOCOL CONCERNING SPAIN, THE SPANISH ZONE OF MOROCCO AND THE TOTALITY OF SPANISH POSSESSIONS

It is hereby agreed that Spain, on the one hand, and the Spanish Zone of Morocco and the totality of Spanish Possessions, on the other hand, may accede to the International Telecommunication Convention of Atlantic City, in the capacity of Members having the right to vote, by complying with the provision of Article 17 when the Resolution of the General Assembly of the United Nations dated December 12, 1946, shall be abrogated or cease to be applicable.

The formalities provided in Article 1 of the Convention shall not apply to Spain, on the one hand, and to the Spanish Zone of Morocco and to the totality of Spanish Possessions on the other hand.

IV.—PROTOCOL CONCERNING THE TELEGRAPH AND TELEPHONE REGULATIONS

For those Members who have not yet approved the Telegraph and/or the Telephone Regulations, the provisions of Paragraph 3 of Article 13 of the Convention shall become binding only on the date of the signature of the Telegraph and Telephone Regulations as revised by the next telegraph and telephone administrative conference.

V.—PROTOCOL CONCERNING THE ORDINARY EXPENDITURES OF THE UNION IN 1948

In accordance with the Resolution of the International Telecommunication Conference of Atlantic City, the Government of the Swiss Confederation is invited to advance to the Union, as and when requested by the Administrative Council or by the Secretary General of the Union with the approval of the Administrative Council, a sum not exceeding 1,500,000 Swiss francs for the ordinary expenses of the Union for the fiscal year 1948.

The Secretary General of the Union is authorized, with the approval of the Administrative Council, to incur ordinary annual expenditures during the fiscal year 1948 not exceeding 1,000,000 Swiss francs for the radio division and 500,000 Swiss francs for the telephone and telegraph division.

VI.—PROTOCOL CONCERNING ORDINARY EXPENDITURES OF THE UNION FOR 1949-1952

The International Telecommunication Conference of Atlantic City, in accordance with its resolution, hereby authorizes the Administrative Council to incur, after approval by a majority of the Members and Associate Members of the Union prior to the fiscal year in which the expenditure is to be incurred, such higher expenditures as may be required for the conduct of essential functions of the Union above the annual ordinary expenditures of 4,000,000 Swiss francs, the sum estimated for the ordinary annual expenses of the Union for the period 1949-1952.

VII.—PROTOCOL AUTHORIZING EXTRAORDINARY EXPENDITURES FOR THE PROVISIONAL FUNCTIONS OF THE INTERNATIONAL FREQUENCY REGISTRATION BOARD

In accordance with the resolution approved by the International Telecommunication Conference of Atlantic City, the Secretary General of the Union is authorized to defray the extraordinary expenses attributable to the costs of the International Frequency Registration Board and the salaries and expenses of its members during the period prior to the effective date of the Atlantic City Convention.

VIII.—PROTOCOL AUTHORIZING EXPENDITURE FOR THE PROVISIONAL FUNCTION OF THE ADMINISTRATIVE COUNCIL

In accordance with the resolution approved by the International Telecommunication Conference of Atlantic City, the Secretary General of the Union is authorized to defray the official travel and subsistence expenses of Members of the Administrative Council and the expenses of its sessions during the period prior to the effective date of the Atlantic City Convention.

IX.—PROTOCOL AUTHORIZING THE EXTRAORDINARY EXPENDITURES OF FUNDS OF THE UNION FOR THE WORK OF THE PROVISIONAL FREQUENCY BOARD

The International Telecommunication Conference of Atlantic City, in accordance with its resolution, hereby authorizes the Secretary General of the Union to incur, as extraordinary expenses of the Union, expenditures in connection with the work of the Provisional Frequency Board. Each country shall, however, defray the salary and expenses of its representative who will serve as a national member of the Board and of his advisers; the expenses of representatives of international regional organizations shall be defrayed by the organization concerned.

X.—PROTOCOL CONCERNING THE PROCEDURE TO BE FOLLOWED BY THE COUNTRIES WISHING TO MODIFY THEIR CLASS OF CONTRIBUTION TO THE EXPENDITURES OF THE UNION

The International Telecommunication Conference of Atlantic City, agrees as follows:

1. In derogation of the provisions of the Madrid Convention, the classification of units of contribution provided in Article 14, paragraph 4 of the International Telecommunication Convention of Atlantic City shall go into effect as of January 1, 1948.

2. Each Member shall, prior to September 1, 1948, notify the Secretary General of the Union of the class of contribution it has selected, from the classification table set forth in Article 14, paragraph 4 of the International Telecommunication Convention of Atlantic City. For meeting expenses for the fiscal year 1948, such notification may indicate the selection of a class of contribution for the expenses of the radio service, and a different class for the expenses of the telegraph and telephone service. For meeting expenses for the fiscal year 1949 and subsequent fiscal years, such notification shall indicate the single class selected for meeting the consolidated expenses of the radio service and the telegraph and telephone service.

3. Members failing to make decision prior to September 1, 1948 in accordance with the foregoing paragraph shall be bound to contribute in accordance with the number of units to which they have subscribed under the Madrid Convention, provided, however, that if such Members have, under the Madrid Convention, subscribed to a class of contribution for the radio service which is different from the class subscribed by them for the telegraph and telephone service, they shall, for the fiscal year 1949 and subsequent years, be bound to contribute in accordance with the higher of these two classes.

In witness whereof, the respective plenipotentiaries have signed these Additional Protocols in each of the English and French languages, in a single copy, which shall remain deposited in the archives of the Government of the United States of America and one copy of which shall be forwarded to each signatory government.

Done at Atlantic City, October 2, 1947.

ANNEX III

AGREEMENT BETWEEN THE UNITED NATIONS AND THE INTERNATIONAL TELECOMMUNICATION UNION

Preamble

In consideration of the provisions of Article 57 of the Charter of the United Nations and of article 26 of the Convention of the International Telecommunications Union of Atlantic City 1947, the United Nations and the International Telecommunications Union agree as follows:

Article I

The United Nations recognizes the International Telecommunications Union (hereinafter called the Union) as the specialized agency responsible for taking such action as may be appropriate under its basic instrument for the accomplishment of the purposes set forth therein.

Article II

RECIPROCAL REPRESENTATION

1. The United Nations shall be invited to send representatives to participate, without vote, in the deliberations of all the plenipotentiary and administrative conferences of the Union. It shall also, after appropriate consultation, be invited to send representatives to attend international consultative committees or any other meetings convened by the Union, with the right to participate, without vote, in the discussion of items of interest to the United Nations.

2. The Union shall be invited to send representatives

to attend meetings of the General Assembly of the United Nations for the purposes of consultation on telecommunication matters.

3. The Union shall be invited to send representatives to be present at the meetings of the Economic and Social Council of the United Nations and of the Trusteeship Council and of their commissions or committees, and to participate, without vote, in the deliberations thereof with respect to items on the agenda in which the Union may be concerned.

4. The Union shall be invited to send representatives to attend meetings of the main committees of the General Assembly when matters within the competence of the Union are under discussion, and to participate, without vote, in such discussions.

5. Written statements presented by the Union shall be distributed by the Secretariat of the United Nations to the members of the General Assembly, the Economic and Social Council and its commissions, and the Trusteeship Council as appropriate. Similarly, written statements presented by the United Nations shall be distributed by the Union to its members.

Article III

PROPOSAL OF AGENDA ITEMS

After such preliminary consultation as may be necessary, the Union shall include in the agenda of plenipotentiary or administrative conferences or meetings of other organs of the Union, items proposed to it by the United Nations. Similarly, the Economic and Social Council and its commissions and the Trusteeship Council shall include in their agenda items proposed by the conferences or other organs of the Union.

Article IV

RECOMMENDATIONS OF THE UNITED NATIONS

1. The Union, having regard to the obligation of the United Nations to promote the objectives set forth in Article 55 of the Charter, and the function and power of the Economic and Social Council under Article 62 of the Charter to make or initiate studies and reports with respect to international economic, social, cultural, educational, health and related matters and to make recommendations concerning these matters to the specialized agencies concerned, and having regard also to the responsibility of the United Nations, under Articles 58 and 63 of the Charter, to make recommendations for the co-ordination of the policies and activities of such specialized agencies, agrees to arrange for the submission as soon as possible to its appropriate organ, for such action as may seem proper, of all formal recommendations which the United Nations may make to it.

2. The Union agrees to enter into consultation with the United Nations upon request with respect to such recommendations, and in due course to report to the United Nations on the action taken by the Union or by its members to give effect to such recommendations, or on the other results of their consideration.

3. The Union will co-operate in whatever further measures may be necessary to make co-ordination of the activities of specialized agencies and those of the United Nations fully effective. In particular, it agrees to co-operate with any body or bodies which the Economic and Social Council may establish for the purpose of facilitating such co-ordination, and to furnish such information as may be required for the carrying out of this purpose.

Article V

EXCHANGE OF INFORMATION AND DOCUMENTS

1. Subject to such arrangements as may be necessary for the safeguarding of confidential material, the fullest and promptest exchange of appropriate information and documents shall be made between the United Nations and the Union to meet the requirements of each.

2. Without prejudice to the generality of the provisions of the preceding paragraph:

(a) The Union shall submit to the United Nations an annual report on its activities;

(b) The Union shall comply to the fullest extent practicable with any request which the United Nations may make for the furnishing of special reports, studies or information;

(c) The Secretary-General of the United Nations shall, upon request, consult with the appropriate authority of the Union with a view to providing to the Union such information as may be of special interest to it.

Article VI

ASSISTANCE TO THE UNITED NATIONS

The Union agrees to co-operate with and to render all possible assistance to the United Nations, its principal and subsidiary organs, in accordance with the United Nations Charter and the International Telecommunications Convention, taking fully into account the particular position of the individual members of the Union who are not members of the United Nations.

Article VII

RELATIONS WITH THE INTERNATIONAL COURT OF JUSTICE

1. The Union agrees to furnish any information which may be requested by the International Court of Justice in pursuance of Article 34 of the Statute of the Court.

2. The General Assembly authorizes the Union to request advisory opinions of the International Court of Justice on legal questions arising within the scope of its competence other than questions concerning the mutual relationships of the Union and the United Nations or other specialized agencies.

3. Such request may be addressed to the Court by the Plenipotentiary Conference or the Administrative Council acting in pursuance of an authorization by the Plenipotentiary Conference.

4. When requesting the International Court of Justice to give an advisory opinion the Union shall inform the Economic and Social Council of the request.

Article VIII

PERSONNEL ARRANGEMENTS

1. The United Nations and the Union agree to develop, as far as is practicable, common personnel standards, methods and arrangements designed to avoid serious discrepancies in terms and conditions of employment, to avoid competition in recruitment of personnel, and to facilitate any mutually desirable interchange of personnel in order to obtain the maximum benefit from their services.

2. The United Nations and the Union agree to co-operate to the fullest extent possible in achieving these ends.

Article IX

STATISTICAL

1. The United Nations and the Union agree to strive

for maximum co-operation, the elimination of all undesirable duplication between them, and the most efficient use of their technical personnel in their respective collection, analysis, publication, standardization, improvement and dissemination of statistical information. They agree to combine their efforts to secure the greatest possible usefulness and utilization of statistical information and to minimize the burdens placed upon national Governments and other organizations from which such information may be collected.

2. The Union recognizes the United Nations as the central agency for the collection, analysis, publication, standardization, improvement and dissemination of statistics serving the general purposes of international organizations.

3. The United Nations recognizes the Union as the central agency responsible for the collection, analysis, publication, standardization, improvement and dissemination of statistics within its special sphere, without prejudice to the rights of the United Nations to concern itself with such statistics so far as they may be essential for its own purposes or for the improvement of statistics throughout the world. All decisions as to the form in which its service documents are compiled rest with the Union.

4. In order to build up a central collection of statistical information for general use, it is agreed that data supplied to the Union for incorporation in its basic statistical series or special reports should, as far as is practicable, be made available to the United Nations upon request.

5. It is agreed that data supplied to the United Nations for incorporation in its basic statistical series or special reports should, so far as is practicable and appropriate, be made available to the Union upon request.

Article X

ADMINISTRATIVE AND TECHNICAL SERVICES

1. The United Nations and the Union recognize the desirability, in the interests of the most efficient use of personnel and resources, of avoiding, whenever possible, the establishment of competitive or overlapping services, and when necessary to consult thereon to achieve these ends.

2. Arrangements shall be made between the United Nations and the Union with regard to the registration and deposit of official documents.

Article XI

BUDGETARY AND FINANCIAL ARRANGEMENTS

1. The budget or the proposed budget of the Union shall be transmitted to the United Nations at the same time as such budget is transmitted to the members of the Union, and the General Assembly may make recommendations thereon to the Union.

2. The Union shall be entitled to send representatives to participate, without vote, in the deliberations of the General Assembly or any committee thereof at all times when the budget of the Union is under consideration.

Article XII

FINANCING OF SPECIAL SERVICES

1. In the event of the Union being faced with the necessity of incurring substantial extra expense as a result of any request which the United Nations may make for special reports, studies or assistance in accordance with article VI or with any other provisions of this

agreement, consultation shall take place with a view to determining the most equitable manner in which such expense shall be borne.

2. Consultation between the United Nations and the Union shall similarly take place with a view to making such arrangements as may be found equitable for covering the costs of central administrative, technical or fiscal services or facilities or other special assistance requested by the Union and provided by the United Nations.

Article XIII

UNITED NATIONS "LÂISSEZ-PASSER"

Officials of the Union shall have the right to use the *laissez passer* of the United Nations in accordance with special arrangements to be negotiated between the Secretary-General of the United Nations and the competent authorities of the Union.

Article XIV

INTER-AGENCY AGREEMENTS

1. The Union agrees to inform the Economic and Social Council of the nature and scope of any formal agreement contemplated between the Union and any other specialized agency or other inter-governmental organization or international non-governmental organization, and further will inform the Economic and Social Council of the details of any such agreement, when concluded.

2. The United Nations agrees to inform the Union of the nature and scope of any formal agreement contemplated by any other specialized agencies on matters which might be of concern to the Union and further will inform the Union of the details of any such agreement, when concluded.

Article XV

LIAISON

1. The United Nations and the Union agree to the foregoing provisions in the belief that they will contribute to the maintenance of effective liaison between the two organizations. They affirm their intention of taking whatever measures may be necessary to this end.

2. The liaison arrangements provided for in this agreement shall apply, as far as is appropriate, to the relations between the Union and the United Nations, including its branch and regional offices.

Article XVI

UNITED NATIONS TELECOMMUNICATION SERVICES

1. The Union recognizes that it is important that the United Nations shall benefit by the same rights as the members of the Union for operating telecommunication services.

2. The United Nations undertakes to operate the telecommunication services under its control in accordance with the terms of the International Telecommunications Convention and the regulations annexed thereto.

3. The precise arrangements for implementing this article shall be dealt with separately.

Article XVII

IMPLEMENTATION OF AGREEMENT

The Secretary-General of the United Nations and the appropriate authority of the Union may enter into such supplementary arrangements for the implementation of this agreement as may be found desirable.

Article XVIII

REVISION

On six months' notice given on either side, this agreement shall be subject to revision by agreement between the United Nations and the Union.

Article XIX

ENTRY INTO FORCE

1. This agreement will come into force provisionally after approval by the General Assembly of the United Nations and the Plenipotentiary Telecommunications Conference at Atlantic City in 1947.

2. Subject to the aforementioned approval, the agreement will formally enter into force at the same time as the International Telecommunications Convention concluded at Atlantic City in 1947, or at some earlier date as may be arranged for by a decision of the Union.

X. *The International Refugee Organization*¹

A. ORIGIN

On December 15, 1946, the General Assembly of the United Nations approved a Constitution² providing for the establishment of the International Refugee Organization (IRO). The Assembly also approved an Agreement on Interim Measures,³ under which a Preparatory Commission for IRO (PC-IRO) was to be established, pending the entry into force of the Constitution.

The Preparatory Commission came into being on December 31, 1946, when the requisite eight governments had signed the Constitution. The Agreement establishing it provided that PC-IRO should take all necessary measures for bringing IRO into effective operation as soon as possible; convene and

prepare the agenda for the first meeting of the General Council of IRO, suggest plans for the first year's program of IRO, and prepare draft financial and staff regulations and draft rules of procedure for the General Council and the Executive Committee. The Agreement also provided that PC-IRO could under certain conditions take over the functions, activities, assets and personnel of any organizations dealing with refugees and displaced persons after concluding appropriate agreements with such organizations.

IRO itself was officially established on August 20, 1948, when fifteen states with contributions amounting to 75 per cent of the operational budget had become parties to the Constitution

B. PURPOSES AND FUNCTIONS

In the Preamble to the Constitution of IRO, the Governments accepting the Constitution recognize:

"that as regards displaced persons, the main task to be performed is to encourage and assist in every way possible their early return to their country of origin;

"that genuine refugees and displaced persons should be assisted by international action, either to return to their countries of nationality or former habitual residence, or to find new homes elsewhere, under the conditions provided for in this Constitution; or in the case of Spanish Republicans, to establish themselves temporarily in order to enable them to return to Spain when the present Falangist regime is succeeded by a democratic regime. . . ."

According to Article 2 of the IRO Constitution, the functions of IRO, "to be carried out in accordance with the purposes and the principles of the Charter of the United Nations", are: "the repatriation; the identification, registration and classification; the care and assistance; the legal and political protection; the transport; and the re-settlement and re-establishment, in countries able and willing to receive them, of persons who are the concern of the Organization. . . ."

These functions are to be exercised with a view to:

(1) encouraging and assisting the repatriation of persons the concern of the Organization, having regard to the principle that no person shall be compulsorily repatriated;

(2) promoting repatriation by all possible means.

¹For further details on the origin and early activities of the Organization, see *Yearbook of the United Nations*, 1946-47, pp. 805-9. See also: Report on the Progress and Prospect of Repatriation, Resettlement and Immigration of Refugees and Displaced Persons (E/816 and Corr. 1 and Add. 1 and 2); Memorandum on the Necessity of Co-ordinating Procedures for Declarations of Death (E/824 and Corr.1); reports of the Executive Secretary of the Preparatory Commission to the General Council on the activities of the Organization during the period July 1, 1947-June 30, 1948 (GC/7), on limitations on the assistance of the Organization (GC/5 and Rev.1), on the policy of IRO regarding repatriation and resettlement (GC/14 and Corr.1 and Add.1), on the Review Board (GC/30), on the International Tracing Service (GC/36); and the report on the first session of the General Council (GC/55). See also Bibliography of this Yearbook, Appendix III.

²The text of the Constitution of the International Refugee Organization is reproduced in the *Yearbook of the United Nations*, 1946-47, pp. 810-19.

³For text of Agreement, see *ibid.*, pp. 819-20.

especially by providing repatriated persons with adequate food for a period of three months, provided that they are returning to a country suffering as a result of enemy occupation during the war, and provided such food is distributed under the auspices of IRO;

(3) facilitating the re-establishment in new homelands of non-repatriated refugees and investigating, promoting or carrying out group resettlement or large-scale resettlement projects.

The term "refugee", as defined in Annex I to the Constitution, applies to a person who is outside of his country of nationality or of former habitual residence and who is a victim of the Nazi, Fascist or Falangist regimes, or who was considered a refugee before the outbreak of the Second World War for reasons of race, religion, nationality or political opinion.

C. ORGANIZATION

Under the terms of the Constitution, the principal organs of IRO are a General Council, an Executive Committee and a Secretariat headed by a Director-General.

The General Council, in which each Member is represented, is the ultimate policy-making body of IRO. Each Member of IRO has one vote in the General Council, which meets twice a year. Decisions in the Council and in the Executive Committee are made by a majority of the votes cast, unless otherwise provided by the Constitution or the General Council. Adoption of an amendment to the Constitution, for example, requires a two-thirds vote of the General Council and ratification by two thirds of the Members.

New Members are admitted into the Organization, if they are Members of the United Nations, by accepting the Constitution. Other states require in addition a two-thirds vote of the General Council, taken on the recommendation of the Executive Committee. On certain conditions, states may be admitted to membership without signing or depositing an instrument of acceptance of the Constitution.

The Executive Committee, composed of nine Members of IRO elected by the General Council, meets as often as necessary. It performs the functions necessary to give effect to the policy decisions of the General Council, and has the power to make policy decisions of an emergency nature subject to reconsideration by the General Council. It may

The term "displaced person" applies to an individual who has been deported from his country of nationality or of former habitual residence to undertake forced labor, or has been deported for racial, religious or political reasons.

The Constitution specifically excluded from IRO aid to certain groups, such as war criminals, quislings and traitors, persons receiving financial assistance from their governments, and persons of German ethnic origin who (a) have been or may be transferred to Germany from other countries; (b) have been, during the Second World War, evacuated from Germany to other countries; (c) have fled from or into Germany or from their places of residence into countries other than Germany in order to avoid falling into the hands of Allied armies.

investigate situations in the field by visiting camps, hostels or assembly centres under the control of IRO and give instructions to the Director-General on the basis of such investigations.

The Director-General, nominated by the Executive Committee and appointed by the General Council, is the chief administrative officer of IRO. He carries out the administrative and executive functions of IRO in accordance with decisions of the General Council and the Executive Committee, and is responsible for appointing the Secretariat under regulations established by the General Council.

A Review Board for Eligibility Appeals and an International Tracing Service also work within the framework of IRO. The Review Board is composed of a Chairman and four other members, appointed by the Director-General subject to the approval of the Executive Committee. It hears and determines individual appeals of eligibility taken by IRO field officers, and advises the Director-General on any eligibility matter which he may refer to the Board.

The International Tracing Service (ITS), headed by a Director, has its central headquarters at Arolsen, in the United States Zone of Germany. The ITS seeks to determine the fate of all persons who disappeared between September 1939 and May 1945 and to assemble, at its central headquarters, all documents and other information concerning such persons. The ITS is also charged with tracing

children kidnapped by the Nazis in support of their Germanization program, determining their nationality and arranging for their return to their families where possible.

In addition to its headquarters in Geneva, IRO maintains 25 principal offices and numerous sub-offices throughout Europe, the western hemisphere, China and the Middle East areas.

D. ACTIVITIES PRIOR TO JULY 1, 1947

PC-IRO came into being on December 31, 1946, and held the first part of its first session in Geneva from February 11 to 17, 1947. At the second part of its first session, held in Lausanne in May 1947, PC-IRO recognized that it was unlikely that IRO would come into being by June 30, 1947, when both UNRRA and the Intergovernmental Committee on Refugees were to terminate their activities on behalf of refugees and displaced persons. UNRRA had been charged with administering the camps in which the great majority of refugees and displaced persons were cared for and with repatriating displaced persons. It was the responsibility of the Intergovernmental Committee, established in 1938 by the Evian Conference in France, to pro-

vide for the legal protection, maintenance and resettlement of the refugees and displaced persons under its jurisdiction.

In order to avoid any breach in the continuity of operations, PC-IRO decided to assume, on July 1, 1947, operational responsibility for the refugees and displaced persons eligible for assistance under the terms of the IRO Constitution. It requested the Governments Members of PC-IRO to make available, in advance, a portion of their contributions, and asked UNRRA and the Intergovernmental Committee on Refugees to consider transferring to PC-IRO any surplus funds they might have available on June 30.

E. ACTIVITIES FROM JULY 1, 1947, TO SEPTEMBER 21, 1948

PC-IRO held the third part of its first session in July 1947, the fourth part in October 1947, the fifth part in January 1948 and the sixth part in May 1948. By May 1948, 21 governments had signed the Constitution, fourteen of them having formally accepted it, and it was necessary for only one more government to complete the formalities of accepting the Constitution to bring it into force. PC-IRO, therefore, at the sixth part of its first session, took preliminary steps to arrange for the convening of the General Council of IRO.

On August 20, 1948, with the acceptance of the Constitution by the fifteenth government, IRO came into being.

The first General Council of the new Organization opened in Geneva on September 13, 1948.⁴ Among its decisions was the approval, on September 15, of an agreement establishing the relationship between the United Nations and IRO. The necessary preliminary negotiations with the United Nations had been undertaken by PC-IRO. It was

provided that the agreement would come into force when approved by the General Assembly of the United Nations.⁵

The General Council elected nine Members to constitute the Executive Committee of IRO. As Director-General of the Organization, it unanimously appointed William Hallam Tuck (United States), nominated for that post by the Executive Committee. Mr Tuck had served as Executive Secretary of PC-IRO since July 1947. Sir Arthur N. Rucker (United Kingdom) was appointed as Deputy Director-General. The General Council selected Geneva as headquarters for IRO.

The activities of PC-IRO after July 1, 1947, when it assumed operational responsibilities for the refugees and displaced persons under the mandate of the Organization, and later of IRO, together with the relevant decisions of the General Council, are summarized below.

⁴The session lasted until September 25, 1948.

⁵The General Assembly approved the agreement on November 18, 1948.

1. Care and Maintenance

When PC-IRO assumed responsibility, on July 1, 1947, for the refugees and displaced persons eligible for assistance under the terms of its Constitution, it took over the care and maintenance of a total of over 705,000 persons.

Of these, 626,000 were in assembly centres taken over from UNRRA (28,000 in Austria, 552,000 in Germany, 18,000 in Italy and 28,000 in the Middle East); 61,000 were in camps taken over from the Military Occupation Authorities (49,000 in the British and 1,000 in the French Zone of Germany and 11,000 in Italy). These 687,000 refugees and displaced persons were as follows (nationalities refer to country of citizenship or of last habitual residence):

Poles (excluding Jews)	192,000
Ukrainians	107,000
Estonians	25,000
Latvians	83,000
Lithuanians	50,000
Yugoslavs	29,000
Stateless and "Nansen" refugees	22,000
Jews	156,000
Others	23,000

PC-IRO also assumed responsibility from the Intergovernmental Committee on Refugees for 8,980 persons not residing in assembly centres (1,800 in Belgium, 6,300 in France, and 880 in the Netherlands, Portugal and Spain; between 4,000 and 5,000 of these were Spanish Republican refugees).

The American Joint Distribution Committee turned over to PC-IRO on July 1, 1947, the care of 9,300 refugees in China, most of whom were European Jews who had been cared for by the Committee with the assistance of UNRRA in Shanghai.

In addition to the total of approximately 705,000 persons for whom PC-IRO assumed care and maintenance responsibilities, there were considerable numbers of persons in various countries, principally in Germany, Austria and Italy, who were eligible under the IRO Constitution for IRO care and maintenance, legal protection, or aid and assistance in being repatriated or resettled. Because of a limited budget and the uncertainty of receipts of advance contributions from governments, the Executive Secretary of PC-IRO decided, on July 2, 1947, to restrict further admissions to care and maintenance to those refugees and displaced persons who could prove that the withholding of such assistance would constitute a genuine hardship. This "freeze order" was reviewed and approved by PC-IRO in October 1947, but the Executive

Secretary was asked to give the most liberal interpretation practicable to the term "hardship". In January 1948, PC-IRO directed the Executive Secretary to take all measures possible to relax restrictions on assistance, and stated that legal and political protection should, in all cases, be granted to eligible refugees and displaced persons.

A report submitted by the Executive Secretary to the first session of the General Council of IRO indicated that, on the basis of an estimate made by PC-IRO Field Offices in the spring of 1948, a minimum of 120,000 eligible refugees and displaced persons would request care and maintenance from the Organization if the "freeze order" were lifted. The report stated that there were in addition approximately 30,000 eligible Jewish refugees and displaced persons in France, Belgium and the Netherlands, for whom the American Joint Distribution Committee requested PC-IRO to accept responsibility. Care of these persons had not been taken over by PC-IRO when it began operations on July 1, 1947, because they had not been receiving care from either UNRRA or the Intergovernmental Committee on Refugees. The estimate of 120,000, the report stated, was only a segment of the potential load facing the Organization, since there were a total of approximately 900,000 refugees, some of whom would not apply for assistance; with respect to the others, the type of assistance they might desire was uncertain. The General Council in September 1948 instructed the Director-General of IRO, in view of the continued limitations on the funds available to the Organization, to continue the policy established by PC-IRO of restricting care and maintenance to hardship cases and, at his discretion, to remove the restriction at the earliest possible date.

PC-IRO established in November 1947 a Review Board for Eligibility Appeals to review appeals from refugees and displaced persons who had been determined ineligible for PC-IRO assistance by PC-IRO field officers. Cases are heard in the field by individual Review Board members, and most decisions are made on the spot; more doubtful cases are decided upon by the full Board at Geneva. From the time when it began operations in January 1948 to the end of August 1948, the Board registered 3,254 appeals from refugees and displaced persons in ten countries and disposed of 2,432 of these cases. In addition there were about 2,500 appeals awaiting in the field.

Decisions on appeals were as follows:

Within the mandate of IRO (first instance decision reversed)	869
Eligible for repatriation only	52

Not within the mandate of IRO (first instance decision confirmed)	1,336
<i>Volksdeutsche</i> for whom no final decision has been made ("in suspense")	105
Cases dismissed (as not being eligibility appeals, whereabouts unknown, etc.)	54
Cases re-opened on second appeals	16
Appellants interviewed (personal hearing)	1,828
Number of persons involved in 2,432 decisions (approximate)	6,000

Decisions with regard to *Volksdeutsche* were postponed pending a decision by the General Council as to their eligibility. They are persons of German ethnic origin who were forced from their countries of former residence in Eastern Europe following the Second World War. Although many were returned to Germany by decision of the Allied Control Council for Germany, several thousands on whom no such decision had been made remained in Austria. PC-IRO, in January 1948, directed the Executive Secretary to undertake eligibility examinations of individual *Volksdeutsche* as soon as the eligibility of all other groups claiming IRO assistance had been determined. In September 1948, the General Council of IRO decided that, in view of its other more urgent problems, the Organization was still in no position to resolve this problem.

Although a total of approximately 309,596 persons were repatriated and resettled during the period from July 1, 1947, to August 31, 1948, the number of persons receiving IRO care and maintenance decreased by only 128,284—from over 705,000 to approximately 576,716. This was due to the following reasons: many of those repatriated or resettled were persons who, although eligible, were not receiving care and maintenance; there was an excess of births over deaths in the camp population; and substantial numbers of refugees, who had been in the areas of operation awaiting assistance or had entered those areas, were admitted to care.

IRO care and maintenance involves a comprehensive program offering food, clothing, personal items, health services, hospital care, employment and vocational training, education, individual counselling, child welfare services and assistance from voluntary societies. In the Western Occupation Zones of Germany, in Austria, Italy and the Middle East these services are provided in camps or assembly centres; in other areas, principally the countries of Western Europe, they are provided through cash grants to individuals and families. Of the total of approximately 576,716 persons receiving IRO care and maintenance as of August 31, 542,020 were in IRO assembly centres and

34,696 were outside such centres. Another group of 126,847 persons was at the time receiving a variety of IRO services outside camps, including such services as repatriation or resettlement assistance, legal and political protection.

As of September 21, 1948, IRO was operating a total of 672 installations, including 538 assembly centres, the largest number of which (330) were located in the United States Zone of Germany. In addition to the IRO assembly centres, which may be camps, groups of camps, communities of detached dwellings or any other group or individual housing arrangements for which IRO assumes responsibility, there were, under IRO administration, 58 hospitals and sanatoria, 3 convalescent homes, 2 rehabilitation centres, 8 vocational training centres, 22 children's centres, 8 children's convalescent and nutritional centres, 5 admission control centres, 6 repatriation centres, 7 resettlement selection centres, and 15 installations classified as embarkation centres, staging areas and transit centres.

Epidemics among the refugee population have been prevented by routine immunization against smallpox, typhoid, diphtheria and, when necessary, against typhus, cholera and yellow fever epidemics. In addition to giving daily medical services to persons under its care, IRO has concentrated more specifically on problems of tuberculosis control, nutrition, repatriation of the sick, medical processing of refugees for resettlement, resettlement of displaced medical personnel and the vocational training and rehabilitation of the disabled. In carrying out its health program, the small staff of IRO medical personnel has been assisted by more than 2,500 refugee physicians and 2,000 refugee nurses.

The Organization has attempted to furnish a satisfactory refugee dietary level of 1,900 calories daily for its camp population. In a report to the General Council, the Executive Secretary of PC-IRO stated that, as of June 30, 1948, this standard had not been realized in all Zones, since the caloric levels were set by agreement with the Occupation Authorities of each Zone in which camps were located. Schools, children's centres, summer camps and youth clubs, in order to remedy deficiencies which existed in children's diets, began in 1948 to furnish children with supplemental rations provided by IRO. Apart from the caloric levels, the Organization entered into negotiations with the Occupation Authorities to include in the diets of refugees the necessary qualitative elements, such as fats and proteins. By the time the General Council met, in September 1948, the Director-General reported that the caloric diet in the countries in

which refugee camps were located had been raised to such levels that a differential ratio was no longer required and the General Council directed that the diets of persons in refugee camps should be no higher than that prevailing in surrounding areas.

More than half of the 555,300 persons receiving care and maintenance from IRO as of the end of September 1948 were trained and available for full-time employment. Many were employed by IRO in the running of the camps and many others were working on temporary projects in the occupied areas under the supervision of the Military Authorities. A comprehensive survey conducted by IRO in September 1948 revealed that one third of the male displaced persons of working age in Europe were skilled workers, one fourth agricultural workers, and about one eighth professional or managerial workers. Skilled workers were found in approximately 60 occupations ranging from airplane mechanic to woodworker; the occupations most frequently encountered were those of tailor, shoemaker-saddler, locksmith, carpenter and automobile mechanic. Among the employable women surveyed, 20 per cent of the total were classified as skilled workers, including a large proportion of seamstresses; 16.7 per cent were agricultural workers, and 14.4 per cent were workers in service occupations, including a large percentage of domestic workers. A related survey revealed that 83 per cent of the persons in camps were under 45 years of age. Among men, 26 per cent were under eighteen years of age, 57 per cent between eighteen and 45 and 17 per cent over 45. Among women, 29 per cent were under eighteen, 55 per cent between eighteen and 45 and 16 per cent over 45.

To provide elementary training to young workers and to refresh skills which have been dulled through disuse, IRO has conducted vocational training courses, generally of three months duration. Training courses for men were conducted in languages and in the skills of automobile mechanic, blacksmith, bricklayer, carpenter, electrician, machinist, plumber, radio mechanic, shoe repairman, surveyor, tailor and welder. Women were trained as domestics, nurses, seamstresses, textile workers and typists. More extensive vocational courses, designed to train finished craftsmen, were conducted by international voluntary societies.

2. *Agreements*

A number of agreements were concluded by PC-IRO, and later by IRO, with the governmental

authorities of the areas in which the Organization operates and with a number of countries of resettlement.

The agreements with the Occupation Authorities define the status of IRO and of refugees and displaced persons, and provide for the facilities, supplies and services required by IRO. The agreements set out the reciprocal undertakings of the Occupation Authorities with respect to the procurement of indigenous supplies, furnishing of local currency, maintenance of law, order and security and similar matters. The agreements with the Occupation Authorities in the United States Zones of Germany and Austria provide that IRO is to be directly responsible for the care and maintenance of refugees and for the operation of assembly centres. The agreements concluded with the British and French Occupation Authorities in Germany and Austria, on the other hand, provide that the Authorities are to carry out the administration of assembly centres with policy supervision by IRO.

Operation agreements and arrangements had also been concluded as of September 21, 1948, with Australia, Brazil, Denmark, France, Guatemala and Italy, and with the United Kingdom with respect to certain areas in the Middle East. These agreements provide for the conduct of IRO operations in the areas concerned in accordance with the principles of the IRO Constitution and local practical requirements.

In addition, resettlement agreements or informal arrangements had been concluded as of September 21 with the Governments of Argentina, Australia, Belgium, Brazil, Canada, Chile, Colombia, France, Netherlands, Peru, Turkey, United Kingdom and Venezuela. In general, these agreements provide for recognition of the status and functions of IRO and of its right to determine the eligibility of refugees and displaced persons under the Constitution; the selection of refugees by the government of the country or reception; the acceptance of close relatives; the establishment of civil rights for refugees and recognition of IRO's function of legal and political protection.

When it began operations, PC-IRO also extended provisionally the agreements and working arrangements in force between UNRRA and the Intergovernmental Committee on Refugees and approximately 60 voluntary societies active in refugee assistance programs in Germany, Austria and Italy, in the western European countries and in China.⁹ New agreements and working arrangements were later negotiated with many of these

⁹For list of voluntary societies, see pp. 967-68.

societies. Organizations operating in Germany, Austria and Italy have provided supplementary services in welfare, relief, tracing, child search, special training and employment projects, and in emigration and repatriation assistance in collaboration with the IRO-operated programs in these countries. Societies in France, Belgium and the Netherlands have furnished many services supplementary to the scope of the IRO program and have also operated relief programs and special projects on behalf of IRO. In Spain and Portugal several international relief societies have served as agents of IRO, and in China similar societies have given supplementary help and operated special relief projects on behalf of IRO.

3. Repatriation

Between July 1, 1947, and August 31, 1948, the Organization had repatriated 55,324 refugees and displaced persons, who returned to their former homes in the following countries:

Austria	1,115
Czechoslovakia	389
Germany	679
Hungary	1,212
Italy	434
Larvia	1,691
Lithuania	843
Poland	31,384
U.S.S.R.	2,106
United States	2,039
Yugoslavia	4,794
<i>7,536 overseas Chinese repatriated from China to their prewar homes in:</i>	
Burma	3,689
Singapore and Malayan Union	2,414
Netherlands East Indies	1,280
Other countries	153
All other countries	2,002

As of September 1, 1948, there were still in China an estimated 13,700 persons, taken over by PC-IRO from UNRRA; these overseas Chinese receive only repatriation services from IRO. The Organization concluded arrangements in 1948 with the Burmese Government, where the majority of these persons resided before the war, and with local authorities in Singapore, the Malayan Union, the East Indies and Indo-China for the return of former Chinese residents. Negotiations towards a similar arrangement with the Philippine Government, however, were unsuccessful, since that Government does not recognize a right of former Chinese residents to return except under the normal annual Chinese quota.

It is one of the functions of IRO to facilitate

the provision of information to the displaced persons concerning conditions in their countries of origin. The Organization relays and distributes such information in various ways with a view to assisting the displaced persons in arriving at an independent decision as to whether or not to return home. In order to facilitate their repatriation, IRO also endeavors to establish relations with the countries of origin of the displaced persons. For this purpose IRO offices in Warsaw, Prague and Belgrade were established at the commencement of the PC-IRO operation and, with the exception of the latter, which was closed at the request of the Yugoslav Government in August 1948, they remain in operation.

As an incentive to repatriation, the IRO Constitution provides for the issuance of a three-months supply of food to displaced persons returning to countries suffering as a result of enemy occupation during the war, though, for financial reasons, the Organization was unable initially to implement this section of the Constitution. Early in 1948, however, PC-IRO decided that it was possible to provide such assistance on a more modest scale and accordingly arranged that from June 1, 1948, every eligible displaced person returning to Poland, Yugoslavia or the U.S.S.R. from Germany or Austria would be provided with twenty-days' supply of food. In view of improved conditions in the countries of origin, IRO felt that this amount was sufficient to tide the repatriants over the initial period before they became reintegrated into the local economy. The first session of the IRO General Council approved this policy.

Other steps taken by the Organization to facilitate repatriation included the provision of transportation and documentation. Special hospital trains, for example, were arranged for the 2,800 chronically sick refugees and displaced persons and their relatives who were repatriated. In addition to this, arrangements were made for a variety of individual repatriation movements and other services were provided by the Organization.

4. Resettlement

From July 1, 1947, to August 31, 1948, PC-IRO resettled 163,325 refugees in new homelands; 90,947 others were resettled by governments and voluntary societies acting independently. These refugees and displaced persons were received as immigrants by more than 70 countries and territories on five continents. The following countries received the largest numbers:

Argentina	14,924
Australia	9,209
Belgium	20,070
Brazil	4,505
Canada	31,944
Chile	1,567
France	20,111
Netherlands	3,864
Palestine	33,130
Paraguay	3,591
Peru	1,370
Sweden	2,151
United Kingdom	75,828
United States	18,074
Venezuela	7,487
All other	6,447
	<hr/> 254,272

Most of the resettlement work of IRO has been carried out through "mass resettlement" schemes, whereby a government makes special provision for the admission of substantial numbers of refugees and displaced persons as immigrants. In such cases, visas are usually granted by a special consul or mission, or under other arrangements specifically set up for this purpose. The following fourteen countries and dependent territories were as of September 21, 1948, recruiting for mass resettlement: Argentina, Australia, Belgium, Brazil, Canada, Chile, France, Netherlands, Morocco, Paraguay, Peru, Sweden, Tunisia, Turkey, United Kingdom and Venezuela. Between them, these countries received a total of 114,611 refugees under schemes in which IRO participated, as well as 66,172 refugees under schemes in which IRO did not participate.

The refugees resettled by IRO as individual migrants were sent to 75 different countries, where permission for them to enter was arranged through relatives, friends or other contacts.

The number of persons resettled through both "mass resettlement" schemes and individual migration, with and without IRO participation, as of August 31, 1948, was as follows:

	Total	IRO Participation	Without IRO Participation
Total Resettlement	254,272	163,325	90,947
Mass Resettlement	180,783	114,611	66,172
Individual Migration	73,489	48,714	24,775

The Organization chartered a fleet of ships for the transportation of refugees resettled overseas. In addition, it booked space on ordinary commercial vessels and aircraft for a large number of persons. For the inland transportation of refugees and displaced persons the Organization had used, as of September 21, 1948, an average of 27 trains per month since it began operations.

In his report to the first General Council of IRO the Executive Secretary of PC-IRO called attention to the emphasis being placed in mass resettlement schemes on the labor requirements of the participating countries, with the subsequent marked preference for young single workers and the reluctance to accept family groups. He pointed out that such a trend would "produce a population of displaced persons comprised entirely of the old, the very young and the large family groups".

PC-IRO repeatedly urged that governments accept a "fair share" of non-repatriable refugees and displaced persons in order that, by the time IRO ceased to exist, on June 30, 1950, all of the refugees and displaced persons would have been repatriated or re-established. PC-IRO estimated that, if government selection standards were not considerably reduced, approximately 184,000 refugees would remain in Germany, Austria or Italy and special provisions would have to be made for these persons after the termination of IRO.

Among the refugees and displaced persons as of June 30, 1948, there were approximately 40,000 specialists in intellectual, scientific, technical or artistic occupations. Some received vocational training in IRO assembly centres and were resettled in manual occupations. Through a program of education and publicity, IRO has succeeded in re-establishing a very small number of these specialists in their own professions.

PC-IRO had attempted to persuade each individual government to widen its selection and lower the various standards of acceptability. By the end of June 1948, the Executive Secretary reported that, as the suitability of refugees and displaced persons became better realized, these standards began gradually to be relaxed and certain countries, particularly in Latin America, adopted a more liberal attitude toward family groups.

The IRO Constitution provides for the establishment of a "large-scale resettlement" fund of \$5,000,000 through voluntary contributions from Members of IRO for the establishment of groups of refugees in self-contained industrial or agricultural communities in undeveloped portions of the world. As of September 21, 1948, one nation had contributed to this fund. Several large-scale resettlement projects were under consideration by IRO: in Brazil, Canada, Venezuela and French Guiana.

On the basis of various reports concerning the activities and policies of PC-IRO with regard to resettlement, the first session of the IRO General Council, on September 21, 1948, adopted a resolution appealing to individuals and nations to par-

ticipate in achieving a broad resettlement program. It expressed the hope that the United Nations would support this program and that all nations, whether or not Members of IRO, would participate. The Council requested the Director-General to discuss directly with Members of IRO, and with all other governments of good will, the maximum share of refugees and displaced persons which they would admit to their territories; to pursue the aims of PC-IRO with regard to the relaxation of technical immigration requirements and, in particular, to the recognition of the principle of resettlement in family units; to continue the study of and to put into operation schemes for large-scale resettlement; and to draw the attention of governments to the special problem of intellectual refugees and displaced persons, and to the importance of permitting them to continue to follow their intellectual pursuits. Finally, the Council requested the Director-General to submit to its second session, in March 1949, a plan for the disposition of such refugees and displaced persons as may then appear to require special measures of assistance in order to complete the mandate of the Organization.

5. Legal and Political Protection

Legal and political protection, as entrusted to the Organization by the Constitution, is one of its *prime functions*. It covers manifold activities, since the position of persons who as a rule are stateless and have been persecuted during the war necessarily involves legal problems and difficulties of various kinds.

In this connection the Organization has been faced with such matters as economic rehabilitation of refugees (e.g., restitution of property, indemnification for damage arising from persecution by Nazi and Fascist measures, unblocking of seized assets), and the safeguarding of the civil status of refugees in cases of marriage, divorce, adoption, guardianship, death, etc.

Four of the most important aspects of the work of legal and political protection with which the Organization has dealt concern human rights, statelessness, declaration of death and the issuance of travel documents.

In December 1947, PC-IRO submitted for the consideration of the United Nations Commission on Human Rights a memorandum dealing with problems which it believed of particular importance to refugees. This memorandum included suggestions concerning: equality before the law, pre-

vention of discrimination and protection of minorities; nationality and statelessness; and emigration, expulsion and asylum. A number of the suggestions made by PC-IRO were adopted by the Commission and included in the draft Declaration of Human Rights.

Following a resolution adopted by the Economic and Social Council on March 2, 1948,⁷ on the basis of action taken by PC-IRO, Members of the Secretariats of the United Nations and of IRO have discussed the problems relating to the protection of stateless persons and the desirability of concluding a new convention on the subject.

IRO is continuing the work initiated by the Intergovernmental Committee on Refugees with respect to the legal problems created by the disappearance, as a result of the Second World War or of persecution, of millions of persons whose deaths cannot be conclusively established. It has collected material covering the legislation of 37 countries on the subject. Recognizing the urgency of the problem, PC-IRO had directed its Executive Secretary to prepare a survey for transmission to the Secretary-General of the United Nations. After considering this survey, the Economic and Social Council at its seventh session in August 1948 resolved that a draft convention on the subject be prepared by the Secretariat of the United Nations in collaboration with IRO and other organizations concerned. It requested that this draft be submitted to Members of the United Nations for their comments and be presented, together with these comments, to the Council at its next session.⁸

As a result of considerable work undertaken by the Intergovernmental Committee on Refugees, an international convention was adopted in London on October 15, 1946, concerning the issuance of a travel document to refugees and displaced persons coming within the mandate of IRO. This convention covers those refugees who were unable to obtain a travel document because they did not come under prewar international arrangements which were concluded for the benefit of the so-called "Nansen" refugees. The two main advantages of the London document are that it indicates that the holder is the concern of IRO, a fact which gives it a certain protective value, and that it contains a clause authorizing the holder's return within a certain period to the country of issue, which makes it more readily acceptable to the governments of the countries of destination. Some 28 governments as of September 21, 1948,

⁷See p. 583.

⁸See pp. 646-48

were issuing these travel documents or recognized those issued by other countries, and IRO was negotiating with other governments with a view to their adopting this convention.

6. *Tracing of Missing Persons*

On July 1, 1947, PC-IRO took over from UNRRA the work of the Central Tracing Bureau, which had been engaged in the tracing of millions of persons who had disappeared during the Second World War. Since the operations of the Central Tracing Bureau were limited to Germany, PC-IRO in October 1947 decided to replace the Bureau with an International Tracing Service, to operate on a world-wide scale and to co-ordinate the activities of National Tracing Bureaux. The International Tracing Service (ITS) came into being on January 1, 1948.

Inquiries concerning missing persons are received at ITS headquarters at Arolsen, Germany, where it maintains a central index containing information on approximately 2,500,000 individuals; this index constitutes ITS's most important source of information. Inquiries are referred to the zonal bureaux in Germany if the headquarters office has no information on the individuals concerned. Lists of missing persons are published by ITS in displaced persons camps and in the press, and are broadcast both over German radio stations and over Radio Vatican at Rome. In addition, ITS arranges for the showing of photographic slides

of missing persons in thousands of cinemas. From the inception of ITS up to September 1948, 44,673 requests for information concerning missing persons were received, most of them from displaced persons still in Europe or resettled elsewhere. The ITS was able to give some information in response to 32,618 of these inquiries, and in 15,773 cases it was able to find the individual or to establish proof of his death.

In May 1948, PC-IRO added to the mandate of the International Tracing Service the task of searching for children kidnapped by the Nazis in support of their Germanization program. From evidence already uncovered, together with that being received daily from countries which suffered these losses, the number of children yet to be found amounts to hundreds of thousands. There are on file over 19,000 "unsolved" inquiries. The work of Child Search is to identify these children so that they may be returned to their families where possible. By the end of June 1948, UNRRA and IRO in Germany and Austria had located and repatriated, resettled and reunited with their families 16,413 children of 23 different nationalities. This figure is in addition to the many hundreds repatriated immediately on the conclusion of the Second World War.

The General Council in September 1948 asked the Director-General to continue the International Tracing Service and instructed him to consider how the task of tracing missing persons could be transferred to another organization after the cessation of the work of IRO.

F. BUDGET

The budget for the first financial year of the Organization was established by the Constitution as a total sum, expressed in terms of U.S. dollars, of \$155,860,500, comprising \$4,800,000 for administrative expenses and \$151,060,500 for operational expenses, together with a further sum of \$5,000,000 for large-scale resettlement expenditure, the latter to be made available through voluntary contributions from Members.

Pending the formal establishment of IRO, the work of PC-IRO was financed from advance contributions made by Members of PC-IRO. To commence its operations, PC-IRO received loans, repayable in three months, of \$2,000,000 from UNRRA and \$500,000 from the United Nations.

Other assets to be made available to IRO, under

the terms of the Final Act of the Paris Conference on Reparations of 1945 and the Five Power Agreement of 1946, include: \$25,000,000 to be secured from German assets in neutral countries, all the non-monetary gold found by the Allied forces in Germany; and assets in neutral countries of victims of Nazi action who died and left no heirs. These reparations funds are not mingled with other IRO resources but are allotted specifically for rehabilitation of those who survived Nazi persecution—90 per cent to Jewish persecutees, ten per cent to non-Jewish persecutees.

Because of the delay in receipt of resources, PC-IRO decided on a budget of \$119,088,320 for the year 1947-48 to cover administrative and operational expenditure, together with an addi-

tional provision for the equivalent of \$5,000,000 for large-scale resettlement programs. Since care and maintenance could not be reduced or deferred, and the rate of re-establishment of refugees during the initial months of operation was slow, PC-IRO allocated \$75,281,927, 63 per cent of its anticipated resources for health, care and maintenance and \$24,600,760, or 21 per cent, for re-establish-

ment, repatriation and resettlement. By decision of the General Council of IRO, the emphasis in the budget for the year 1948-49 has been reversed to provide approximately \$70,000,000, or 43 per cent, for the task of re-establishment and \$54,065,811, or 33 per cent, to meet the needs of refugees and displaced persons remaining in the camps. Details of these budgets follow:

PLAN OF EXPENDITURE

July 1, 1947, to June 30, 1948*

ADMINISTRATIVE BUDGET

I. General Council and Executive Committee	\$ 100,000
II. Headquarters	1,457,780
III. Other offices	1,918,860
TOTAL ADMINISTRATIVE EXPENSES	\$3,476,640

OPERATIONAL BUDGET

I. Personnel establishment costs	11,447,542
International Tracing Service	260,085
Review Board	15,986
Additional item: Expenditure prior to July 1, 1947, for other than conference expenses	100,000
	11,823,613
II. Purchase and maintenance of vehicles:	
(a) Purchase of vehicles	417,476
(b) Maintenance of vehicles	1,647,754
(c) Operating cost of vehicles	1,695,150
	3,760,380
III. Health, care and maintenance:	
(a) Supply and advance buying (Direct Care Program)	56,177,177
(b) Per capita cost program	14,293,456
(c) Cash assistance program	3,094,947
(d) Training and retraining	750,000
(e) Medical care	966,347
	75,281,927
IV. Repatriation:	
Transportation and other costs	3,850,930
V. Resettlement:	
Transportation and other costs	20,749,830
VI. Local Re-establishment Loans:	
Short-term loans	145,000
TOTAL OPERATIONAL EXPENSES	\$115,611,680
Total Approved Plan of Expenditure	\$119,088,320
Less: Reduction of anticipated income to meet approved Plan of Expenditure caused by over-estimate of shipping charges recoverable from Australian Government	221,830
GRAND TOTAL	\$118,866,490

July 1, 1948, to June 30, 1949

ADMINISTRATIVE BUDGET

General Council and Executive Committee	\$150,000
Headquarters:	
1. Personal services	2,013,795
2. Travel and travel subsistence	164,650
3. Common costs	749,300
	2,927,745
United States Office	190,141
United Kingdom Office	97,378
International Tracing Service	787,583
Review Board	62,590
Contingency reserve	582,360
TOTAL ADMINISTRATIVE BUDGET	\$4,797,800

OPERATIONAL BUDGET—PART I

Personnel and establishment:	
1. Personal services	10,677,141
2. Travel and travel subsistence	706,222
3. Common costs	1,317,336
	12,700,699
Purchase and maintenance of vehicles	1,545,349
Health, care and maintenance:	
1. Direct care	41,086,890
2. Medical care	2,125,600
3. Vocational training	1,500,000
4. Cash assistance	4,146,567
5. Per capita costs	4,306,754
6. Community organization and welfare	900,000
	54,065,811
Repatriation	2,197,195
Resettlement:	
1. Transportation	56,557,000
2. Other mass resettlement	1,411,250
3. Individual resettlement	10,020,000
	67,988,250
Local re-establishment loans	150,000
Contingency reserve	8,581,954

TOTAL OPERATIONAL BUDGET—

PART I \$150,229,258

OPERATIONAL BUDGET—PART II

Large-Scale Resettlement	48,712
GRAND TOTAL	\$155,075,770

*Included in the accounts for the year ending June 30, 1948, are certain expenses, payment for which was made during this period, but which represent services, facilities and supplies furnished to the Preparatory Commission prior to July 1, 1947.

The percentages of contributions to meet the total administrative and operational expenses of the Organization are set forth for 54 states in Annex II of the Constitution of IRO.¹⁰ Con-

tributions due from present members of IRO toward the administrative and operational budgets for the fiscal years 1947-48 and 1948-49 are as follows:

COUNTRY	1947-1948		1948-1949	
	Adminis- trative	Opera- tional	Adminis- trative	Opera- tional
Australia	\$ 94,560	\$ 2,658,665	\$ 94,517	\$ 2,644,035
Belgium	64,800	1,510,605	64,770	1,502,292
Canada	153,600	5,287,117	153,529	5,258,024
China	288,000	3,776,512	287,868	3,755,731
Denmark	—	—	37,903	1,021,559
Dominican Republic	2,400	60,424	2,399	60,092
France	288,000	6,193,481	287,868	6,159,399
Guatemala	2,400	60,424	2,399	60,092
Iceland	1,920	30,212	1,919	30,046
Luxembourg	—	—	2,399	60,092
Netherlands	67,200	1,359,545	67,169	1,352,063
New Zealand	24,000	664,666	23,989	661,009
Norway	24,000	664,666	23,989	661,009
United Kingdom	551,040	22,281,424	550,788	22,158,815
United States	1,914,720	69,110,179	1,913,842	68,729,885
Venezuela	—	—	12,954	345,527
TOTAL	\$3,476,640	\$113,657,920	\$3,528,302	\$114,459,670

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS (As of September 21, 1948)

MEMBERS OF IRO

Australia	Iceland
Belgium	Luxembourg
Canada	Netherlands
China	New Zealand
Denmark	Norway
Dominican Republic	United Kingdom
France	United States
Guatemala	Venezuela

EXECUTIVE COMMITTEE

Australia	Norway
Belgium	United Kingdom
Canada	United States
China	Venezuela
France	

OFFICERS

EXECUTIVE COMMITTEE

Chairman:
Jean Desy (Canada)
Vice-Chairman:
Rolf Andersen (Norway)

SECRETARIAT

Director-General:
William Hallam Tuck (United States)

Deputy Director-General:

Sir Arthur Rucker (United Kingdom)

Assistant Director-General (Health, Care and Maintenance):

Myer Cohen (United States)

Assistant Director-General (Repatriation and Re-establishment):

Pierre Jacobsen (France)

Assistant Director-General (Administration):

P. N. M. Koolen (Netherlands)

Legal Adviser, Director, Department of Protection, Mandate and Reparations:

G. G. Kullmann (Switzerland)

Counsellor:

Henri Ponsot (France)

Economic Adviser:

Major-General Carl Hardigg (United States)

Comptroller:

A. F. D. Campbell (Canada)

Director International Tracing Service:

Maurice Thudichum (Switzerland)

Chairman Review Board for Eligibility Appeals:

Marcel de Baer (Belgium)

HEADQUARTERS

Address: International Refugee Organization
Palais Wilson, rue des Paquis
Geneva, Switzerland

Telephone: 26503 Geneva

Cable Address: INOREFUG GENEVA

¹⁰See *Yearbook of the United Nations, 1946-47*, p. 818.

OTHER OFFICES

IRO maintains offices in the following countries:

- Argentina:**
702, Avenida Vertiz
Buenos Aires
- Australia:**
IRO Office for Australia and
New Zealand
c/o Department of Migration,
Collins Street
Melbourne
- Austria:**
Stalinplatz 11
Vienna 4
- Belgium:**
28, rue de la Loi
Brussels
- Brazil:**
Rua Santa Luzia 799
Sala 1602
Rio de Janeiro
- Canada:**
Room 202, 100 Spark Street
Ottawa, Ontario
- China:**
United Nations Building
106, Whangpoo Road
Shanghai
- Czechoslovakia:**
Prikopy 3
Prague 1
- Denmark:**
Stockholmsgade 17
Copenhagen K
- Egypt:**
8, Sharia Dar El Shifa
Garden City
Cairo
- France:**
7, rue Copernic
Paris XVI*
- Germany:**
U. S. Zone
APO 62, U. S. Army
Bad Kissingen
- British Zone**
400 IRO HQ
BAOR, Lemgo
- French Zone**
SP 51098-BPM507
Neuenburg, Wurt.
- Guatemala:**
Pasaje Rubio 104
Sexta Avenida Norte 3
Guatemala City
- Italy:**
INR Building
Via S. Nicola da
Tolentino 78
Rome
- Lebanon:**
IRO Representative
Polish Refugee Office
P.O. Box 1221
Beirut
- Luxembourg:**
16, rue de l'Eau
Luxembourg-Ville
- Morocco:**
Services Municipaux
Casablanca
- Netherlands:**
't Hoenstraat 1
The Hague
- Peru:**
Edificio Boza
Carabaya 831, Oficina
No. 308
Lima
- Poland:**
35, Hoza Street
Warsaw
- Switzerland:**
Palais des Nations
Geneva
- Tanganyika:**
IRO Representative
c/o Director of Refugees
P.O. Box 339
Dar-es-Salaam
- Turkey:**
Honorary Representative
P.O. Box 1733
Istanbul, Galata
- Uganda:**
IRO Representative
c/o Director of Refugees
P.O. Box 584
Kampala
- United Kingdom:**
31, Dunraven Street
London W.1
- United States:**
Room 330, 1346 Connecticut Ave., N.W.
Washington 25, D. C.
- Venezuela:**
c/o American Embassy
Caracas

ANNEX II

LIST OF VOLUNTARY SOCIETIES ASSISTING
IN IRO FIELD OPERATIONS

(as of September 21, 1948)

The following societies are working in some or all of these countries:

GERMANY, AUSTRIA AND ITALY

- American Friends Service Committee
American Joint Distribution Committee
American National Committee for Aid to Homeless
Armenians
American Polish War Relief
Boy Scouts International Bureau
British Red Cross
Church World Service
Council of British Societies for Relief Abroad (including
activities of a number of member organizations in
this Council)
Hebrew Immigrant Aid Society
International Rescue and Relief Committee
International Social Service
Italian Red Cross
Jewish Agency for Palestine
Jewish Committee for Relief Abroad
Lutheran World Federation
Mennonite Central Committee
National Catholic Welfare Conference — War Relief
Services
Netherlands Red Cross
Polish Red Cross
Unitarian Service Committee
United States Committee for the Care of European
Children
United Lithuanian Relief Fund of America
United Ukrainian American Relief Committee and
Ukrainian Canadian Relief Fund
Vaad Hatzala
World Council of Churches
World ORT Union
World's YMCA/YWCA
World Student Relief

FRANCE

- Aumônerie protestante
Caisse israélite de prêts
Centre de formation professionnelle
Centre de reclassement professionnel
Centre d'orientation sociale des étrangers
Comité des œuvres sociales de la résistance
Comité international pour le placement des intellectuels
réfugiés
Comité inter-mouvements auprès des évacués
Comité juif d'action sociale et de reconstruction
Entr'aide française
Entr'aide universitaire française
Fédération des sociétés juives de France
Fonds de démarrage économique
International Rescue and Relief Committee
Oeuvre de protection des enfants juifs
Oeuvre de secours aux enfants
Organisation-reconstruction-travail
Secours catholique
Service social d'aide aux émigrants
Service social des jeunes

Service Quaker
 Union des étudiants juifs de France
 Unitarian Service Committee

BELGIUM

Aide aux israélites victimes de la guerre
 Comité des réfugiés venant de l'est
 Comité central israélite
 Comité d'aide aux israélites victimes de lois raciales
Comité estonien
 Comité international pour le placement des intellectuels
 réfugiés
 Croix rouge lettone
 Ecole artisanale et agricole du Bahad
 Front national autrichien
 Jewish Agency
 Organisation-reconstruction-travail
 Oeuvre de Notre-Dame de Sion
 Comité yougoslave

NETHERLANDS

Catholic Committee for Refugees
 International Quaker Bureau

Jewish Co-ordination Committee
 Organisation-reconstruction-travail
 Vereinigung Deutscher Staatenloser Antifaschisten

PORTUGAL

American Joint Distribution Committee
 National Catholic Welfare Conference
 Unitarian Service Committee

SPAIN

American Joint Distribution Committee (Barcelona)
 Representation in Spain of American Relief Organiza-
 tions (Madrid)

CHINA

American Joint Distribution Committee
 Mennonite Central Committee
 Co-ordinating Committee for Refugees
 Russian Emigrants Association
 Catholic Welfare Committee
 International Relief Committee

XI. *The Inter-Governmental Maritime Consultative Organization*¹ (Not yet established)

A. ORIGIN

When the Temporary Transport and Communications Commission of the United Nations met in April and May 1946, it noted the existence of a great number of international conventions and agreements governing many subjects related to shipping. There were also several international organizations each dealing with some aspect of shipping. Other than the United Maritime Consultative Council (UMCC), however, which had no administrative staff, and whose existence was provided for only until October 31, 1946, there was no standing inter-governmental organization in the shipping field. The Temporary Commission felt that a central maritime organization was required to provide for exchange of information, to determine the need for revising existing agreements and conventions or for adopting new ones and to deal on behalf of shipping with other organizations in such related fields as telecommunication and aviation. The Commission also expressed the hope that the life of the UMCC would be extended until the creation of a more permanent organization. The Temporary Commission therefore recommended to the Economic and Social Council that the United Nations sponsor the establishment of a world-wide inter-governmental shipping organization to deal with technical matters.

On the basis of the Temporary Commission's report, the Economic and Social Council, on June 21, 1946, requested its permanent Transport and Communications Commission to examine the question of establishing such an organization and authorized the Secretary-General to seek the views of the UMCC.

The UMCC prepared and, on October 30, 1946, at its second and final session, adopted a draft convention suggesting the scope and purpose of the proposed organization and recommended to its fourteen member governments the establishment of an inter-governmental maritime consultative organization. The UMCC was superseded by a Provisional Maritime Consultative Council to function until the establishment of the permanent maritime organization.

The Transport and Communications Commission at its first session considered the draft Con-

vention prepared by the UMCC and recommended to the Economic and Social Council the convening of a maritime conference. On the basis of this recommendation the Economic and Social Council requested the Secretary-General to convene a conference to consider the establishment of an inter-governmental maritime organization. The Secretary-General was asked to invite to the conference all Members of the United Nations and in addition Albania, Austria, Bulgaria, Finland, Hungary, Ireland, Italy, Portugal, Roumania, Switzerland, Transjordan and Yemen. (The last country subsequently became a Member of the United Nations.)

The United Nations Maritime Conference met in Geneva from February 19 to March 6, 1948. The Governments of the following States were represented at the Conference by delegates:

Argentina	Egypt	Pakistan
Australia	Finland	Panama
Belgium	France	Peru
Brazil	Greece	Poland
Canada	India	Portugal
Chile	Ireland	Sweden
China	Italy	Switzerland
Colombia	Lebanon	Turkey
Czechoslovakia	Netherlands	United Kingdom
Denmark	New Zealand	United States
Dominican Republic	Norway	

The Governments of the following States were represented by observers:

Cuba	Iran
Ecuador	Union of South Africa

The following international organizations were represented by observers:

International Chamber of Commerce
International Co-operative Alliance
International Labour Organisation
International Civil Aviation Organization
International Law Association
International Meteorological Organization
International Telecommunication Union
International Transport Workers' Federation
World Health Organization

¹For further information, see the *Final Act and Related Documents of the United Nations Maritime Conference* (United Nations Publications. Sales No.: 1948. VIII.2), and the following documents which were before the Conference: E/CONF.4/1 and 4. See also Bibliography of this Yearbook, Appendix III.

The Conference used as a basis for its discussions the draft convention prepared by the United Maritime Consultative Council. On the basis of this draft, a Convention on the Inter-Governmental Maritime Consultative Organization (IMCO) was drawn up by the Conference and opened for signature and acceptance on March 6, 1948.²

As provided by the Convention, Members of the United Nations and other States invited to the Conference may become Members of IMCO by becoming parties to the Convention. States other than these may become Members subject to the prior approval of their applications by two thirds of the States Members of IMCO. Territories or groups of territories may, under certain conditions, become Associate Members of the Organization.

IMCO will come into being when 21 states, of which seven must each have a total tonnage of at least one million gross tons of shipping, have become parties to the Convention. As of September 21, 1948, one acceptance of the Convention had been received, that of Canada.

To make the necessary preparations for the first session of the Assembly of IMCO, the Conference

established a Preparatory Committee,³ which will cease to exist upon resolution of the first session of the Assembly of the Inter-Governmental Maritime Consultative Organization.

The Conference also prepared a draft agreement on the relationship between the United Nations and IMCO to establish the latter organization as a specialized agency of the United Nations. The draft agreement was discussed and slightly amended at a joint meeting of the United Nations Committee on Negotiations with Inter-Governmental Agencies and representatives of the Preparatory Committee of IMCO.

The Economic and Social Council during its seventh session adopted a resolution on August 27, 1948, recommending to the General Assembly of the United Nations the adoption of the agreement.⁴

Finally, the United Nations Maritime Conference recommended that the Conference on Safety of Life at Sea, held in London in April 1948, include in its final act provisions which would take into account the duties and functions accorded to IMCO in the field of maritime safety.

B. PURPOSES AND FUNCTIONS

The purposes and functions of IMCO are laid down in Parts I and II of the Convention. Briefly, the Organization is to:

1. provide machinery for co operation among governments in the field of governmental regulation and practices relating to technical matters, including those concerning safety at sea;
2. encourage the removal of discriminatory action and of unnecessary restrictions by governments;
3. consider matters concerning unfair restrictive practices by shipping concerns;
4. consider any matters concerning shipping that might

be referred to it by any organ or specialized agency of the United Nations;

5. provide for the exchange of information among governments on matters under consideration by the Organization.

IMCO is also to provide for the drafting of conventions and agreements, and to recommend these to governments and to inter-governmental organizations, and to convene such conferences as may be necessary.

The Organization is to function in a consultative and advisory capacity.

C. ORGANIZATION

As provided by its Convention, the Inter-Governmental Maritime Consultative Organization will comprise an Assembly, a Council, a Maritime Safety Committee and a Secretariat.

The Assembly, which is to consist of representatives of all Members of the Organization, is to meet at least once every two years. Among its duties as the policy-making body of IMCO, the Assembly is to adopt the budget of the Organiza-

tion and elect the members of the Maritime Safety Committee and four of the members of the Council.

²The text of the Convention will be reproduced in a forthcoming volume of the *Yearbook* after the Organization has come formally into existence.

³The text of the resolution establishing the Preparatory Committee of IMCO is reproduced on pp. 971-72.

⁴The agreement was subsequently approved by the General Assembly on November 18, 1948; to become effective it requires the approval of the IMCO Assembly.

cil, and may establish, on recommendation of the Council, permanent subsidiary bodies. It will recommend to Members the adoption of maritime safety regulations or of amendments to them.

Each Member of the Organization will have one vote; Associate Members will not be entitled to vote. Decisions will be taken, as provided by the Convention, by majority vote, with certain exceptions. For example, to assume the duties and resources of another organization will require a two-thirds majority vote of the Assembly, and to amend the Convention will require a two-thirds majority vote of the Assembly, including the concurring votes of a majority of members of the Council.

The Council is to consist of sixteen members, eight of which must represent countries having an interest in providing international shipping services (six of these countries must have the largest interest in these services), and eight of which must represent countries having an interest in international seaborne trade (six of these countries must have the largest interest in this field). It will be the Council's function to determine which of the Members of IMCO have the largest

interest in providing shipping services and which the largest interest in seaborne trade. The Council is to appoint, with the approval of the Assembly, the Secretary-General of the Organization. It is to perform, between sessions of the Assembly, all functions of the Organization except that of recommending to Members the adoption of maritime safety regulations.

The Maritime Safety Committee is to consist of fourteen members elected from among those Members having an important interest in maritime safety, of which at least eight are to be the largest ship-owning nations. It is to consider such questions as the construction and equipment of vessels, the handling of dangerous cargoes and maritime safety procedures and requirements. The Committee is to promote the co-ordination of activities in the fields of shipping, aviation, telecommunication and meteorology as they relate to safety and rescue.

The Secretariat is to consist of a Secretary-General, a Secretary of the Maritime Safety Committee and necessary staff. Its duties are to include, *inter alia*, the provision of any information required for the work of the other organs of IMCO.

D. PREPARATORY COMMITTEE OF IMCO

The Preparatory Committee established by the United Nations Maritime Conference held its first meeting in Geneva on March 6, 1948. The Com-

mittee decided to appoint as its chairman the representative of Canada, subject to the approval of the Government of that country.

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS

(As of September 21, 1948)

MEMBERS OF THE PREPARATORY COMMITTEE

Argentina	France	Norway
Australia	Greece	Sweden
Belgium	India	United Kingdom
Canada	Netherlands	United States

OFFICERS OF THE PREPARATORY COMMITTEE

Chairman:

CANADA

Executive Secretary:

Branko Lukac (Director, Transport and Communications Division, United Nations)

HEADQUARTERS

Pending the establishment of the permanent headquarters of the Inter-Governmental Maritime

Consultative Organization in London, as provided by Article 44 of the Convention, the provisional administrative address of the Preparatory Committee is as follows:

c/o Transport and Communications Division
Department of Economic Affairs
United Nations
Lake Success, New York

ANNEX II

RESOLUTION ON ESTABLISHMENT OF THE PREPARATORY COMMITTEE OF THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION

The United Nations Maritime Conference convened on 19 February 1948 in Geneva by the Economic and Social Council of the United Nations,

Having agreed that an international organization to be known as the Inter-Governmental Maritime Consulta-

tive Organization shall be established, and

Having agreed upon a Convention for the Organization,

Hereby resolves that a Preparatory Committee should be established,

And resolves, further, that:

1. The Preparatory Committee of the Inter-Governmental Maritime Consultative Organization shall consist of representatives of the following twelve States: Argentina, Australia, Belgium, Canada, France, Greece, India, Netherlands, Norway, Sweden, United Kingdom, and United States of America.

2. The functions of the Preparatory Committee shall be:

(a) To convene the first session of the Assembly of the Inter-Governmental Maritime Consultative Organization within three months from the date on which the Convention of the Organization comes into force,

(b) To prepare and submit to the Governments represented at the United Nations Maritime Conference, and to any other Governments which have signed or accepted the Convention, at least six weeks before the first session of the Assembly of the Organization, the provisional agenda for that session and necessary documents and recommendations relating thereto, including:

(i) Proposals for the implementation of the functions of the Organization and a budget for the first two years of the Organization,

(ii) Draft rules of procedure,

(iii) Draft financial and staff regulations,

(c) To suggest a scale of contributions by members to the budget of the Organization,

(d) To prepare a draft annex to the General Convention on the Privileges and Immunities of the Specialized Agencies in accordance with Part B of the resolution adopted by the General Assembly of the United Nations on 21 November 1947 relating to this subject;

(e) To enter into negotiations with the United

Nations with a view to the preparation of an agreement as contemplated in Article 57 of the Charter of the United Nations and in article 45 of the Convention, using as a basis the draft agreement approved by the United Nations Maritime Conference.

In carrying out the functions of this section due consideration shall be given to the deliberations and decisions of the United Nations Maritime Conference.

3. The first meeting of the Preparatory Committee shall be held in Geneva immediately after the conclusion of this Conference.

4. The Preparatory Committee shall elect a Chairman and adopt its own rules of procedure.

5. The expenses of the Preparatory Committee other than those of the members of the Committee shall be met from funds which Governments may advance to the Committee or from funds which may be loaned by the United Nations. The Preparatory Committee shall explore the feasibility of obtaining a loan from the United Nations and, if mutually acceptable, may enter into a loan agreement. The obligation under any such loan would be considered by the Governments represented at the Conference as a first claim for repayment by the Inter-Governmental Maritime Consultative Organization within the first two years of its existence. In the event of advances of funds to the Preparatory Committee from Governments, such advances may be set off against the contributions of the Governments concerned to the Organization.

6. The Preparatory Committee may enter into agreement with the Secretary-General of the United Nations concerning the possible provision of personnel and other secretarial services under mutually satisfactory arrangements.

7. The Preparatory Committee shall cease to exist upon resolution of the first session of the Assembly of the Inter-Governmental Maritime Consultative Organization.

XII. *The International Trade Organization (ITO)*¹

(Not yet established)

A. THE PREPARATORY COMMITTEE

On February 18, 1946, the Economic and Social Council of the United Nations, pursuant to a proposal submitted by the representative of the United States, resolved (13(I)) to convene an International Conference on Trade and Employment.² The aim of the Conference would be to devise ways and means for the expansion of the production, exchange and consumption of goods. The Council, at the same time, decided to establish a Preparatory Committee, composed of one representative each of Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, U.S.S.R., United Kingdom and United States, to prepare for the consideration of the Conference an agenda and a draft convention for an international trade organization. The Government of the U.S.S.R. subsequently indicated that it was unable to participate in the work of the Preparatory Committee because it had not been possible to devote sufficient time to the preliminary study of the important questions with which the Committee would have to deal. The remaining eighteen nations accepted membership on the Committee and designated representatives.

The Preparatory Committee held a first series of meetings in London between October 15 and November 26, 1946. Before the Committee was a "Suggested Charter for an International Trade Organization", published by the United States

Government in September 1946. This "Suggested Charter" represented a further elaboration of "Proposals for Expansion of World Trade and Employment"; made public by the United States Department of State on December 6, 1945. The "Proposals" were the outcome of financial and trade discussions between the United Kingdom and United States. Also before the Committee were a detailed Indian commentary on the United States proposals, a United Kingdom memorandum on employment policy, a draft charter for an international trade organization submitted by Brazil and various other documents submitted by other delegations. Out of the consideration of these proposals and suggestions, there emerged a first draft Charter for the International Trade Organization (ITO).

Further work on this first draft Charter was carried out by a Drafting Committee established by the Preparatory Committee at its London session. The work of the Drafting Committee was reviewed and revised by the Preparatory Committee during its second session in Geneva between April 10 and August 22, 1947.

The draft Charter finally adopted by the Preparatory Committee formed the basis for the work of the United Nations Conference on Trade and Employment (Havana Conference) which met at Havana from November 21, 1947, to March 24, 1948.

B. THE HAVANA CONFERENCE

The Havana Conference was attended by representatives of 56 Governments:

Afghanistan	Canada
Argentina	Ceylon
Australia	Chile
Austria	China
Belgium	Colombia
Bolivia	Costa Rica
Brazil	Cuba
Burma	Czechoslovakia

Denmark	Ecuador
Dominican Republic	Egypt

¹For further details, see *Yearbook of the United Nations*, 1946-47, pp. 821-24. See also reports of the Preparatory Committee (E/PC/T/33 and E/PC/T/186) and the Drafting Committee (E/PC/T/34), and the report of the Secretary-General on the Havana Conference (E/807). In this *Yearbook*, see also pp. 522-23 and Bibliography, Appendix III.

²See *Yearbook of the United Nations*, 1946-47, pp. 492-94.

El Salvador	Pakistan
France	Panama
Greece	Peru
Guatemala	Philippines
Haiti	Poland
India	Portugal
Republic of Indonesia	Southern Rhodesia
Iran	Sweden
Iraq	Switzerland
Ireland	Syria
Italy	Transjordan
Lebanon	(represented by the
Liberia	delegation of Iraq)
Luxembourg	Turkey
Mexico	Union of South Africa
Netherlands	United Kingdom
New Zealand	United States
Nicaragua	Uruguay
Norway	Venezuela

Finland, Paraguay and the Allied Control Authorities for Japan sent observers to the Conference. Representatives from the following inter- and non-governmental organizations also attended the Conference:

International Labour Organisation
Food and Agriculture Organization of the United Nations
International Bank for Reconstruction and Development
International Monetary Fund

International Federation of Agricultural Producers
World Federation of Trade Unions
International Co-operative Alliance
International Organization of Industrial Employers
International Chamber of Commerce

The Conference prepared a Charter for an International Trade Organization (to be officially known as the Havana Charter) to be submitted to the Governments represented, authenticated the text of the Charter in a Final Act, signed on March 24, 1948, by representatives of all but three (Argentina, Poland, Turkey) of the 56 participating Governments, and adopted six resolutions. The Government of Turkey signed the Final Act subsequently.

The resolutions adopted referred to:

- (1) Establishment of an Interim Commission for the International Trade Organization (see below).
- (2) Relation of the International Trade Organization and the International Court of Justice;
- (3) Chairmanship of the Interim Co-ordinating Committee for International Commodity Arrangements,
- (4) Study of international employment situation;
- (5) Role of the United Nations in the fields of economic development and reconstruction; and
- (6) Expression of gratitude to Cuban Government and people as well as others, for their co-operation with the Havana Conference.

C. PURPOSE AND OBJECTIVES

The Havana Charter consists of nine chapters, comprising 106 articles, and sixteen annexes.³ The chapters deal respectively with:

- I. Purpose and Objectives
- II. Employment and Economic Activity
- III. Economic Development and Reconstruction
- IV. Commercial Policy
- V. Restrictive Business Practices
- VI. Inter-Governmental Commodity Agreements
- VII. The International Trade Organization
- VIII. Settlement of Differences
- IX. General Provisions

The purpose and objectives of the proposed ITO are stated in Chapter I of the Havana Charter. They may be summarized as follows:

- A balanced and expanding world economy;
- Promotion of industrial and general economic development of economically under-developed countries,
- Access on equal terms by all countries to the markets, products and productive facilities needed for their development;
- Reduction of tariffs and other trade barriers and elimination of discriminatory treatment in international commerce;
- Elimination of measures disruptive of world commerce, productive employment or economic progress,
- Promotion of mutual understanding, consultation and co-operation to facilitate the solution of problems relating to international trade in the fields of employment, economic development, commercial policy, business practices and commodity policy.

D. ORGANIZATION

Article 73 of the Havana Charter provides that the proposed ITO shall consist of a Conference, composed of all ITO Members; an Executive Board, composed of eighteen members, eight of which are to represent nations or customs unions

of chief economic importance, as determined by the Conference, having regard to their shares in world trade and to the representation of the different

³The text of the Charter will be reproduced in the Yearbook after the Organization has come into existence.

ent types of economies or degrees of economic development found among ITO Members, and ten of which are to be elected by the Conference; such commissions as may be established by the Conference; and a staff headed by a Director-General.

In both the Conference and the Executive Board, voting will be on the principle of one vote per member, and, except where otherwise provided in the Charter, decisions will be made by simple majority.

The Havana Charter further provides (Article 77) that the powers and duties attributed to the International Trade Organization by the Charter and the final authority to determine the policies of ITO shall be vested in the Conference, which, however, may vote by a simple majority to assign to the Executive Board any power or duty of ITO except those specifically conferred or imposed upon the Conference by the Charter. The Conference may also, by a two-thirds majority, decide to waive, in exceptional circumstances, an obligation imposed upon a Member by the Charter. It may prepare or sponsor agreements concerning any matter within the scope of the Charter and, by a two-thirds majority, may recommend acceptance of such agreements. It may make recommenda-

tions to inter-governmental organizations on any subject within the scope of the Charter. The Conference is also to approve the budget of the Organization and apportion the expenditures of the Organization among Members according to a scale of contributions to be fixed from time to time. It is to determine the seat of the Organization and establish such branch offices as it may consider desirable.

The Executive Board, according to Article 81 of the Charter, is to be responsible for the execution of the policies of the Organization and is to exercise the powers and perform the duties assigned to it by the Conference. It is also to supervise the activities of the commissions and to take such action upon their recommendations as it may deem appropriate. The Board may also make recommendations to the Conference, or to inter-governmental organizations, on any subject within the scope of the Charter.

The Conference is to meet in regular session once a year and in extraordinary session as may be necessary. The frequency of Executive Board meetings is to be agreed upon in the rules of procedure which the Board will adopt.

E. ENTRY INTO FORCE OF THE HAVANA CHARTER

The Havana Charter will enter into force 60 days after more than half the governments which signed the Final Act have deposited instruments of acceptance with the Secretary-General of the United Nations. This would require 28 ratifications. If the Charter has not come into force in this manner by March 24, 1949, it will become effective 60 days after twenty governments have

deposited instruments of acceptance. Should this second alternative fail to bring the Charter into force by September 30, 1949, the Secretary-General of the United Nations will consult with those governments which have deposited instruments of acceptance to see whether and on what conditions they wish to bring ITO into being.

F. INTERIM COMMISSION FOR ITO

Pending the entry into force of the Havana Charter and of ITO, 52 of the 56 governments (i.e., all but Bolivia, Ireland, Portugal and Switzerland) represented at the Havana Conference approved a resolution establishing an Interim Commission for the International Trade Organization

composed of the 52 members which approved the resolution.

The Interim Commission was given functions which may be summarized as follows:

To convolve the first session of ITO after the Charter has entered into force;

To prepare the agenda of the first ITO session, including therein proposals concerning: a plan of work for the first year of the Organization, the budget, the site of ITO headquarters, relations with the United Nations, the specialized agencies and other inter- and non-governmental organizations;

To publish the reports of the main committees of the Havana Conference;

To consult with the International Court of Justice concerning procedural matters arising out of the fact that, under the Havana Charter, ITO may request advisory opinions from the Court;

To prepare for the first session of ITO a report on the entire field of industrial and general economic development and postwar reconstruction, with particular reference to the role of the United Nations, the specialized agencies and other organizations,

To consult with the Government of Switzerland concerning certain problems facing the Swiss economy in connection with the provisions of the Havana Charter.*

The Interim Commission held its first meeting in Havana on March 20, 1948, and Max Suetens (Belgium) was chosen as Chairman. The Commission then elected an Executive Committee consisting of eighteen members, namely, Australia, Benelux (Belgium, Netherlands, Luxembourg, as a Customs Union, represented as one member), Brazil, Canada, China, Colombia, Czechoslovakia, Egypt, El Salvador, France, Greece, India, Italy, Mexico, Norway, Philippines, United Kingdom and United States. L. Dana Wilgress (Canada) was

elected Chairman by the Executive Committee at the Committee's first meeting in Havana on March 24, 1948. Geneva was chosen as the seat of the Executive Committee. The Executive Committee was entrusted with carrying out the tasks assigned to the Interim Commission.

The Executive Committee held its second meeting at Geneva from August 25 to September 15, 1948, and considered a number of procedural and organizational matters relating to such items as the relationship of ITO, when established, with other specialized agencies and the expenses incurred during the meetings of the Preparatory Committee. The Executive Committee decided that it would not meet again until the time when twenty countries had accepted the Havana Charter, or on September 30, 1949, whichever was earlier.

A working group, established during the second session of the Executive Committee to consider how best to proceed with examining the case of Switzerland, was unable to effect arrangements which were acceptable to the Swiss Government. The Executive Committee decided that, while the way should remain open for future consultations, the plan for nominating expert advisers to study the problem of the Swiss economy should be abandoned until the third session of the Executive Committee.

General Agreements on Tariffs and Trade (GATT)

The second session of the Preparatory Committee in Geneva⁵ in fact undertook two entirely separate functions. In addition to completing the draft Charter for an International Trade Organization, it also sponsored the negotiations for the reduction of tariffs and the discussions which led to the formulation of the General Agreement on Tariffs and Trade (GATT). It was considered that this would promote the objectives of the proposed International Trade Organization. This part of its work began on April 10, 1947, in Geneva, and concluded on October 30, 1947, when the Final Act of GATT was signed.

Although the tariff negotiations were sponsored by the Preparatory Committee, and although the results of the negotiations, incorporated in the General Agreement on Tariffs and Trade, were closely related to one of the main objectives of the Havana Charter and the International Trade Organization, the countries concerned in the negotiations maintained an entirely independent status.

During the negotiations and in the later stages as Contracting Parties to the General Agreement on Tariffs and Trade, the countries concerned took part neither as an operating unit of the United Nations nor as an independent organization. As Contracting Parties they are a group of important trading countries bound by an Agreement negotiated among themselves, meeting from time to

*The consultations with Switzerland concern the possible effect of the Charter on the trading position of that country. Switzerland does not suffer today from balance of payments difficulties, but exports a great deal to countries that do experience such difficulties. The Charter would allow these latter countries to restrict their imports temporarily to safeguard their precarious balances of payments. This in turn might lead to a decline in Swiss exports, with the result that Switzerland might be threatened with unemployment. The problem was briefly examined at the Havana Conference but it was not possible to study all aspects of the matter in sufficient detail and to find a solution. It was therefore decided to authorize the Interim Commission to take up the Swiss case and to submit recommendations thereon to the first ITO Conference.

*See p. 973.

time to settle matters arising out of the Agreement calling for common action.

The countries participating in these successful negotiations were, first, certain members of the Preparatory Committee itself, namely Australia, Belgium, Brazil, Canada, Chile, China, Cuba, Czechoslovakia, France, India, Lebanon, Luxembourg, Netherlands, New Zealand, Norway, Union of South Africa, United Kingdom and United States; and, second, certain states participating in the negotiations because of their close economic connection with certain members of the Preparatory Committee, namely, Burma, Ceylon, Pakistan, Southern Rhodesia and Syria (Benelux and Syria-Lebanon each participated as a Customs Union).

A total of 123 bilateral sets of negotiations were completed among the above-mentioned countries, and the results were incorporated into the Schedules of GATT. The negotiated tariff reductions and concessions cover some 45,000 items, affecting two thirds of the import trade of the participating countries, and about half of the over-all world imports, representing a total value in excess of \$US10,000,000,000 (based on 1938 prices).

GATT is, in effect, a framework to protect the tariff concessions. However, it goes further in that it contains a very comprehensive set of general rules for regulating normal commercial relations between the parties to GATT. Out of the 35 articles of GATT, these rules take up 21 articles. They are similar in outline to the set of rules on commercial policy later incorporated in the Havana Charter. GATT is not a charter but a multilateral trade agreement. It is an arrangement which is intended to provide a binding structure for the Geneva tariff negotiations, and to provide a basis for extending further tariff reductions all over the world.

Although the negotiations were bilateral in form, GATT is multilateral in character, since a concession granted by country A to country B in connection with a given item becomes automatically available to all other countries that are parties to GATT, in accordance with the most-favored-nation principle.

At the end of the Geneva negotiations, on October 30, 1947, the 23 participating countries signed a Final Act which simply authenticated the text of GATT.

In order to bring GATT into effect, each participating country was invited to sign a Protocol of Provisional Application. This Protocol states that each signatory country will bring into effect the Schedules of Tariff Concessions and Part III of GATT, and will apply Part II of GATT to the

fullest extent not inconsistent with existing legislation. (Part II of GATT deals largely with commercial policy rules.) The countries which signed the Protocol of Provisional Agreement and are thus applying GATT provisionally are known as the Contracting Parties. Of the 23 countries participating in the tariff negotiations all except one, namely Chile, had signed the Protocol of Provisional Application by the closing date of June 30, 1948. An extension of time was granted to Chile at the second session of the Contracting Parties. GATT will enter into definite force when governments whose external trade totals 85 per cent of the total trade of the 23 countries have accepted GATT.

The Contracting Parties held their first session in Havana from February 28, 1948, to March 24, 1948. The session was mainly concerned with the question of the replacement of certain parts of GATT by the relevant parts of the Havana Charter when the latter comes into force. At the end of the first session, four protocols were signed.

The second session of the Contracting Parties was held in Geneva from August 16 to September 14, 1948. Two protocols were signed bringing into effect certain changes in the articles of GATT. The most important change was the inclusion of the provisions worked out at Havana covering the use by under-developed or war-damaged countries of protective measures such as import quotas to help economic development and reconstruction of particular industries or branches of agriculture. A Protocol of Rectifications corrected detailed errors in GATT Tariff Schedules. An additional protocol allowed Chile up to February 17, 1949, to apply GATT.

The Contracting Parties agreed to hold a further series of tariff negotiations, with a view to enabling additional governments to accede to GATT. A detailed time schedule was adopted, with the final stage of multilateral negotiations set to open at Geneva on April 11, 1949. In conjunction with the original 23 Governments, the following Governments were to participate: Denmark, Dominican Republic, El Salvador, Finland, Greece, Haiti, Italy, Liberia, Nicaragua, Sweden and Uruguay.

Requests were received from several Contracting Parties for release or waiver of obligations under GATT for reasons related to their particular economic problems. Decisions affecting items which had been negotiated in 1947 were made in respect of the Tariff Schedules relating to Ceylon and Pakistan in view of current economic difficulties. Permission was given to Brazil to increase certain import duties in view of the fact that Brazil was

applying lower duties than those provided in GATT over a broad range of items and would in addition negotiate definite compensating concessions. Permission was also given to the United States to accord preferential treatment to the Trust Territory of the Pacific Islands.

An important case involving restriction of imports of textiles by the Cuban Government was referred to the Contracting Parties by the United States. This was resolved through an undertaking

by the Government of Cuba to relieve the immediate difficulties affecting imports of textiles and to negotiate for a solution in accordance with normal commercial principles and through measures which will not restrict trade. In response to a request made to the Contracting Parties by Cuba, the United States Government undertook to renegotiate with Cuba certain tariff concessions, which had been granted by Cuba under GATT, in return for adequate compensation.

ANNEX I

MEMBERS, OFFICERS AND HEADQUARTERS (As of September 21, 1948)

MEMBERS OF THE INTERIM COMMISSION

Afghanistan	Egypt	Nicaragua
Argentina	El Salvador	Norway
Australia	France	Pakistan
Austria	Greece	Panama
Belgium	Guatemala	Peru
Brazil	Haiti	Philippines
Burma	India	Poland
Canada	Republic of	Southern Rhodesia
Ceylon	Indonesia	Sweden
Chile	Iran	Syria
China	Iraq	Transjordan
Colombia	Italy	Turkey
Costa Rica	Lebanon	Union of
Cuba	Liberia	South Africa
Czechoslovakia	Luxembourg	United Kingdom
Denmark	Mexico	United States
Dominican Republic	Netherlands	Uruguay
Ecuador	New Zealand	Venezuela

MEMBERS OF THE EXECUTIVE COMMITTEE

Australia	Czechoslovakia	Italy
Benelux	Egypt	Mexico
Brazil	El Salvador	Norway
Canada	France	Philippines
China	Greece	United Kingdom
Colombia	India	United States

OFFICERS OF THE INTERIM COMMISSION

Chairman:

Max Suetens (Belgium)

Executive Secretary:

Eric Wyndham White (United Kingdom)

OFFICERS OF THE EXECUTIVE COMMITTEE

Chairman:

L. D. Wilgress (Canada)

Vice Chairmen:

Ramon Beteta (Mexico)

Sir Raghavan Pillai (India)

André Philip (France)

HEADQUARTERS

Address: Interim Commission for the International Trade Organization
Palais des Nations
Geneva, Switzerland

ANNEX II

RESOLUTION ESTABLISHING AN INTERIM COMMISSION FOR THE INTERNATIONAL TRADE ORGANIZATION

The United Nations Conference on Trade and Employment,

Having prepared the Havana Charter for an International Trade Organization (hereinafter referred to as "the Charter" and "the Organization" respectively),

Considering that pending the establishment of the Organization certain interim functions should be performed,

Hereby resolves to establish an Interim Commission for the International Trade Organization (hereinafter called "the Commission") consisting of the governments the representatives of which have approved this resolution and which are entitled to original membership of the Organization under Article 71 of the Charter. The terms of reference and structure of the Commission are set out in the Annex to this resolution which forms an integral part thereof.

The following delegations approved the resolution establishing the Interim Commission:

Afghanistan	Egypt	Nicaragua
Argentina	El Salvador	Norway
Australia	France	Pakistan
Austria	Greece	Panama
Belgium	Guatemala	Peru
Brazil	Haiti	Philippines
Burma	India	Poland
Canada	Republic of	Southern Rhodesia
Ceylon	Indonesia	Sweden
Chile	Iran	Syria
China	Iraq	Transjordan
Colombia	Italy	Turkey
Costa Rica	Lebanon	South Africa
Cuba	Liberia	United Kingdom
Czechoslovakia	Luxembourg	United States
Denmark	Mexico	Uruguay
Dominican Republic	Netherlands	Venezuela
Ecuador	New Zealand	

ANNEX

1. The Commission shall elect an Executive Committee of eighteen members to exercise any or all of its functions as the Commission may determine on electing the Committee.

2. The Commission shall have the following functions
(a) to convoke the first regular session of the Com-

ference of the Organization (hereinafter referred to as "the Conference") not less than four months and, as far as practicable, not more than six months after the receipt of the last acceptance needed to bring the Charter into force;

- (b) to submit the provisional agenda for the first regular session of the Conference, together with documents and recommendations relating to all matters upon this agenda, including:

- (i) proposals as to the programme and budget for the first year of the Organization;
- (ii) studies regarding selection of headquarters of the Organization;
- (iii) draft financial and staff regulations.

- (c) to prepare, in consultation with the United Nations, a draft agreement of relationship as contemplated in paragraph 1 of Article 86 of the Charter for consideration by the first regular session of the Conference,

- (d) to prepare, in consultation with inter-governmental organizations other than the United Nations, for presentation to the first regular session of the Conference, documents and recommendations regarding the implementation of the provisions of paragraphs 1 and 3 of Article 87 of the Charter,

- (e) to prepare, in consultation with non-governmental organizations, for presentation to the first regular session of the Conference recommendations regarding the implementation of the provisions of paragraph 2 of Article 87 of the Charter;

- (f) to prepare, with a view to recommendation by the Economic and Social Council to the first regular session of the Conference, the Annex referred to in paragraph 3 of Article 90 of the Charter [regarding the General Agreement on Privileges and Immunities of the Specialized Agencies],

- (g) to carry out the functions and responsibilities referred to in the following documents of the United Nations Conference on Trade and Employment:

1. Paragraph 2 of the Final Act of the United Nations Conference on Trade and Employment (to which the present resolution is annexed).

2. The Resolution of the Conference regarding the relation of the International Trade Organization and the International Court of Justice (annexed to the Final Act).

3. The Resolution of the Conference relating to Economic Development and Reconstruction (annexed to the Final Act)

4. The Report of Sub-Committee G of the Third Committee on the Proposal made by the Delegation of Switzerland (E/CONF.2/C.3/78) together with the sections relating to that matter

in the Report of the Third Committee (E/CONF.2/70).

- (b) to enter into consultations with the Secretary-General of the United Nations regarding the expenses incurred by the Preparatory Committee of the United Nations Conference on Trade and Employment and by that Conference and, in the light of such consultations, to present a report to the first regular session of the Conference,
- (i) generally to perform such other functions as may be ancillary and necessary to the effective carrying out of the provisions of this annex.

3. The Commission shall elect an Executive Secretary who shall be its chief administrative officer. The Executive Secretary shall appoint the staff of the Commission observing, as far as possible, the principles of paragraph 2 of Article 85 of the Charter and using, as he considers desirable, such assistance as may be extended to him by the Secretary-General of the United Nations. The Executive Secretary shall also perform such other functions and duties as the Commission may determine.

4. The Commission shall approve the budget estimates for the operation of the Commission. The Executive Secretary shall prepare the draft of such estimates. The expenses of the Commission shall be met from funds provided by the United Nations and for this purpose the Commission shall make the necessary arrangements with the Secretary-General of the United Nations for the advance of such funds and for their reimbursement. Should these funds be insufficient, the Commission may accept advances from Governments. Such advances from Governments may be set off against the contributions of the Governments concerned to the Organization.

5. Arrangements may be made with the Secretary-General of the United Nations regarding the provision of such personnel as may be required to carry on the work of the Interim Co-ordinating Committee for International Commodity Arrangements

6. The Executive Committee shall hold its first meeting in Havana immediately after its establishment. Its subsequent meetings shall be held in Geneva unless it decides otherwise.

7. The Executive Committee shall submit a report of the activities of the Commission to the first regular session of the Conference.

8. The benefit of the privileges and immunities provided in the Convention on Privileges and Immunities of the Specialized Agencies adopted by the General Assembly of the United Nations shall, as far as possible, be extended to and in connection with the Commission.

9. The Commission shall cease to exist upon the appointment of the Director-General of the Organization, at which time the property and records of the Commission shall be transferred to the Organization.

XIII. *The World Meteorological Organization*¹

(Not yet established)

A. THE INTERNATIONAL METEOROLOGICAL ORGANIZATION

International co-operation in the field of meteorology was first established by an international conference held in Brussels in 1853 primarily for the purpose of dealing with the weather and climate of the oceans. In 1872, an unofficial Conference of Directors of Meteorological Institutes was held at Leipzig, followed by an official International Meteorological Congress in Vienna in 1873. This Congress established a permanent International Meteorological Committee to prepare a scheme of organization for an international meteorological agency. This scheme, prepared by a Committee meeting held at Utrecht in 1878, provided for the establishment of an International Meteorological Organization (IMO) to study the atmosphere as a unit and to secure, through international co-operation, uniformity and accuracy in meteorological observations and calculations. IMO therefore considers the year 1878 as the year of its coming into being.

The Members of IMO since 1878 have been the directors (101 as of September 1948) of independent official meteorological services of various states and territories. The structure of the Organization comprises the Conference of Directors, meeting at least every six years; the International Meteorological Committee, meeting at least every three years; the Secretariat, the work of which is directed by an Executive Council; and various technical and regional commissions.

The first Conference of Directors of the Organization met in Rome in 1879. Including the preliminary Conferences of 1872 and 1873, twelve Conferences of Directors have been held up to September 1948. The Organization is governed by Statutes adopted in Paris in 1919 by the Conference of Directors, and revised in Utrecht in 1923, Copenhagen in 1929, Locarno in 1931, Warsaw in 1935, Paris in 1946 and Washington in 1947.

To strengthen the position of the meteorological services with the governments of their respective countries as well as the authority of IMO in its relations with other international organizations, IMO decided in 1939 to transform itself into an inter-governmental organization, to be known as

the World Meteorological Organization (WMO), whose Members would consist of states and territories with independent meteorological services rather than, as in the case of IMO, the directors of such services.

The Twelfth Conference of Directors of the International Meteorological Organization

The twelfth Conference of Directors, meeting in Washington, D. C., from September 22 to October 11, 1947, drew up and adopted a Convention creating the World Meteorological Organization.²

STEPS TO ESTABLISH THE WORLD METEOROLOGICAL ORGANIZATION

The Conference decided that states represented at the Conference³ or Members of the United Nations could become Members of WMO by acceding to or ratifying the Convention; territories listed in Annex II to the Convention⁴ could become Members by accession or ratification on their behalf by the states respectively responsible for their international relations; and Trust Territories administered by the United Nations could become Members upon application of the Convention to such Territories by the United Nations. Other states and territories, the Conference decided, could become Members upon the prior approval of two thirds of the States Members of the WMO.

The Conference further decided on the question of voting in WMO. In IMO, each member, whether the director of a meteorological service of a state or of a territory, has one vote on any question. In the Congress of the proposed WMO, however, only Members which are States will be

¹For further information, see International Meteorological Organization's final report of the Conference of Directors, 1947. See also Bibliography of this Yearbook, Appendix III.

²The text of the Convention of the World Meteorological Organization will be reproduced in the Yearbook after the Organization has formally come into existence.

³These states are listed on p. 983.

⁴These territories are listed on p. 983.

entitled to vote on certain categories of questions, such as amendments to the Convention, membership in the Organization or relations with the United Nations.

To comply with the resolution of the General Assembly of the United Nations barring Franco Spain from membership in any organization brought into relationship with the United Nations,⁵ the Conference resolved to exclude Spain from becoming a party to the Convention of WMO until the General Assembly resolution should be abrogated or cease to be applicable. Likewise, the Director of the Spanish Meteorological Service, by decision of the Conference, may not exercise the rights of membership in the Conference of Directors of IMO.

As provided in the Convention, WMO will come into being 30 days after the deposit with the Government of the United States of the thirtieth instrument of ratification of or accession to the Convention. The Conference directed the President of the International Meteorological Committee of IMO to convene the first session of the Congress of WMO as soon as practicable after that date. It decided that an extraordinary session of the Conference of Directors of IMO would be held concurrently with the Congress, in order to dissolve IMO and ensure the transfer of its functions and assets to WMO. The Executive Committee of IMO was directed to prepare the necessary documentation, including a draft agreement with the United Nations, for circulation to the Members of WMO at least six months prior to the first Congress of the new Organization.

In order to ensure the continuity of international collaboration by the various meteorological services, the Conference resolved that IMO would continue to function until the formal establishment of WMO.

TECHNICAL QUESTIONS

The twelfth Conference also dealt with a large number of technical questions, basing its work on 405 resolutions adopted by its technical commissions, which met in Toronto in August and September 1947. It made recommendations: for the international comparison of meteorological instruments; for the standardization of methods of meteorological surface and upper air observations and measurements and for the graphical representation, computation and publication of the results of the observations; for the international exchange of

meteorological documents and concerning the system of their universal decimal classification.

The Conference approved definitions and numerical values of physical constants and functions used in meteorology. It adopted for introduction on January 1, 1949, a universal code for the transmission of meteorological surface reports and codes for reports from and to aircraft and ships, for technical information and forecasts, and for monthly climatic messages. It improved the system of international weather broadcasts and especially that for exchange of meteorological information between continents.

The Conference stressed particularly the need for increased collaboration of IMO with the International Civil Aviation Organization (ICAO). It provided that the IMO General Regulations for the Provision of Meteorological Service for International Aeronautics should be uniform with the ICAO *International Standards and Practices in Meteorology*. (The latter were based to a large extent on general regulations adopted by the International Meteorological Committee of IMO in Berlin in 1939.) The Conference recommended the establishment by interested meteorological services of stationary meteorological ships in the South Atlantic Ocean, such as were established under the sponsorship of ICAO in the North Atlantic, to promote safety in the air for international air lines travelling that route. To meet the most immediate needs of aeronautical meteorology, as specified by ICAO, the Conference recommended the preparation by various meteorological services of climatological statistics for all international airports.

The Conference recommended closer collaboration with the International Telecommunication Union (ITU) to facilitate the collection of weather observations from the oceans, to represent IMO in regard to frequency requirements for maritime purposes, to assist in making telecommunication arrangements for transmitting weather information and storm warnings to ships at sea and generally to further meteorological interests in the field of telecommunication.

Among other resolutions on technical questions adopted by the Conference were recommendations for special studies relating to such subjects as river and flood forecasting, frost warning and protection, tropical cyclones, sandstorms, soil moisture, soil formation, erosion and conservation, and the types of crops and domestic animals which exist under specific weather conditions.

⁵See *Yearbook of the United Nations*, 1946-47, pp. 129-30.

B. PURPOSE OF THE WORLD METEOROLOGICAL ORGANIZATION

As stated in Article 2 of the Convention of WMO, the purposes of the Organization will be as follows:

"(a) To facilitate worldwide cooperation in the establishment of networks of stations for the making of meteorological observations or other geophysical observations related to meteorology and to promote the establishment and maintenance of meteorological centers charged with the provision of meteorological services;

"(b) To promote the establishment and maintenance

of systems for the rapid exchange of weather information;

"(c) To promote standardization of meteorological observations and to ensure the uniform publication of observations and statistics;

"(d) To further the application of meteorology to aviation, shipping, agriculture, and other human activities; and

"(e) to encourage research and training in meteorology and to assist in coordinating the international aspects of such research and training."

C. ORGANIZATION OF THE WORLD METEOROLOGICAL ORGANIZATION

As provided by the Convention, WMO is to consist of a World Meteorological Congress, an Executive Committee, regional meteorological associations and technical commissions set up by the Congress and a permanent secretariat under the direction of a Secretary-General. The Organization is to be headed by a President and two Vice-Presidents, who will be the President and Vice-Presidents of the Congress and the Executive Committee.

The Congress, in which all Members may be represented, is to meet at least once every four years. Each Member is to designate as its principal delegate to the Congress the director of its meteorological service. The Congress is to be the policy-making body of the Organization. It is to adopt technical regulations covering meteorological practices and procedures and to determine the general policies for the fulfilment of the Organization's purposes. Decisions of the Congress are to be taken by a two-thirds majority of the votes cast, except that in the election of officers of the Organization, a simple majority is required.

The Executive Committee is to be composed of the presidents of regional associations and an equal number of directors of the meteorological services of Members in addition to the President and Vice-Presidents of WMO. It will meet at least once a year. As the executive body of the Organization, the Committee will supervise the carrying out of Congress resolutions. It will, among other duties, make studies and recommendations and provide Members with technical information, counsel and assistance in the field of meteorology.

The regional meteorological associations, to be established by the Congress, will be composed of Members of WMO whose networks lie in or extend into the respective regions. The geographical limits of the various regions are to be defined by the Congress. Six Regional Commissions now operate under the International Meteorological Organization: for Europe, for Asia, for Africa, for North and Central America, for South America and for the Southwest Pacific.

Various technical commissions, to be established by the Congress, will be composed of experts. The following Technical Commissions now operate under IMO:

- Aerological Commission (CAé)
- Commission for Agricultural Meteorology (CAGM)
- Commission for Bibliography and Publications (CBP)
- Climatological Commission (CCI)
- Hydrological Commission (CHy)
- Commission for Instruments and Methods of Observation (CIMO)
- Commission for Aeronautical Meteorology (CMAé)
- Commission for Maritime Meteorology (CMM)
- Commission for Polar Meteorology (CPM)
- Commission for Radio-Electric Meteorology (CREM)
- Commission for Synoptic Weather Information (CSW1)

The Commissions for Polar Meteorology and Radio-Electric Meteorology were established by the twelfth Conference of Directors.

APPENDICES

- I. Charter of the United Nations and Statute of the
International Court of Justice
- II. Roster of the United Nations
- III. Selected Bibliography
- IV. Who's Who in the United Nations

I. Charter of the United Nations and Statute of the International Court of Justice¹

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and

to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and
to promote social progress and better standards of life in larger freedom,

AND FOR THESE ENDS

to practice tolerance and live together in peace with one another as good neighbors, and

to unite our strength to maintain international peace and security, and

to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and

to employ international machinery for the promotion of the economic and social advancement of all peoples,

HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I

PURPOSES AND PRINCIPLES

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace;

2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;

3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encour-

aging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and

4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles

1. The Organization is based on the principle of the sovereign equality of all its Members.

2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter, but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II

MEMBERSHIP

Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San

¹This text is reproduced verbatim from *Facsimile of the Charter of the United Nations, Statute of the International Court of Justice and Interim Arrangements*. In five languages. Signed at the United Nations Conference on International Organization, San Francisco, California, June 26, 1945. [Washington, Govt. Pr. Off., 1945.] (Department of State, Pub. 2368, Conference Series 76.)

Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III

ORGANS

Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV

THE GENERAL ASSEMBLY

Composition

Article 9

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers

Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

- promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;
- promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions, and powers of the General Assembly with respect to matters mentioned in paragraph 1(b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each member of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security, the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1 (c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure

Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may re-

quire. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

THE SECURITY COUNCIL

Composition

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be

submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

PACIFIC SETTLEMENT OF DISPUTES

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies

or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

ACTION WITH RESPECT TO THREATS TO THE PEACE, BREACHES OF THE PEACE, AND ACTS OF AGGRESSION

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of

aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent an aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined in-

ternational enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and se-

curity. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII

REGIONAL ARRANGEMENTS

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the responsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

INTERNATIONAL ECONOMIC AND SOCIAL COOPERATION

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

a. higher standards of living, full employment, and conditions of economic and social progress and development,

b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation, and

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are hereinafter referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

THE ECONOMIC AND SOCIAL COUNCIL

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or

initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and may make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up com-

missions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

DECLARATION REGARDING NON-SELF-GOVERNING TERRITORIES

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to cooperate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General

for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories in which this Chapter applies, no less than in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

INTERNATIONAL TRUSTEESHIP SYSTEM

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

- a. to further international peace and security;
- b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;
- c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and
- d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

- a. territories now held under mandate;
 - b. territories which may be detached from enemy states as a result of the Second World War; and
 - c. territories voluntarily placed under the system by states responsible for their administration.
2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards

the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

THE TRUSTEESHIP COUNCIL

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

- a. those Members administering trust territories;
- b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and
- c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

- a. consider reports submitted by the administering authority;
- b. accept petitions and examine them in consultation with the administering authority;
- c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and
- d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.

2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

THE INTERNATIONAL COURT OF JUSTICE

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

THE SECRETARIAT

Article 97

The Secretariat shall comprise a Secretary-General and

such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI

MISCELLANEOUS PROVISIONS

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been registered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international

agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

TRANSITIONAL SECURITY ARRANGEMENTS

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

AMENDMENTS

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recom-

mended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

RATIFICATION AND SIGNATURE

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

IN FAITH WHEREOF the representatives of the Governments of the United Nations have signed the present Charter.

DONE at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

THE INTERNATIONAL COURT OF JUSTICE established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

ORGANIZATION OF THE COURT

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups ap-

pointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alpha-

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine, for dealing with particular categories of cases; for example, labor cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two

judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

3. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly. They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their traveling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

COMPETENCE OF THE COURT

Article 34

1. Only states may be parties in cases before the Court.

2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.

3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.

2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.

3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

- a. the interpretation of a treaty;
- b. any question of international law;
- c. the existence of any fact which, if established, would constitute a breach of an international obligation;
- d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide a case *ex aequo et bono*, if the parties agree thereto.

CHAPTER III

PROCEDURE

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be, either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require, any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.
2. They may have the assistance of counsel or advocates before the Court.
3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.
2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.
3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.
4. A certified copy of every document produced by one party shall be communicated to the other party.
5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.
2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice-President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.
2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions

laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.
2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the case, the President shall declare the hearing closed.
2. The Court shall withdraw to consider the judgment.
3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.
2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.
2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.
2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence

of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

CHAPTER IV

ADVISORY OPINIONS

Article 65

1. The Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered

by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V

AMENDMENT

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

II. Roster of the United Nations (As of September 21, 1948)

Country	Capital	Total Area (square miles)	Latest Population Estimate		Date of Admission to U.N.
			Date	Total Population	
Afghanistan	Kabul	251,000	Midyear 1947	12,000,000	11/19/46
Argentina	Buenos Aires	1,073,630	Midyear 1947	16,109,000	9/24/45
Australia	Canberra	2,974,581	Midyear 1948	7,710,000 ¹	11/1/45
Belgium	Brussels	11,779	Dec. 31, 1947	8,453,000	12/27/45
Bolivia	La Paz	412,794	Midyear 1948	3,922,000	11/14/45
Brazil	Rio de Janeiro	3,288,172	Midyear 1948	48,450,000	9/21/45
Burma	Rangoon	261,757	Midyear 1947	17,000,000	4/19/48
Byelorussian S.S.R.	Minsk	83,000	Midyear 1947*	5,568,000	10/24/45
Canada	Ottawa	3,690,410	Midyear 1948	12,883,000	11/9/45
Chile	Santiago	286,408	Midyear 1948	5,621,000	10/11/45
China ^a	Nanking	3,759,330	Midyear 1948	463,493,000	9/28/45
Colombia	Bogotá	439,845	Midyear 1947	10,545,000	11/5/45
Costa Rica	San José	19,650	Midyear 1948	813,000	11/2/45
Cuba	Havana	44,219	Dec. 31, 1947	5,130,000	10/15/45
Czechoslovakia	Prague	49,356	Midyear 1948	12,338,000	10/19/45
Denmark ⁴	Copenhagen	16,576	Midyear 1948	4,190,000	10/9/45
Dominican Republic	Ciudad Trujillo	19,129	Dec. 31, 1947	2,182,000	9/4/45
Ecuador	Quito	175,858	Midyear 1947	3,400,000	12/21/45
Egypt	Cairo	386,100	Midyear 1947	19,179,000	10/22/45
El Salvador	San Salvador	13,177	Midyear 1948	2,100,000	9/26/45
Ethiopia	Addis Ababa	350,000	Midyear 1947	15,000,000	11/13/45
France	Paris	212,744	Midyear 1948	41,500,000	8/31/45
Greece ⁵	Athens	51,184	Midyear 1948	7,780,000	10/25/45
Guatemala	Guatemala City	42,044	Dec. 31, 1947	3,678,000	11/21/45
Haiti	Port-au-Prince	10,715	Midyear 1947	3,550,000	9/27/45
Honduras	Tegucigalpa	59,163	Midyear 1947	1,240,000	12/17/45
Iceland	Reykjavik	39,800	Midyear 1947	134,000	11/19/46
India	New Delhi	1,138,145 ^a	Midyear 1947	331,750,000 ⁷	10/30/45
Iran	Teheran	630,000	Midyear 1947	17,000,000	10/16/45
Iraq	Baghdad	168,040	Midyear 1947	4,800,000	12/21/45
Lebanon	Beirut	3,475	Dec. 31, 1947	1,186,000	10/15/45
Liberia	Monrovia	43,000	Midyear 1947	1,600,000	11/2/45
Luxembourg	Luxembourg	998	Dec. 31, 1947*	291,000	10/17/45
Mexico	Mexico City	760,320	Midyear 1948	23,876,000	11/7/45
Netherlands	Amsterdam	15,764	Midyear 1948	9,793,000	12/10/45
New Zealand	Wellington	103,416	Midyear 1948	1,840,000	9/19/45
Nicaragua	Managua	57,145	Dec. 31, 1947	1,148,000	9/6/45
Norway	Oslo	125,152	Midyear 1948	3,172,000	11/27/45
Pakistan	Karachi	361,007	Midyear 1948	73,321,000	9/30/47
Panama	Panama City	28,576	Midyear 1947	729,000	11/13/45
Paraguay	Asuncion	157,045	Dec. 31, 1947	1,252,000	10/12/45
Peru	Lima	482,276	Midyear 1948	8,061,000	10/31/45

¹ For footnotes, see next page.

II. Roster of the United Nations (As of September 21, 1948)

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			Date	Total Population	
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Argentina	Buenos Aires	1,073,630	Midyear 1947	16,109,000	9/24/45
Australia	Canberra	2,974,381	Midyear 1948	7,710,000 ^a	11/1/45
Belgium	Brussels	11,779	Dec. 31, 1947	8,453,000	12/27/45
Bolivia	La Paz	412,794	Midyear 1948	3,922,000	11/14/45
Brazil	Rio de Janeiro	3,288,172	Midyear 1948	48,450,000	9/21/45
Burma	Rangoon	261,757	Midyear 1947	17,000,000	4/19/48
Byelorussian S.S.R.	Minsk	83,000	Midyear 1947 ^a	5,568,000	10/24/45
Canada	Ottawa	3,690,410	Midyear 1948	12,883,000	11/9/45
Chile	Santiago	286,408	Midyear 1948	5,621,000	10/11/45
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Colombia	Bogotá	439,845	Midyear 1947	10,545,000	11/5/45
Costa Rica	San José	19,650	Midyear 1948	813,000	11/2/45
Cuba	Havana	41,219	Dec. 31, 1947	5,130,000	10/15/45
Czechoslovakia	Prague	49,356	Midyear 1948	12,338,000	10/19/45
Denmark ^c	Copenhagen	16,576	Midyear 1948	4,190,000	10/9/45
Dominican Republic	Ciudad Trujillo	19,129	Dec. 31, 1947	2,182,000	9/4/45
Ecuador	Quito	175,858	Midyear 1947	3,400,000	12/21/45
Egypt	Cairo	386,100	Midyear 1947	19,179,000	10/22/45
El Salvador	San Salvador	13,177	Midyear 1948	2,100,000	9/26/45
Ethiopia	Addis Ababa	350,000	Midyear 1947	15,000,000	11/13/45
France	Paris	212,741	Midyear 1948	41,500,000	8/31/45
Greece ^b	Athens	51,184	Midyear 1948	7,780,000	10/25/45
Guatemala	Guatemala City	42,044	Dec. 31, 1947	3,678,000	11/21/45
Haiti	Port-au-Prince	10,715	Midyear 1947	3,550,000	9/27/45
Honduras	Tegucigalpa	59,163	Midyear 1947	1,240,000	12/17/45
Iceland	Reykjavik	39,800	Midyear 1947	134,000	11/19/46
India	New Delhi	1,138,145 ^a	Midyear 1947	331,750,000 ^a	10/30/45
Iran	Teheran	630,000	Midyear 1947	17,000,000	10/16/45
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Lebanon	Beirut	3,475	Dec. 31, 1947	1,186,000	10/15/45
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Luxembourg	Luxembourg	998	Dec. 31, 1947 ^a	291,000	10/17/45
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Netherlands	Amsterdam	15,764	Midyear 1948	9,793,000	12/10/45
New Zealand	Wellington	103,416	Midyear 1948	1,810,000	9/19/45
Nicaragua	Managua	57,145	Dec. 31, 1947	1,148,000	9/6/45
Norway	Oslo	125,152	Midyear 1948	3,172,000	11/27/45
Pakistan	Karachi	361,007	Midyear 1948	73,321,000	9/30/47
Panama	Panama City	28,576	Midyear 1947	729,000	11/13/45
Paraguay	Asuncion	157,015	Dec. 31, 1947	1,252,000	10/12/45
Peru	Lima	482,276	Midyear 1948	8,061,000	10/31/45

^a For footnotes, see next page.

Country	Capital	Total Area (square miles)	Latest Population Estimate		Date of Admission to U.N.
			Date	Total Population	
Philippines	Manila	115,604	Midyear 1948	19,964,000	10/11/45
Poland	Warsaw	120,364	Dec. 31, 1947	23,781,000	10/24/45
Saudi Arabia	Mecca	927,000	* Midyear 1947	6,000,000	10/18/45
Siam	Bangkok	198,278	Midyear 1948	17,666,000	12/16/46
Sweden	Stockholm	173,429	Dec. 31, 1947	6,842,000	11/19/46
Syria	Damascus	72,200	Midyear 1947	3,721,000 ^a	10/19/45
Turkey	Ankara	296,196	Midyear 1948	19,500,000	9/28/45
Ukrainian S.S.R.	Kiev	226,696	Midyear 1947 ^b	30,960,000	10/24/45
Union of South Africa	Pretoria	472,494	Midyear 1948	11,790,000	11/7/45
U.S.S.R.	Moscow	8,599,019	Midyear 1947 ¹⁰	193,000,000	10/24/45
United Kingdom	London	94,212	Midyear 1948	50,033,000	10/20/45
United States	Washington	3,022,387	Midyear 1948	146,571,000	8/8/45
Uruguay	Montevideo	72,175	Dec. 31, 1947	2,318,000	12/18/45
Venezuela	Caracas	352,156	Midyear 1947	4,499,000	11/15/45
Yemen	Sa'ana	75,000	Midyear 1947	7,000,000	9/30/47
Yugoslavia	Belgrade	99,185	Midyear 1948 ¹¹	15,752,000	10/19/45

¹ Excluding full-blooded aborigines numbering about 48,000.

² According to census of January 17, 1939. No recent estimates available.

³ Including Formosa, Manchuria, Jehol, Sinkiang and Tibet.

⁴ Excluding Faroe Islands.

⁵ Including Dodecanese Islands.

⁶ Including Hyderabad and Junagadh.

⁷ Including an estimate for Hyderabad, Junagadh and Kashmir.

⁸ Census of December 31, 1947.

⁹ Unofficial estimate only.

¹⁰ No official estimate for 1947 or 1948 available. 193,000,000 is a 1946 official estimate.

¹¹ According to census of March 15, 1948.

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¹The following letters indicate that the document is available in translation: C, Chinese; E, English; F, French; R, Russian; S, Spanish; E & F, English French bilingual edition.

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—, Maritime Conference. Draft agreement on relationship between the United Nations and the Inter-Governmental Maritime Consultative Organization, adopted by the Plenary session, 4 March 1948. Geneva, E/CONF.4/57, 4 March 1948, 11 p. E F

3. Government and Unofficial Publications

International Chamber of Commerce. Sea transport and the United Nations Inter-Governmental Maritime Consultative Organization (IMCO). I.C.C.'s Council Resolutions and Committee Report of the United Nations Maritime Conference (Geneva, February–March 1948). Paris, 1948, 46 p.

United Nations Maritime Consultative Organisation. Final act of conference with annexes and convention establishing the Organisation (with appendices), Geneva, 6th March, 1948. London, H.M.S. Off., 1948, 25 p. Cmd. 7412. (Miscellaneous no. 6(1948).)

U.S. Department of State. Toward a world maritime organization: a half-century of developments in ocean shipping. Washington, Govt. Pr. Off., 1948. 28 p. (Dept. of State pubn. 3196, International organization and conference series IV, Intergovernmental Maritime Consultative Organization 1).

III. INTERNATIONAL TRADE ORGANIZATION

(Proposed)

(Interim Commission)

1. Conference on Trade and Employment held at Havana, Cuba, from 21 November 1947 to 24 March 1948

United Nations. Conference on Trade and Employment. Final act and related documents. Havana, E/CONF. 2/78, 2 April 1948. 76 p. (Sales no. 1948.II.D.4.) E F

—, —. Reports of committees and principal sub-committees. Geneva, Interim Commission for the International Trade Organization, September 1948, ICITO 1/8. 180 p. E F

—, —. Economic and Social Council. Preparatory Committee of the United Nations Conference on Trade and Employment. Report of the 2d session . . . adopted by the Preparatory Committee, 22 August 1947. Geneva, E/PC/T/186, 10 September 1947. 87 p. (Sales no. 1947.II.4.) E F

2. General Agreement on Tariffs and Trade

United Nations. Conference on Trade and Employment. General agreement on tariffs and trade. Protocols and declaration signed at Havana, on 24 March 1948. Lake Success, New York, 1948. 84 p. (Sales no. 1948.II.D.5.) E F

—, —. Economic and Social Council. Preparatory Committee of the United Nations Conference on Trade and Employment. General agreement on tariffs and trade. Lake Success, New York, 1947. 4 vols. various paging. (Sales no. 1947.II.10.) E F [Vol. 1, E F S C.]

—, —, —. Index to selected documents relating to the draft charter and the general agreement on tariffs and trade (Geneva texts). Lake Success, New York, E/PC/T/INF/331, 19 November 1947. 46 p. E

3. Government and Unofficial Publications

Chr. Michelsens Institutt. Havana Charter. Pakt for den internationale Handelsorganisasjon. Bergen, Norway, Chr. Michelsens Institutt, 1948. 281 p. (Verdenspolitikkens I Dokumenter nr.5.)

Feil, Herbert. The Geneva proposals for an International Trade Charter. *International Organization*, February 1948, vol.1, no.1, p.39-52.

General agreement on tariffs and trade. First session of the contracting parties (held at Havana, Cuba, 28th February to 24th March, 1948.) Documents relating

to the first session. London, H.M.S.O., 1948. 31 p. Cmd. 7376.

—, —. Second session of the contracting parties (held at Geneva, 16th August to 14th September, 1948.) Documents relating to the second session. London, H.M.S.O., 1948. 23 p. Cmd. 7544.

International Chamber of Commerce. Pour une charte du commerce mondial; rapport soumis à la Conférence des Nations Unies du commerce et de l'emploi (La Havane-novembre 1947) approuvé par le Conseil de la C.C.I. le 5 novembre 1947. Paris, 1947. 24 p. (Brochure no.124.) E F

New Zealand. Delegation to United Nations Conference on Trade and Employment. Report by New Zealand Delegation on the Conference held at Havana, Cuba, from 21 November 1947 to 24 March 1948. Wellington, Government Printer, 1948. 81 p. (Series A-8b, 1948.) (Also printed as Dept. of External Affairs, pubn. no.53.)

United Nations Conference on Trade and Employment. Preparatory Committee. Report of the 2d session. London, H.M.S.O., 1947. 96 p. Cmd.7212.

United Nations Conference on Trade and Employment. November 21st, 1947 to March 24th, 1948, Havana, Cuba. Final act and the Havana Charter for an International Trade Organization with related documents. London, H.M.S. Off., 1948. 96 p. Cmd 7375.

—, —. Final act and related documents. Canberra, Australia, Commonwealth Government Printer, 1948. 54 p. (House of Representatives, 1946-47-48, No. 79, Groups C & E, F.3647).

—, —. Final act and related documents (including the Havana Charter). Wellington, New Zealand, Government Printer, 1948. 121 p. (Series A-8, 1948).

—, —. General Agreement on Tariffs and Trade. Wellington, New Zealand, Government Printer, 1948. 75 p. (Series A-2EEEE, 1948).

—, —. Statement by the Hon. R. T. Pollard in the House of Representatives, Canberra, 18th November, 1947, together with accompanying documents. Canberra, Australia, Commonwealth Government Printer, 1947. 68 p. (House of Representatives, 1946-47, No. 36 Groups C & E, F.37).

—, —. Protocols and declaration to the General Agreement on Tariffs and Trade, signed at Havana on 24 March, 1948. Wellington, New Zealand, Government Printer, 1948. 35 p. (Series A-8a, 1948.) (Also printed as Dept. of External Affairs, pubn. no.39.)

—, —. Report on the second session, adopted by the Preparatory Committee, at Geneva, on 22 August, 1947. Wellington, New Zealand, Government Printer, 1947. 113 p. (Series A-2EEEE, 1947).

U.S. Department of State. Analysis of General Agreement on Tariffs and Trade signed at Geneva, October 30, 1947. Washington, Govt. Pr. Off., 1947. 206 p. (Dept. of State pubn. 2983, Commercial policy series 109.)

—, —. The Geneva charter for an international trade organization; a commentary. Washington, Govt. Pr. Off., 1947. 27 p. (Dept. of State pubn. 2980, Commercial policy series 107.)

—, —. Havana Charter for an International Trade Organization and final act and related documents of the United Nations Conference on Trade and Employment, Havana, Cuba, November 21, 1947 to March 24

1948. Washington, Govt. Pr. Off., 1948. viii, 77 p. (Dept. of State pubn. 3117, Commercial policy series 113.)

———. Havana Charter for an International Trade Organization. March 24, 1948, including a guide to the study of the charter. Washington, Govt. Pr. Off., 1948. 155 p. (Dept. of State pubn. 3206, Commercial policy series 114.)

II. WORLD METEOROLOGICAL ORGANIZATION (Proposed)

1. Relations with United Nations

United Nations. Economic and Social Council. Committee on Negotiations with Specialized Agencies. Negotiations with inter-governmental agencies. Note by the Secretary-General. Lake Success, New York, 26 February 1948. E/C.1/36. 1 p. E F

———. Letter received by the Secretary-General from the President of the International Meteorological Organization. Lake Success, New York, E/599, 5 December 1947. 1 p. E F

———. Negotiations with inter-governmental agencies. Resolution of 10 March 1948. Lake Success, New York, E/768, 10 March 1948. 1 p. E F

2. General

International Meteorological Organization. Conference of Directors, Washington, 22nd September–11th October 1947. Final report.

———. General regulations for the provision of meteorological service for international aeronautics. Lausanne, Pubn. no. 72. E F

———. Liste des membres de l'OMI, 1948, and supplements. Lausanne, Pubn. no. 44. F

———. Les messages synoptiques du temps. Lausanne, Pubn. no. 9:

Fasc. I. Meteorological codes, 1949. E F

II. Index numbers of meteorological stations, 1949. E F

III. Transmission météorologiques. F

———. Offices météorologiques du monde, 1948. Lausanne, Pubn. no. 2. F

———. World meteorological convention. E F S R

Organisation météorologique internationale. Douzième conférence des directeurs, Washington, D.C., 22 septembre–11 octobre 1947. Rapport final. 225 p. (édition polycopiée.)

3. Commissions

International Meteorological Organization. Regional Commission I (Africa). Minutes of 2d session, Salisbury, 22nd April–1st May 1947. Lausanne, Pubn. no. 58. E
Regional Commission V. (Southwest Pacific). Minutes of 1st session, Melbourne, 21st–30 January 1947. Lausanne, Pubn. no. 57. E

———. 2nd session, Wellington, 12th–17th April 1948. Abridged final report. E Lausanne, Pubn. no. 74.

Organisation météorologique internationale. Commission de bibliographie et de publications. Seconde session à Toronto, 1–12 septembre 1947. Rapport final abrégé. F

———. Commission internationale de météorologie aéronautique. Rapport de la troisième session, Paris, 14–27 juin 1946. Lausanne, Pubn. no. 59. F

———. Commission régionale VI (Europe). Procès-verbaux de la seconde session, Paris, 20–14 janvier 1947. Lausanne, Pubn. no. 56. F

4. Government and Unofficial Publications

International Meteorological Organization. Conference of Directors. Convention of the World Meteorological Organization, Washington, October 11, 1947 (together with the final act of the Conference of Directors of the International Meteorological Organization, held at Washington from September 22 to October 11, 1947. Ottawa, Canada, King's Printer 1948. 33p. (Treaty Series, 1947, no. 34). E F

———. Final act and convention adopted by the Conference of Directors of the International Meteorological Organization, Washington, 22nd September–11th October, 1947. London, H.M.S. Off., Cmd. 7427. 17 p.

IV. Who's Who in the United Nations

This appendix contains brief biographical data concerning leading representatives to the main bodies of the United Nations and the principal officers of the Secretariat and of the specialized agencies,* as follows:

Representatives to the second regular and the second special sessions of the General Assembly and representatives serving on the subsidiary bodies of the Assembly;

Representatives to the Security Council, the Military Staff Committee, the Atomic Energy Commission and the subsidiary bodies of the Security Council,

Representatives to the fifth, sixth and seventh sessions of the Economic and Social Council and the representatives to the Council's commissions, sub-commissions and other subsidiary bodies;

Representatives to the second and third sessions of the Trusteeship Council and representatives serving on the Council's visiting missions,

The Judges and the Registrar of the International Court of Justice;

The Secretary-General, the Assistant Secretaries-General

and the other principal officers of the Secretariat,

The principal officers of the following specialized agencies or of their interim bodies: the International Labour Organisation; the Food and Agriculture Organization of the United Nations; the United Nations Educational, Scientific and Cultural Organization, the International Civil Aviation Organization; the International Bank for Reconstruction and Development; the International Monetary Fund, the World Health Organization, the International Telecommunication Union, the Universal Postal Union; the International Trade Organization; the International Refugee Organization, the Inter-Governmental Maritime Consultative Organization, the World Meteorological Organization.

In some cases, only limited biographical information was available, in other cases, no information was received. In the selection of material emphasis has been placed on the governmental and inter-governmental positions held by representatives and on their activities connected with the United Nations

LIST OF ABBREVIATIONS

AAA, Agricultural Adjustment Administration	bu, bureau	Comr., Commissioner
acad., academy; academic	Bye. S S R, Byelorussian Soviet Socialist Republic	conf., conference
A.C.I.S., Associate of the Chartered Institute of Secretaries	Cal., California	cong, congress
A.D.C., Aide de camp	Can., Canada, Canadian	const., constitution, constitutional
Adm., Admiral	Capt., Captain	conv., convention
admn., administration, administrator, administrative	C.B., Companion of (the Order of) the Bath	coop., co-operation
AEC, Atomic Energy Commission	C.B.E., Commander of (the Order of) the British Empire	corp., corporation
A.E.F., American Expeditionary Force	CCA, Commission for Conventional Armaments	corr., correspondent
Afghan, Afghanistan	cen., central	ct, court
agric., agriculture, agricultural	cert., certificate	cttee., committee
agt., agreement	C.G.T., Confédération Générale du Travail	C.V.O., Commander of (the Royal Victorian Order)
a.i., ad interim	CH., Companion of Honour	Czech., Czechoslovakia
A.I.C.A., Associate Member of the Commonwealth Institute of Accountants	chem, chemical, chemistry	d., died
alt., alternate	Chm., Chairman	D.C.L., Doctor of Civil Law
Amb., Ambassador	C.I.E., Companion of (the Order of) the Indian Empire	dec, declaration
amend, amendment	C-in-C, Commander in Chief	del, delegate, delegation
Amer., American	C.M.G., Companion of (the Order of) St. Michael and St. George	dem, democrat
A.P., Associated Press	CNRR, Chinese National Relief and Rehabilitation Administration	Den, Denmark
app., appointed	co., county, company	dept., department
asmb., assembly	cod., codification	devel, development
assn., association	C. of S, Chief of Staff	D.F.C., Distinguished Flying Cross
assoc., associate	Col., Colonel	dipl., diplomatic, diplomacy
asst., assistant	coll., college	dir., director
atty., attorney	Colom., Colombia	Dir-Gen., Director-General
b, born	com., commerce	dist, district
bd., board	Comdr, Commander	div., division
B.E.F., British Expeditionary Force	Comm., Commission	D.J., Doctor of Jurisprudence
Belg., Belgium	compar., comparative	Dom. Rep., Dominican Republic
Bol, Bolivia		Dr, Doctor
Br., British		D.Sc., Doctor of Science
Brig-Gen., Brigadier-General		D.S.O., Distinguished Service Order

*See also *Yearbook of the United Nations, 1946-47*, "Who's Who in the United Nations," pp. 915-53, for

biographical data on representatives to the United Nations, etc., up to 1947.

- ECAFE, Economic Commission for Asia and the Far East
 Ec.D., Doctor of Economic Science
 ECE, Economic Commission for Europe
 ECLA, Economic Commission for Latin America
 ECME, Economic Commission for the Middle East
 econ., economic, economics, economy
 ECOSOC, Economic and Social Council
 Ecua., Ecuador
 ed., education, educational, editor, editorial
 elec., electrical
 El Sal., El Salvador
 Emp., Emperor
 Ency. Brit., *Encyclopaedia Britannica*
 eng., engineering, engineer
 Eng., English
 Eth., Ethiopia, Ethiopian
 exec., executive
 ext., external
 fac., faculty
 FAO, Food and Agriculture Organization
 fed., federal, federation
 FERA, Federal Emergency Relief Administration
 FFI, Front Français de l'Indépendance; French Independence Movement (French Underground Movement)
 fin., finance, financial
 fmtr., former
 fndn., foundation
 for., foreign
 F.R.S., Fellow of the Royal Society
 F.R.S.C., Fellow of the Royal Society of Canada
 Ga., Georgia
 G.A., General Assembly
 G.C.B., Knight Grand Cross of (the Order of) the Bath
 G.C.I.E., Knight Grand Commander of the Indian Empire
 G.C.M.G., Knight Grand Cross of St Michael and St George
 G.C.S.I., Knight Grand Commander of the Star of India
 G.C.V.O., Knight Grand Cross of the (Royal) Victorian Order
 Gen., General
 geog., geography, geographical
 geol., geology
 Ger., Germany
 Gov., Governor
 govt., government, governmental
 grad., graduate
 Gr. Brit., Great Britain
 Guat., Guatemala
 HAC, Headquarters Advisory Committee
 HC, Headquarters Commission
 hdqts., headquarters
 hist., history
 H.M., His Majesty
 H.M.S., His Majesty's Ship
 Hon., Honorable
 hon., honorary
 hosp., hospital
 IC, Interim Committee (of the General Assembly)
 ICAO, International Civil Aviation Organization
 Ice., Iceland
 ICJ, International Court of Justice
 ILO, International Labour Organisation
 IMCO, Inter-Governmental Maritime Consultative Organization
 IMO, International Meteorological Organization
 imp., imperial
 ind., independent, independence
 inf., information
 inst., institute
 int., international
 intergov., inter-governmental
 Ire., Ireland
 IRO, International Refugee Organization
 ITO, International Trade Organization
 ITU, International Telecommunication Union
 J.D., Doctor of Jurisprudence
 jr., junior
 jus., justice
 K.B.E., Knight Commander of (the Order of) the British Empire
 K.C., King's Counsel
 K.C.B., Knight Commander of (the Order of) the Bath
 K.C.M.G., Knight Commander of (the Order of) St Michael and St George
 K.C.S.I., Knight Commander of the Star of India
 K.G., Knight of (the Order of) the Garter
 lab., laboratory
 lea., league
 Leb., Lebanon
 legis., legislature, legislative
 Lib., Liberia
 Lieut., Lieutenant
 Lieut.-Col., Lieutenant-Colonel
 lit., literature
 Litt.D., Doctor of Letters
 LL.D., Doctor of Laws
 LN., League of Nations
 ltd., limited
 Lux., Luxembourg
 mag., magazine
 Maj., Major
 Mass., Massachusetts
 math., mathematics
 M.C., Military Cross
 M.D., Doctor of Medicine
 med., medicine, medical
 Mem., Member
 met., metropolitan
 Mex., Mexico, Mexican
 mgr., manager
 Mich., Michigan
 mil., military
 Min., Minister, Ministry
 mon., monetary
 M.P., Member of Parliament
 M.S.C., Military Staff Committee
 mun., municipal
 n., north
 nat., natural
 natl., national
 Neth., Netherlands
 Nicar., Nicaragua, Nicaraguan
 N.J., New Jersey
 no., number
 Nor., Norway
 N.R.A., National Recovery Administration
 N.S., Nova Scotia
 N.S.W., New South Wales
 N.Y., New York
 N.Z., New Zealand
 O.B.E., Officer of (the Order of) the British Empire
 org., organization
 O.S.S., Office of Strategic Services
 Oxf., Oxford
 Pac., Pacific
 Pak., Pakistan
 Pan., Panama
 Para., Paraguay
 parl., parliament
 PAU, Pan American Union
 PC, Preparatory Commission
 P.C., Privy Councillor
 PCA, Permanent Court of Arbitration
 Penn., Pennsylvania
 perm., permanent
 phar., pharmaceutical
 Ph.D., Doctor of Philosophy
 Phil., Philippines
 Phila., Philadelphia
 philos., philosophy, philosophical
 PICAQ, Provisional International Civil Aviation Organization
 P.M., Postmaster
 P.O., Post Office
 Pol., Poland, Polish
 polit., political
 pop., population
 prep., preparatory
 Pres., President
 prin., principal
 prob., problem
 Prof., Professor
 propr., proprietor
 prov., province, provincial
 psychol., psychological, psychology
 pub., public
 publ., publisher
 Q.M., Quartermaster
 R.A.A.F., Royal Australian Air Force
 R.A.F., Royal Air Force
 Rapp., Rapporteur
 R.D., Knight of the Royal Danish Order of Dannebrog
 recon., reconstruction
 regt., regiment
 Rep., Representative, Republic, Republican
 respy., respectively
 Rt. Hon., Right Honorable
 ry., railway
 s., south
 Sask., Saskatchewan
 Sau. Arab., Saudi Arabia
 SC, Security Council
 sci., scientific, science
 Sec., Secretary
 Sec.-Gen., Secretary-General
 Secre., Secretariat

sect., section
Sen., Senator, Senate
sess., session
soc., society
spec., special
Sr., Senior
stat., statistics, statistical, statistician
sup., supreme
supt., superintendent
Swit., Switzerland

TC, Trusteeship Council
tech., technical, technology
tel., telephone
teleg., telegraph
temp., temporary
Tenn., Tennessee
theol., theology
trans., transportation
treas., treasury
Tur., Turkey

U.K., United Kingdom
Ukr. S.S.R., Ukrainian Soviet Socialist Republic
UN, United Nations
UNCIO, United Nations Conference on International Organization
UNCIP, United Nations Commission for India and Pakistan
UNESCO, United Nations Educational, Scientific and Cultural Organization
UNICEF, United Nations International Children's Emergency Fund
UNIO, United Nations Information Organization
univ., university
UNSCOB, United Nations Special Committee on the Balkans
UNSCOP, United Nations Special Committee on Palestine
U. of S. Afr., Union of South Africa
UPU, Universal Postal Union

Uru., Uruguay
U.S.A., United States of America
U.S.S.R., Union of Soviet Socialist Republics

Venez., Venezuela

w., west
Wash., Washington, D. C.
WHO, World Health Organization
WMO, World Meteorological Organization
WPA, Works Projects Administration
W.V.S., Women's Voluntary Services

Y.M.C.A., Young Men's Christian Association
Yugos., Yugoslavia
Y.W.C.A., Young Women's Christian Association

A

Abaza, Shoukry Bey (Egypt); ed. at Polytechnical School of Cairo; Mem. of Tech. Comm. of Council of Natl. Research, Egypt; Mem. of Admn. Council of Int. Radio-Diffusion Org., Brussels; Rep. Int. Telecommunication Conf. at Cairo 38, 3rd Int. Conf. of Radio-Teleg. Experts of Aeronautics at Paris 38, Radio-Diffusion Conf. at Montreux 39, Int. Radio-Diffusion Conf. for European Region 46, Rep. on Arab Lea. Communications Comm.; Rep. UN Transport and Communications Comm. 48-.

Abdoh, Jalal (Iran); b. 09, Teheran; ed. at Fac. of Law and Polit. Sci. in Iran and at Univ. of Paris; received Dr.'s degree in Gen. and Private Law and Econ. at Univ. of Paris; elected M.P. representing Teheran 34; app. Rep. to Conf. on Compar. Law at The Hague 37; later app. Dir. of Dept. of Jus. and Prosecutor-Gen. and Admn.-Gen. of Min. of Jus., Leader of Social Dem. Party of Iran; Rep. 2nd sess. GA, N. Y. 47.

Abdullah, Prince Seif El Islam (Yemen); b. 11, Sana'a; ed. in Yemen; Chm., Yemen del. to Lea. of Arab States; Rep. at Inchass Conf. (meeting of Arab Rulers on Palestine question at royal estate of King Farouk near Cairo) 46, Rep. 2nd extraordinary sess. of Arab Lea. Council at Blou-dan (Syria) 46; Chm., Yemen del. to Conf. on Palestine in London 46-47; fmr. Amir of Touhama and fmr. Min. of Ed.; Chm. of mission invited to U.S.A. by Pres. Truman 47; Chm., Yemen del. to 2nd sess. GA, N. Y. 47.

Abello, Emilio (Phil.); b. 06, Isabela, Occidental Negros Island; ed. at Univ. of Phil.; practised law 29-34; Asst. Atty., Bu. of Jus. 34-37; Legal Adviser, Office of AAA Sugar Section (U. S. Dept. of Agric.) 34-35; Asst. Solicitor-Gen. 37-39; Legal Adviser, Office of Pres. of Phil. 39-40; Chief of Exec. Office and Mem. of Cabinet 46-48; Rep. 2nd sess. GA, N. Y. 47; Chm., Phil. del. to UNESCO Conf., Mex. City 47, to UN Conf. on Trade and Employment, Havana 47-48; app. Min. and Chargé d'Affaires a.i., Embassy in Wash. 48.

Abraham, Emmanuel (Eth.); b. 13, Wollega, Eth.; ed. at Tafari Makonnen School in Addis Ababa; Headmaster of Asba-Tafari School 31-35; First Sec. of Eth. Legation in London 35-40; Chargé d'Affaires in London 40-42; Dir.-Gen., Min. for For. Affairs 43-44; Dir.

Gen. of Ed. 44-47; Mem. of Eth. del. to UNCIO 45, Rep. 2nd sess. GA, N. Y. 47.

Aburto Orostegui, Rodrigo (Chile); b. 00, Valdivia, ed. at Instituto Salesiano and Liceo de Valdivia; entered Soc. of Journalists of Chile 20; became Dir. of *El Diario Austral* of Temuco 22; became associated with *El Diario Ilustrado* 24, first as Sec. of Office of Dir., later as Sub-Dir., finally as Dir.; elected Deputy 32; visited Argentina, Uru., Brazil on journalistic mission 37; visited Japan, China, Korea, Manchuria on journalistic mission 41; Rep. 2nd sess. GA, N. Y. 47.

Acosta, César R. (Para.); b. 10, Humaita, ed. at Univ. of Asunción; LL. D. 40, fmr. Judge of Lower Ct. (Civil Ct.) and Judge in Fiscal Ct.; fmr. Pres. of Natl. Dept. of Labor; Dipl. Counselor to Embassy in Wash. 45-; Rep. ILO Conf. in Phila. 44, Rep. UNCIO 45, FAO Conf. in Copenhagen, Cttee. of Jurists in Wash.; Chm. of Para. del. to 2nd part of 1st sess. GA, N. Y. 46, 1st spec. sess. GA, N. Y. 47; Rep. 2nd sess. GA, N. Y. 47.

Adl, Mostafa (Iran); b. 82, Tabriz; ed. at Univ. of Paris; fmr. Prof. of Law, later Dean of Fac. of Polit. Sci. at Univ. of Teheran; fmr. Dir. of Dept. of Cod. of Laws in Min. of Jus., Under Sec. to Min. of Jus. and several times Min. of Interior a.i.; app. Min. to Berne and Rep. to LN 35; Under Sec. and later Acting Min. of For. Affairs 32-38; Min. to Rome 38-41; subsequently Min. of Ed., Min. of Jus., Min. of State; Chm. of Iranian del. to UNCIO 45; Rep. 1st part of 1st sess. GA, London 46, Chm., Iranian del. to 2nd sess. GA, N. Y. 47.

Aghnides, Thanassis (Greece); b. 89, Nigde, Asia Minor; ed. at Superior Natl. Greek Coll. in Phanar, Istanbul, at Anatolia Coll. in Asia Minor, and at Univ. of Istanbul and Paris; Dir. of Press Bu. of Greek Legation in London 18-19; mem. of LN Secre. 19-42, Dir. of Disarmament Sect. 30-39, Under Sec.-Gen. of LN 39-42; app. Amb. to U.K. 42; Rep. UNCIO 45, PC 45, Paris Peace Conf. 46; Acting Amb. to U.S.A. 47; Chm. of UN Advisory Cttee. on Admn. and Budgetary Questions 46-.

Ahmed, Sultan (Afghan.); b. 19, Kabul; ed. at Ecclesiastical Coll. in Kabul; Sec., Second Polit. Sect., Min. of For. Affairs, 37-41; Sec. of Consulate at Karachi, 41-46; First Sec., Third Polit. Sect., Min. of For. Affairs, 46-47;

app. Sec. of Consulate in N.Y. 47; present Sec. of Afghan perm. del. to UN; Rep. 2nd sess. GA, N.Y. 47.

Al-Asil, Najji (Iraq); b. 95, Baghdad; ed. at Amer. Univ. of Beirut; Rep. of late King Hussein in London 22-25; app. Prof. of Hist. and Civilization and Dir. of Higher Training Coll. in Baghdad 28; app. Chargé d'Affaires in Sau. Arab. 30; fmr. Dir.-Gen. of For. Affairs Min.; app. For. Min. 36; Chm., Iraqi del. to Gen. Conf. of UNESCO in London 43, 2nd spec. sess. GA, N.Y. 48.

Alexis, Stephen Mesmin (Haiti); b. 90; ed. at Petit Séminaire Collège Saint Martial in Port-au-Prince and Ecole Hautes Etudes in Paris; Journalist 11-13; Sec., Council of Sec. of State 14-15; founder and Dir. of journal *L'Antibornité* 20-26; Prof. at Natl. Lyceum in Geneva 22-24; School Inspector 24-25; Chargé d'Affaires in Belg. 25-30; Dir. of Natl. Museum of Haiti 38-42; Chief of Cultural Relations and Comr. of Tourism 42-; Rep. IC 48.

Al Faqih, Asad (Sau. Arab.), b. 09, Aley, Leb.; ed. at Natl. Coll. in Aley, Lay School in Beirut, and French Law Coll. in Cairo; fmr. Instructor at Ma'ahid al-Khariya (Philanthropic Inst.) in Beirut; Second Asst. at Min. of For. Affairs in Mecca 30-37; app. Counselor at Legation in Baghdad 38; app. Chargé d'Affaires 40, Min. 43; Rep. UN Cttee. of Jurists in Wash. 45, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48, IC 48.

Alfaro, Ricardo Joaquín (Pan.); b. 82, Pan. City; ed. at Natl. Fac. of Law of Pan., LL.D.; Prof. of Hist. at Natl. Inst., later of Civil Law at Natl. School of Law 10-22; Founder-Mem. of Amer. Inst. of Int. Law, Sec.-Gen. 38-; app. Asst. Sec. for For. Affairs 05; Premier 18-22; Min. to U.S.A. 22-30, 33-36; Vice-Pres. of Pan. 28-30, Pres. 31-32; Mem. of PCA of The Hague 29-; Min. of For. Affairs 45-; Chm., Pan. del. to 6th Pan-Am. Conf. in Havana 28; Chief of UNRRA Mission to Caribbean and Cen. Amer. Reps.; Rep. UNCTAD 45; 2nd part of 1st sess., GA, N.Y. 46; Chm., Pan. del. to 2nd sess. GA, N.Y. 47; Rep. UN Comm. on Human Rights 47-.

Ali, Ch. Mohammad (Pak.); b. 05, Jullundur, Punjab, ed. at Punjab Univ. and Govt. Coll. in Allahabad; joined Indian Audit and Accounts Service 28; Asst. Accountant-Gen. in Punjab and Accountant-Gen. in Bahawalpur 32-36, Private Sec. to Fin. Mem. of Viceroy's Exec. Council 37-38; Under Sec., Fin. Dept., Govt. of India 38; Deputy Fin. Adviser, Mil. Fin. Dept. 39, Additional Fin. Adviser 43; Fin. Adviser, War and Supply 45; Mem. of Steering Cttee. of Partition Council for India and Pak. 47; Sec.-Gen. to Govt. of Pak. and Sec. to Cabinet 47-; Vice Chm. of Devel. Bd.; Mem. of Pak. Defence Council; Rep. 2nd spec. sess. GA, N.Y. 48; Alt. Rep. on Pak. del. to SC 48.

Ali, Sir Saiyid Fazl (India); b. 86, Benares; ed. Queens Coll., Benares and India Cen. Coll. in Allahabad; admitted to Bar, Middle Temple (London) 12; Practising barrister in Bihar 12-28; app. Judge of Patna High Ct. 28, Chief Jus. 43; app. sole Mem. of Conciliation Bd. at Jamshepur to settle certain labor disputes 38; Judge of Fed. Ct. 47-; Rep. 2nd sess. GA, N.Y. 47, Chm., Fifth Cttee.

Allen, Oswald Coleman (U.K.); b. 87, called to Bar, Middle Temple (London) 12; app. to Bd. of Trade 12, to Min. of Munitions 15, to Min. of Labour 19, to Home Office 39; Prin. Asst. Sec., Min. of Home Security

40, Under Sec. 43, Acting Deputy Sec. 44; Prin. Asst. Under Sec., Home Office 46; Rep. UN Social Comm. 46-.

Allen, R.G.D. (U.K.); b. 06, Stoke-on-Trent; ed. at Cambridge Univ. and Univ. of London; D.Sc. (Univ. of London) 43; Lecturer in Stat. at London School of Econ. 28-39; Reader in Econ. Stat. at Univ. of London 39-44; served with Min. of Production, and Bd. of Trade in Treas. 39-45; Mem. of Stat. Unit of Combined Munitions Assignment Bd. (Combined Cs. of S.) 42; U.K. Dir. of Research and Stat. of Combined Production and Resources Bd. 42-45; Mem. of 2 sub-cttees. of LN Cttee. of Stat. Experts 45, app. Mem. of Advisory Cttee. on Cost of Living Index (Min. of Labour) 47; Rep. 1st and 2nd sess. UN Stat. Comm. 47.

Altman, Henryk (Pol.), b. 97, grad. of School of Polit. Sci. and Law at Univ. of Warsaw, Dir. of Labor Dept. in Min. of Labor and Social Welfare, Mem. of Governing Body of Int. Labour Office; Prof. of Acad. of Com. in Warsaw; Rep. UN Social Comm. 47-.

Altmeier, Arthur Joseph (U.S.A.), b. 91, De Pere, Wisconsin; ed. at Univ. of Wisconsin, Ph.D. 31, fmr. teacher and stat.; Sec. of Wisconsin Industrial Comm. 22-33; Chief, Compliance Div. N.R.A., 33-34; Second Asst. Sec. of Labor 34-35, Chm. of Tech. Bd., Pres. Cttee. on Econ. Security 34-35, Mem. of Social Security Bd. 35-; Chm. 37-46; Mem. of War Manpower Comm. 42-45; Chm., U.S. del. to Pan-Am. Regional Conf. of ILO in Havana 39, to 1st Inter-Am. Conf. on Social Security in Santiago de Chile 42; Comr. for Social Security Admn. of U.S. 46-; Exec. Sec., PCIRO; Adviser to U.S. Rep. on ECOSOC 46; Rep. UN Social Comm. 46-; Chm., UN Temp. Social Welfare Cttee. 47.

Alvarado, Julio (Bol.); b. 05, Sucre; ed. at Superior School of Econ. and Int. Studies, Univ. of Paris, Sucre Univ.; Prof. at Univ. of Sucre 30; Consul in Paris 36; Chargé d'Affaires in Spain 41; Gen. Counselor, Bol. For. Office 43; M.P. 44; Asst. Sec., Bol. For. Office 46-; Rep. 1st sess. ECLA 48.

Alvarado, Luis (Peru); b. 07, Lima; ed. at Univ. of San Marcos, Lima; Dr. of Econ. Sci., LL.D.; joined Peruvian For. Service 24; app. Dir. of Legal Office of For. Office 41; Legal Adviser to Peruvian del. to Inter-Am. Conf., Rio de Janeiro 33; Mem. of Peruvian del. to UNCTAD 45, to 1st and 2nd sess. GA 46-; Min. to Can.; Mem. of Governing Body of ILO 45-; Chm. 47-.

Alvarez, Alejandro (Chile); b. 68, ed. at Univ. of Paris; LL.D.; fmr. Prof. at Univ. of Chile; fmr. Legal Adviser to Min. of For. Affairs and to Chilean Legations in Europe; Rep. to 4th, 5th and 6th Int. Confs. of Amer. States, Mem. of PCA, The Hague 07-20; fmr. Judge of Hungarian-Czech Mixed Arbitral Tribunal; Plenipotentiary of Chile, Costa Rica and Ecua. at 1st Asmb. of Amer. Jurists, Rep. of Chile to 2nd Asmb.; Rep. to various int. confs., Pres. of 17th sess. of Int. Comm. of Aerial Navigation, co-founder and Pres., Amer. Inst. of Int. Law, present Hon. Sec.-Gen.; co-founder of Institut des Hautes Etudes Internationales in Paris, present Dir. and Prof.; Judge of ICJ 46-.

Alvarez Suarez, Humberto (Chile); b. 95, La Serena; ed. in law at Univ. of Chile; Rapp. of Ct. of Appeals of La Serena 24 and 25; Deputy 32-41; app. Min. of Jus. 36, app. Min. of Interior 40, Rep. Inter-Am. Conf. on Probs. of War and Peace, Mex. City 45; Sen. for

Coquimbo and Atacama; Prof. of Procedural Law, Univ. of Chile; Rep. 2nd sess. GA, N.Y. 47.

Amado, Gilberto (Brazil); b. 87, Sergipe; ed. at Univ. of Recife; LL.D.; Legal Adviser to For. Office 34; Amb. to Chile 36; fmr. Deputy, Sen; Rep. 2nd part of 1st sess. GA, N.Y. 46, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48.

Andersen, Hans Christian (Den.); b. 06, Copenhagen; ed. at Univ. of Copenhagen; Jr. Officer, Den. Life Insurance Co., Copenhagen 25-31, Legal Adviser 32-42; served in Dept. of Adm., Govt. Assets, Min. of Fin. 32-37; Office of Pensions and Widows Benefits 37-38; Sr. Officer, Bu. of Budget and Secre. for Min. of Fin. 38-42, Chief, Dept. of Budget and Natl. Debt 42-46; Dir., Bu. of Adm., Management and Budget, UN Secre. 46-.

Andrews, Harry Thomson (U. of S. Afr.), b. 97, Cape Town; ed. in Cape Town and at Univ. of Pretoria, fmr. Advocate in the Transvaal, entered Dept. of Ext. Affairs 29, Polit. Sec. to S. Afr. High Comr. in London 30-35; Rep. LN 35-40, app. Asst. Sec. for Defence 40, later Head of S. Afr. War Supply Mission in U.S.A., Min. to U.S.A. 45-; Rep. UNCIO 45, Perm. Rep. to UN 47-.

Anslinger, Harry Jacob (USA), b. 92, Altoona, Penn.; ed. at Penn. State Coll. and Wash. Coll. of Law; LL.B. 30, Vice Consul in Hamburg 21-23, Consul in La Guaira 23-25, Nassau 26; Chief of Div. of For. Control, Treas. Dept. 26-29, Asst. Comr. of Prohibition 29-30, U.S. Comr. of Narcotics 30-; Rep. to various int. confs. dealing with narcotics, Co-Observer of U.S. at LN Opium Advisory Cttee 32-39, Rep. to UN Comm. on Narcotic Drugs 47-.

Aranha, Oswaldo (Brazil), b. 94, Alegrete, State of Rio Grande do Sul, elected Mayor of Alegrete 25, Acting Gov. of Rio Grande do Sul 30, Min. of Jus. and Interior 30, of Fin. 31; Majority Leader of Const. Asmb., Mem. of Comm. which prepared draft Const. 34; Amb. to U.S.A. 34-37; Min. for Ext. Relations 38-44 (resigned); Chm., Brazilian del. to 3rd meeting of Mins. of For. Affairs of Amer. Reps., Rio de Janeiro 42; Rep. SC 47, CCA 47; Pres., 1st spec. sess. GA, N.Y. 47, and 2nd sess. GA, N.Y. 47.

Arce, José (Argentina); b. 81, Lobería; M.D. 03; fmr. Dean of Soc. of Med. Sciences, Rector of Univ. of Buenos Aires; Deputy 03-13; Pres. of Chamber of Deputies 12-13; Deputy, Natl. Legis. 24-29; First Vice-Pres., Natl. Chamber of Deputies 26-27; Mem. of Const. Convention of Prov. of Buenos Aires 34; Amb. to China 45-46, Perm. Rep. to UN 46-.

Arcan, Luis (Argentina); fmr. pub. accountant; fmr. Mem. of Cttee. of Adjudications of Secre. of Labor; fmr. Sub-Dir. of Registry for Social Welfare of Min. of Interior and of Min. of For. Relations; fmr. Rep. on Comm. to Study Co-ordination of Maritime Traffic; fmr. Mem. of Argentine Comm. which negotiated a Pact on Commercial Air Traffic with U.S.A.; Counselor of Embassy, Wash.; Rep. 2nd sess. GA, N.Y. 47.

Arranz, Melecio (Phil.); b. 88, Alcala, Cagayan; ed. in civil eng. at Univ. of Santo Tomas; Sen. 28-35, re-elected 41, 46; Pres. pro tempore of Sen.; Mem. of Council of State; Rep. UN Temp. Comm. on Korea 47-.

Arutunian, Amazasp A. (U.S.S.R.); b. 02, Armenia; ed. at Moscow Natl. Univ.; Dr. of Econ. Sci. (Inst. of Econ., U.S.S.R. Acad. of Sci.); research work on econ.

probs. at U.S.S.R. Acad. of Sci. 30-43; Rep., UN Food and Agric. Conf., Hot Springs 43; Rep., UN Mon. and Fin. Conf., Bretton Woods 44; Rep., UNRRA Council in Montreal 44, London 45, UNCIO 45; Alt. Rep. 1st part of 1st sess. GA, London 46; Rep. Council of For. Mins. in Paris 46, N.Y. 46 and Moscow 47, Paris Peace Conf. 46; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47; Rep., 1st, 6th, 7th sess. ECOSOC.

Asgeirsson, Asgeir (Ice.); b. 94, Mýrasá; ed. in theology at Univ. of Ice; Dir. of Fisheries Bank of Ice; Sec. to Bishop of Ice. 15-16; M.P. 23-; Dir. of Ed. 26-27 and 34-38, Min. of Fin. 31-34; Prime Min. 32-34; Rep. 2nd sess. GA, N.Y. 47.

Asha, Rafik (Syria), b. 10, Damascus; ed. in com. at Amer. Univ. of Beirut and N. Y. Univ.; bank official 28-32; Rep. of Middle East to Int. Students' Union in Geneva 30; Prof. of Econ., Banking, Fin. and Accounting in Baghdad 32-41; Deputy Dir.-Gen. of Supplies 41-42; app. Organizer and Head of Arab Bank Ltd. at Beirut 44, Chargé d'Affaires in Legation at Cairo 44, Acting Consul-Gen. in N.Y. 45-; app. Alt. Rep. to SC 46, Rep. to Govt. Postal Experts Conf. 46; Alt. Rep. 2nd sess. GA, N.Y. 47 and 2nd spec. sess. GA, N.Y. 48, Rep. of Yemen on IC 48.

As-Said, Gen. Noury (Iraq); b. 88, Baghdad, ed. at Constantinople Mil. Coll.; Jr. Officer in Tur. Army 06-14 (resigned); C. of S. in Hejaz, Transjordan, and Syrian campaigns in Sharifian forces under Gen. Allenby, Mil. Adviser to Amir Faisal at Paris Peace Conf. 19; app. C. of S. of Iraq Army 20, Min. of Defence 23-30; M.P. 24-33; Prime Min. 30-32, 38-40, 41-44, 46-47; Rep. LN 30-32; app. Sen. 33; Min. of For. Affairs 33-36 and 41; elected Pres. of Sen. 46, re-elected 47; Chm., Iraqi del. to 2nd sess. GA, N.Y. 47.

Augenthaler, Zdenek (Czech.); b. 99, Chlumec nad Cidlinou, Bohemia; ed. at Charles Univ. in Prague; degree in law; mil. service 17-18; entered Office of For. Trade 19; app. to Office of Min. of For. Affairs 22; occupied various dipl. posts, Rep. to various econ. confs. 23-39, after occupation of Czech, represented Czech Govt. in exile in Tur. and India; app. to Office of Min. of For. Affairs, Czech Govt. in exile, London 44; following return to Prague of Czech Govt., app. Head of Econ. Div., Min. of For. Affairs; Alt. Rep. ECOSOC 46; Rep. ITO Prep. Comm. in London and Geneva 46 and 47, Rep. 2nd and 3rd sess. ECE 47 and 48; Rep. ITO Conf., Havana 47-48.

Austin, Warren Robinson (U.S.A.); b. 77, Highgate, Vermont; ed. at Univ. of Vermont, Ph.B. 99, admitted to Vermont Bar 02 and to practice before Sup. Ct. of U.S.A. 14; State's Atty., Franklin County 04-06; Mayor of St. Albans 09; U.S. Comr. 07-15; Atty., Amer. Int. Corp. in China 16-17; Pres. of Vermont Bar Assn. 23, Special Counsel for Vermont in boundary line case between Vermont and New Hampshire 23-36; elected Sen. from Vermont in 31, re-elected in 34 and 40; Adviser to U.S. del. to Inter-Amer. Conf. on Prob. of War and Peace, Mex. City 45; Rep. to Inter-Amer. Conf., Rio de Janeiro 47; designated Rep. at Seat of IC 48-; Rep. in SC 47-; AEC 47-; CCA 47-; and IC 48-; Rep. 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA, N.Y. 47, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48; Chm. of HAC.

Avilés, José (El Sal); b. 99, Santa Ana, ed. in San Salvador and at Univ. of Guat.; LL.D. (Univ. of Guat.)

20; practised law in Santa Ana 21-24; Sec. to W. W. Renwick (Mem. of Kemmerer Fin. Mission to Chile) 25; Rep. to Pan Amer. Conf. on Customs Procedure, Wash. 29, Asst. to Fiscal Rep. in El Sal. for external loan of 22, 26-; legal consultant of various Amer. companies with branches in El Sal.; Rep. 1st sess. ECLA 48.

Azevedo, José Philadelpho de Barros e (Brazil); b. 94, Rio de Janeiro; ed. in Rio de Janeiro and at School of Polit. Sci. in Paris, LL.D.; fmr. Prof. of Philos. at Pedro II Coll.; app. Prof. of Civil Law in Nad. Fac. of Law 32, later Dean of Fac. and Vice-Rector of Univ. of Brazil; as a barrister, was elected Batonnier of the Rio de Janeiro Bar 36, and Pres. of Inst. of Advocates of Brazil; fmr. Procureur Général at Ct. of Appeal in Rio de Janeiro; app. Judge of Sup. Ct. of Brazil 42; Judge of ICJ 46-.

Aziz, Abdul Hamid (Afghan.); b. 07, Kabul; ed. at *Ecole Libre des Sciences Politiques in Paris*; Sec. of Legation at Rome 29-32; First Sec. of Embassy in Moscow 32-35; Chief of Protocol, later Under Sec. of State at Min. of For. Affairs 35-39; app. Perm. Rep. to LN 39, Under Sec. of State of For. Affairs 39-47; app. Perm. Rep. to UN 47, Rep. 2nd sess. GA, N.Y. 47, Chm. of Afghan. del. to 2nd spec. sess. GA, N.Y. 48; Rep. IC 48.

Aziz, Abdul Hosayn Khan (Afghan.), b. 96, Teheran, Iran; ed. at Habibiya Coll. in Kabul, Afghan.; First Sec. then Counselor in Teheran 19-22; Dir. in Min. of For. Affairs 22; Consul Gen. in India 23-29, Min. in Rome, 29-32; Amb. in Moscow 32-38, Min. of Pub. Works 38-40; Min. of Posts and Tel. 40-43, app. Min. to U.S.A. 43, later transferred from Wash. to Kabul; Chm., Afghan. del. to Disarmament Conf. in Geneva 32, Int. Civil Aviation Conf. in Chicago 44, PICAQ Asmb. in Montreal 46, 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA, N.Y. 47, 2nd sess. GA, N.Y. 47.

B

Badawi Pasha, Abdel Hamid (Egypt); b. 87, Mansourah; ed. at Univ. of Grenoble, LL.D. 12, until 21, successively a Prof. in Fac. of Law, a Dir. in Min. of Jus., and a Pres. of a Chamber and of a Tribunal, Legal Adviser to Egyptian Govt. 22-26, Chief Legal Adviser 26-40; Min. of Fin. 41; Sen. 41-46; Min. of For. Affairs 45-46, Chm., Egyptian del. to UNCIO 45, Rep. PC 45, 1st part of 1st sess. GA, London 46, SC 46, Judge of ICJ 46-.

Bagge, Gosta A. (Sweden); b. 82; ed. at Upsala and Stockholm Univs.; Lecturer at Stockholm Univ. 17-19, app. Prof. of Polit. Econ. 21; fmr. Dir. of the Social-politiska Inst. of Stockholm Univ.; M.P. 32-; elected Chm. of Conservative Party Org. and of Parl. Group 37; fmr., Vice-Chm., Swedish Parl. Cttee. on For. Affairs; Rep. LN 35-37, Min. of Ed. 39-44, Rep. 2nd sess. GA, N.Y. 47, Rapp., 5th Cttee.

Bajpai, Sir Girja Shankar (India); K.C.S.I., K.B.E., C.I.E.; b. 91; ed. at Allahabad Univ. in India and Meriton Coll., Oxf.; app. to Indian Civil Service 15; Under Sec. of Ed. in Health Dept. 23, Joint Sec. 27-29 and Sec. 32-; Adviser, Indian del. to LN Asmb. and Dominion Legislation Conf. 29; Mem. of Gov.-Gen.'s Exec. Council 35, 36 and 40-41; Agent Gen. for India in U.S.A. 41-46; Sec.-Gen. to Min. of Ext. Affairs and Commonwealth Relations; Alt. Rep. ECOSOC; Chm., Indian del. to 2nd spec. sess. GA, N.Y. 48; Alt. Rep. SC (India-Pak. Question).

Baker, George Pierce (U.S.A.); b. 03, Cambridge, Mass.; ed. at Harvard Univ.; Ph.D. 34; Prof. of Transportation at Harvard; rep. Boston investments firm of Scudder, Stevens and Clark 25-27; Dir. of Publicity, Harvard Athletic Assn. 27-28; app. Vice-Chm. of Civil Aeronautics Bd. 42; app. Chief of Requirements Div., Office of Q.M. Gen. 42; Col., War Dept. Gen. Staff 43; app. Dir., Office of Transport and Communications Policy, State Dept. 45; Chm. of U.S. del. to Bermuda Civil Aviation Conf. 46; Prof. of Int. Transport and Communications, Fletcher School of Law and Diplomacy 46-; Rep. UN Transport and Communications Comm. 46-.

Bakr, Abdullah (Iraq); b. 07, Mosul, ed. at Amer. Univ. of Beirut; app. Private Sec. to Prime Min. 31; Mem. of Min. of For. Affairs 32-40, app. Consul to Kermanshah, Iran 41, app. Dir.-Gen. of Agric. and Industrial Bank 42; app. Consul-Gen. in Bombay 43; present Consul-Gen. in N.Y., acting Chm., Iraqi del. to 2nd part of 1st sess. GA, N.Y. 46, Rep. 2nd spec. sess. GA, N.Y. 48, IC 48.

Baltra Cortes, Alberto (Chile); b. 12, Traiguén; ed. at Univ. of Chile; fmr. Librarian Asst. at Instituto Nacional (Official Secondary Govt. School) and at School of Law; fmr. Sec. to Dir. of School of Law; fmr. Asst. to Seminar on Econ. Sci. and Prof. of Econ. at School of Law, fmr. Dir. of School of Com. and Industrial Econ., Vice-Pres., Comm. on Int. Exchange, Mem. of Comm. on Import Licenses; app. Dir.-Gen., Min. of Com. 45, later Under Sec. of State, Mem. of Comm. on Econ. Questions of Radical Party, app. Min. of Econ. and Com. 47, Pres., ECLA 48.

Banomyong, Arthakutti (Siam); b. 07, Ayudhya, ed. at School of Law in Bangkok; fmr. barrister in office of Atty.-Gen.; joined coup d'état to limit Monarchy and set up present Const. 32; First Sec. of Legation in Paris 37-40, Mem. of Siamese underground movement during 2nd World War, Chargé d'Affaires in Swit. 41-43; Min. to Sweden and Nor. 43-47, to U.S.S.R. 47, Min. for For. Affairs 47-; Chm., Siamese del. to 2nd sess. GA, N.Y. 47.

Baráček-Jacquier, Pavel (Czech); b. 85, Kladno, Bohemia; ed. at Coll. of Mining and Metallurgy in Leoben, Styria, and Příbram, Bohemia, Eng. of Metallurgy; Eng.-Mgr., Pontá-Mousson Works, Prague 07-14; Polit. Adviser for Swit. of Czech. Natl. Council in Paris 15-18; Head of Czech. Press Bu. in Geneva 17-18; Chargé d'Affaires in Berne 18-19; Head of Ciphering Dept., For. Min., Prague 20-25; Min. at The Hague 25-28, in Athens 28-33; Head of Div., For. Min., Prague 33-38, Min. in Riga 38-39, Chief of Czech. Broadcast, Paris 39; Head of Div. in Czech. For. Min. in Exile, London 40-45; Mem. of Council of European Cen. Inland Transport Org. 45-47, Rep. UN Transport and Communications Comm. 47, Head of Repatriation and Restitution Dept., For. Min., Prague 48.

Bartelt, Edward F. (U.S.A.); b. 95, Quincy, Illinois, ed. at Place Inst. of Accounting in Wash., and Gem City Business Coll. in Quincy; M.A. 15; Instructor of Accounting, Banking and Business Adm. at Gem City Business Coll. 15-17; in U.S. Govt. service 17-; Chief, Div. of Bookkeeping and Warrants, Treas. Dept. 27; Comr. of Accounts of Treas. of U.S. 35-45; Fiscal Asst. Sec. of the Treas. 45-; Lecturer on Accounting System of U.S. Govt. at Amer. Univ. in Wash. 45-46; Rep. UN Fiscal Comm. 47-.

Basdevant, Jules (France); b. 77; ed. at Univ. of Paris; LL.D.; Prof. of Law at Rennes and Grenoble 03-18, later at Paris; fmr. Prof. at Acad. of Int. Law at The Hague, Free School of Polit. Sci. and Jagellon Univ. in Cracow; fmr. Legal Adviser to Min. of For. Affairs; Mem. of French del. to Paris Peace Conf. 19, to LN Asmb., to various int. confs., to UN Cttee. of Jurists in Wash. 45, and to UNCIO 45; Agent of French Govt. in many int. arbitrations, and since 23, before PCA; Mem. of PCA, fmr. Mem. of various legal cttees. set up by LN, by Inst. of Unification of Private Law and by Int. Cttee. of the Red Cross; Alt. Rep. 1st part of 1st sess. GA, London 46, Vice-Pres. of ICJ 46.

Bauer, Carlos García (Guat.); b. 16, Antigua, ed at St. John's Coll. in Belize, and San Carlos Univ. in Guat., LL.D. 44; fmr. Sec. of Communications Dept.; fmr. Dir. of publication *Gaceta de Comunicaciones*; Mem. of Const. Asmb. 45; fmr. Judge of Primary Ct. of Claims, fmr. Prof. of Law at San Carlos Univ.; Chm. of dels. of Guat. and El Sal. to Admn. Radio Conf. and High Frequency Broadcasting Conf., Atlantic City 47, Rep. to 1st Conf. of Legal Profession of Int. Bar Assn. in N.Y. 47; Perm. Rep. to UN, Rep. 2nd sess. GA, N.Y. 47; Rep. 2nd spec. sess. GA, N.Y. 48, Chm. 3rd Cttee., Rep. UN Comm. on Human Rights, IC.

Bautista de Laval, Juan (Peru), ed. in law and polit. sci. at Univ. of San Marcos in Lima, First Sec. and Chargé d'Affaires a.i. to Legation in Bol. 16-18, fmr. First Sec. to Paris Legation, Sec. of Peruvian del. to Peace Conf. in Paris 19, taught juridical and polit. sci. and int. law at Univ. of San Marcos for several years, elected to Bd. of Dirs. of Inter-Am. Bar Assn. 41 and 43; elected by Cong. to Sup. Ct. of Jus. 45, Rep. to 8th Int. Conf. of Amer. Reps. 38, Rep. 2nd part of 1st sess. GA, N.Y. 46, Chm., Peruvian del. to 1st spec. sess. GA, N.Y. 47; Rep. 2nd sess. GA, N.Y. 47.

Bebler, Ales (Yugos.), ed at Univ. of Paris, specializing in law; fmr. Capt. of Spanish Rep. Army and Col. in Resistance Forces of Marshal Tito; fmr. Min. of Fin. of Slovenia; Deputy to Const. Asmb. after liberation; Rep. Paris Conf. on Ger. reparations and London Conf. on Refugees and Displaced Persons, Under Sec. of State for For. Affairs; Rep. 2nd sess. GA, N.Y. 47.

Bech, Joseph (Lux.), b. 87, Diekirch, ed. in Paris; called to Bar 12; Mem. of Chamber of Deputies since 14; Min. of Jus. and Home Affairs 21-25; Rep. LN Asmb. 26-40; Prime Min. and Min. of For. Affairs 26-37; Min. of For. Affairs 37-; Chm. of Lux. del. to UNCIO 45; Rep. PC 45; Chm. of Lux. del. to 1st sess. GA 46 and 2nd sess. GA, N.Y. 47; Chm., 1st Cttee., 2nd sess. GA.

Beeby, Clarence E. (N.Z.); b. 02, ed. in U.K. and N.Z.; fmr. Prof. of Philos. at Univ. of N.Z.; app. 1st Dir. of N.Z. Council for Educational Research 34; Dir. of N.Z. School System 40-48, at same time in charge of ed. in Western Samoa and Cook Islands; Asst. Dir.-Gen. of UNESCO.

Begtrup, Mrs. Bodil (Den.), b. 03; Nyborg; ed. at Univ. of Copenhagen; Vice-Pres. of Danish Natl. Council of Women 31-41, elected Pres. 46, Rep. LN Asmb. 38; Mem. of Danish Council for Maternal Health 39; Chief Film Censor 39; Rep. UN Comm. on Status of Women 17-; Chm., 1st sess. 47.

Belin, J. (France); fmr. Dir. of Centre of Higher Studies of Banking in Paris; Comptroller-Gen. of Bank of France and Dir.-Gen. of Credit; Prof. of Money,

Credit and Rates of Exchange, and Contemporary Monetary Experiences at Inst. of Polit. Studies (formerly Free School of Polit. Sci.); Rep. UN Sub-Comm. on Employment and Econ. Stability 46-.

Belt y Ramirez, Guillermo (Cuba); b. 05, Havana, ed. at Univ. of Havana; D.C.L. 25; app. Sec. of Pub. Instruction and Fine Arts 33; Sec. of Council of State 34, Sec. without Portfolio 35; elected Mayor of Havana 35; Amb. to U.S.A. 44-; Chm. of Cuban del. to UNCIO 45, PC 45; Rep. to Emergency Food Conf. in Wash. 46, Perm. Rep. to UN 46-.

Berendsen, Sir Carl August (N.Z.); K.C.M.G.; b. 90, Sydney, Australia; ed. at Victoria Univ. Coll. and Univ. of N.Z.; fmr. Mem. of Perm. Mandates Comm.; app. Sec. of Ext. Affairs 28, Perm. Head of Prime Mins. Dept. 32-43; High Commr. in Australia 43-44; Min. to U.S.A. 44-; Rep. UNCIO 45, Rep. 2nd part of 1st sess. GA, N.Y. 46, Chm. of 3rd Cttee.; Vice-Pres. of TC 47; Rep. 1st spec. sess. GA 47; fmr. Mem. of Council of UNRRA; Mem. of Far Eastern Comm.; Chm. of N.Z. del. to 2nd sess. GA, N.Y. 47 and 2nd spec. sess. GA 48; Rep. IC.

Bernadotte, Count Folke (Sweden); b. 95, Stockholm, ed. at Officers' Mil. Training School of Karlberg; Rep. of Sweden at Chicago Century of Progress Exposition 33; Comr.-Gen. of Swedish Pavilion at N.Y. World's Fair 39-40, as Vice-Chm. of Swedish Red Cross during 2nd World War, aided in exchange of disabled Br. and Ger. war prisoners; intermediary between Heinrich Himmler and the U.K. and U.S.A. in Nazi bid for peace in April 45; fmr. Pres. of Swedish Red Cross; app. UN Mediator in Palestine, May 48; assassinated in Jerusalem, September 17, 48.

Bevin, Ernest (U.K.); P.C.; b. 81; Branch Sec. of Dockers' Union 11; founder, later Gen. Sec. of Transport and Gen. Workers' Union; Mem. of Gen. Council of Trades Union Cong., Chm. 37; Min. of Labour and Natl. Service 40-45; Sec. of State for For. Affairs 45-; Mem. of Council of For. Mins.; Rep. 1st part of 1st sess. GA, London 46, SC 46; Chm., U.K. del. to 2nd part of 1st sess. GA, N.Y. 46, and 2nd sess. GA, N.Y. 47, Vice-Pres., 2nd sess. GA.

Beyen, Johan Willem (Neth.); b. 97; ed at Univ. of Utrecht; Mem. Treas. of Neth. 18-23; later businessman; Alt. Pres. of Bank of Int. Settlements at Basle 35-37, Pres. 37-40; app. Fin. Dir. of Lever Brothers and Unilever Ltd. 40; Fin. Adviser to Neth. Govt. 40-; Chm., Neth. del. to Int. Mon. Conf. at Bretton Woods 44; Rep. Reparations Conf. 45; elected Exec. Dir. of Int. Bank 46; Rep. 5th sess. ECOSOC 47.

Bezrukov, Nikon Y. (U.S.S.R.); b. 02, Kronstadt, ed. at Marine School in Leningrad; app. Dir. of Northern Steamship Co. 38; Head of all U.S.S.R. marine fleet 39-40; Head of Baltic Steamship Co. in Leningrad 40-41; served with Navy during 2nd World War attaining rank of Comdr.; Chief of Transport Dept. of Amtorg Trading Corp. 46-; Vice-Chm., UN Transport and Communications Comm. 47-.

Bidault, Georges (France); b. 99, Moulins, fmr. Prof. of Hist. at Sorbonne and Lycée Louis-le-Grand in Paris, also in Valenciennes and Rheims; mobilized in 2nd World War with rank of sergeant and taken prisoner; liberated 41; elected Pres. of Natl. Resistance Council 43; leader of M.R.P. (Popular Dem. Party); Min. of For. Affairs 41-48; Pres. of Provisional Govt. 46; Mem. of Council of For. Mins.; Chm., French del. to UNCIO 45,

1st part of 1st sess. GA, London 46, and 2nd sess. GA, N.Y. 47; Rep SC 46.

Bielich, Ismael (Peru); b. 99, Lima; ed. at the Univ. of San Marcos in Lima; atty.-at-law; Mayor of Magdalena 31; Asst. Dean of Peruvian Bar Assn. 33-34; Sec. of State for Jus. and Labor 45; Chm. of Peruvian del. to Int. Labour Conf. in Paris 47; Prof. of Civil Law and other courses at Catholic Univ. in Lima; Rep. UN Social Comm. 46-.

Bilkur, Sefik (Tur.); b. 04; ed. at a commercial univ. in Paris; fmr. Rapp. Office of Fin. Studies, Cen. Bank of Tur.; Head Clerk of Titles and Gold 32-34; Dir., Business Research Dept. 35-44; Econ. Adviser, Agric. Bank 44-46; Pres. of Advisers Corps, Bank for Agric. in Tur. 46-47; Econ. and Fin. Adviser, Control Comm. for State Undertakings (Org. for Econ. Control) attached to Prime Min. 47-48; Rep. UN Stat. Comm. 48-.

Billotte, Lieut.-Gen. Pierre (France); b. 06, Paris; ed. at St. Cyr Mil. Acad. and Ecole Supérieure de Guerre; fmr. officer in Armored Corps and qualified pilot; assigned to Staff of C-in-C 39; wounded and captured by Germans but escaped to U.S.S.R., later joining Gen. de Gaulle 40; fmr. C. of S. of Gen. de Gaulle in London and in Algiers; fmr. Sec. of Natl. Defence; commanded Armored Brigade and took part in Normandy operations; Natl. Mil. Del. to resistance forces of Interior and Comdr. of F.F.L Div., Paris; Deputy C. of S. for Natl. Defence; Army Rep. MSC 46-.

Blanco, Carlos (Cuba); b. Havana; ed. at Univ. of Havana; D.C.L.; fmr. Perm. Sec.-Gen. of Cuban del. to LN; fmr. Dir. of Citizenship and Migration and Chief of the Chancellery, Min. of State; present Min. Counselor, Embassy in Wash.; Sec.-Gen., perm. del. to UN; Rep. 2nd spec. sess. GA, N.Y. 48.

Blanco, Juan Carlos (Uru.); b. 79; ed. at Univ. of Montevideo; Deputy 07-12; fmr. Min. of Pub. Works; app. Min. to France 15; Rep. Versailles Peace Conf. 19, LN 20; Min. of For. Affairs 24-25, reapp. 31; Acting Min. of Interior 25; Amb. to Argentina 27-31, later to Brazil; Amb. to U.S.A. 41-; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Böe, Gunnar (Nor.); b. 17; ed. at Univ. of Oslo; Sec. and later Consultant in Nor. Price Adm. 40-42; Personal Sec. and Econ. Adviser to Prime Min. 45-46; Under Sec. to Min. of Fin. 46-48; present Research Consultant at Univ. Inst. of Econ. in Oslo, and Mem. of Bd. of Directors of Bank of Nor.; Rep. UN Econ. and Employment Comm. 47-.

Boetzelaer van Oosterhout, Baron Carel Godfried Willem Hendrik van (Neth.); b. 92, Amersfoort; ed. at Municipal Univ. of Amsterdam; LL.D.; fmr. Sec. to Legation in Wash., Mex. City, Brussels; Counselor, Legation in Berlin 35-40; fmr. Mem. of Dept. of For. Affairs of Govt.-in-Exile; Min. to U.S.A. 40-46; Head of Sect. of Polit. Affairs in Min. of For. Affairs 46; For. Min. 46-48; Amb. to France 48-; Rep. 2nd part of 1st sess. GA, N.Y. 46; Chm., Neth. del. to 2nd sess. GA, N.Y. 47.

Bogdenko, Vice-Adm. Vasilii L. (U.S.S.R.); grad. of a naval school and Naval Acad.; was on service in fleet on Baltic Sea, Black Sea and in Far East; fmr. C. of S. of Pac. Fleet and Asst. of Head of Allied Control Ctee. in Roumania; Navy Rep. MSC 46-.

Bogomolov, Alexander Efmovich (U.S.S.R.); b. 00; Prof.; at Moscow State Univ. until 39; Mem. of Min. of

For. Affairs 39-; app. Min. to France 41; Amb. to Allied Govts. in London 41-43; Amb. to France 44-; Rep. UN Comm. on Human Rights 47-.

Borberg, William (Den.); b. 85, Copenhagen; ed. at Univ. of Copenhagen and abroad; Sec. to Merchants' Guild, Copenhagen 15, app. Chief of its Office for For. Trade 15; app. Sec. to Com. Treaties Comm. 19, Chief of its Secre. 21; Mem. of Commercial Treaties Comm. 21-26; Mem. of Comm.-organizing For. Service 20; Chief of Commercial-Polit. Sect. of For. Office 21-26; Sec. of Legation in London 26-28, Perm. Rep. to LN 28-40; Rep. PC 45; Perm. Rep. to UN 46-.

Borisov, Alexander Pavlovich (U.S.S.R.); b. 03, Kostroma; ed. at Moscow State Univ.; in Soviet Army during 2nd World War; Adviser at 2nd, 3rd, 4th sesss. ECOSOC; Adviser, 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47; Rep. 2nd sess. Social Comm. 47.

Bowers, Claude Gernade (U.S.A.); b. 78, Hamilton Co., Indiana; ed. at pub. schools and under private tutors; author of historical works; Ed. Writer, Indianapolis *Sentinel* 01-02, Terre Haute *Star* 03-06; Ed., Fort Wayne *Journal Gazette* 17-23; Ed. Writer, N.Y. *World* 23-31; polit. columnist for N.Y. *Journal* 31-; Amb. to Spain 33-39, Chile 39-; Chm., Amer. del. to first Pan-Amer. Housing Comm., Buenos Aires 39; Rep. 1st sess. ECLA 48.

Boyd, Jorge Eduardo (Pan.); b. 86, Pan. City; ed. in Pan. City, Dwight Coll. in N. Y., Univ. of Penn., Univ. of Paris; Dir. of Laws and Polit. Sci. (Univ. of Paris) 11; Attaché, Legation in Wash. 04-07; Rep. of Pan. to Coronation of King George V of Eng. 11; Chief Counselor, Legation in Wash. 11-13 and 32-34; Assoc. Jus. of Sup. Ct. of Pan. 14-16 and 20-24; Amb. to U.S.A. 39-40; Mem. of Bd. of Dir. of PAU 39-40; Rep. Inter-Amer. Econ. Bd., Wash. 39-40; Chm. of Pan. del. to Eighth Sci. Cong. at Wash. 39, to Maritime Conf. in Wash. 40; Min. to Mex. 41-43, Amb. 43-46, Rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Brache, Elias (Dom. Rep.); b. 70, Moca; ed. at Santo Domingo Univ. and Univ. of Paris; LL.D. (Santo Domingo Univ.); fmr. Magistrate of Ct. of Appeals and of Sup. Ct. of Jus.; fmr. Min. of Jus.; fmr. Min. of Ed.; fmr. Sec. of State for Ext. Affairs; fmr. Sec. of State for Ed.; fmr. Rep. and Sen.; fmr. Atty.-Gen.; fmr. Min. to France and Amb. to Peru and Chile; app. Amb. to Spain 48; Rep. 2nd sess. GA, N.Y. 47.

Bradette, Joseph Arthur (Can.); b. 86, St. Urbain, Quebec; ed. at Ontario Business Coll.; M.P. 26-; chosen Deputy Speaker 43; Chm., House of Commons Standing Ctee. on Ext. Affairs; Rep. GA, N.Y. 47.

Bridgen, James Bristock (Australia); b. 87, Maldon, Victoria; ed. at Oriel Coll., Oxf.; served with Australian Imperial Force in France 16-17 (wounded); Lecturer to 24, and Prof. of Econ. to 29 at Univ. of Tasmania; Econ., Oversea Shipping, Sydney 29-30; Dir., Queensland Bu. of Industry to 38; Chm., Natl. Insurance Comm., Canberra 38-39, Sec. of Depts. of Supply and Munitions, Melbourne 39-42; Econ. Counselor of Embassy in Wash. 42-47; Rep. UN Ctee. on Contributions.

Broadley, Herbert (U.K.); b. 92; ed. at Univ. of London; entered Civil Service 12; served in India Office (Mil. Dept.) 12-20; promoted to 1st Div. 20; served in Bd. of Trade 20-26; Sec. of Imp. Customs Conf. 21, of

Ger. (Repatriation) Act Cttee. 21, of Imp. Econ. Cttee. 25-26; resigned from Civil Service 26; joined W. S. Crawford Ltd. (advertising agents) 27, Dir. of Co. and Managing Dir. of Berlin Branch 27-32, in charge of Distribution and Research Dept. in London 32-39, Fellow and Mem. of Council of Inst. of Incorporated Practitioners in Advertising and Chm. of its Research Cttee. 36-39; joined Min. of Food 39, Asst. Sec. 39, Principal Asst. Sec. 40, Deputy Sec. 41, Second Sec. 45-; Deputy Dir.-Gen., FAO 48-.

Bruce, Viscount (Australia); b. 83; ed. at Cambridge Univ.; called to Bar at Middle Temple 06; active service in 1st World War; Mem. for Flinders 18-29 and 31-33; Rep. LN 21, 32, 33-38, Rep. on Council of LN 33-36, Pres. of Council 36; Commonwealth Treasurer 21, 22; Prime Min. 23-29, Min. for Health 27-28, Min. for Trade and Customs 28; Min. for Ext. Territories 28-29; Min. without Portfolio 32-33; Rep. Imp. and Econ. Conf. 33; High Comm. at London 33-45, Pres. of Moutoux Conf. for Revision of Straits Convention 36, Independent Chm., Prep. Comm., World Food Proposals 46-47; Chm. of FAO Council 47-.

Brunskog, Uno A. J. (Sweden), b. 95, ed. at Commercial Univ. Coll. in Stockholm; Counselor of Civil Admn. of Swedish Armed Forces 33-; Auditor to LN 38-46; Mem. of UN Bd. of Auditors 46-.

Bruun, Miss Alice (Den.); b. 02, Copenhagen; ed. at Univ. of Copenhagen; Dir. of Maternity Aid Inst. 27-31; later, Mem. of Child Welfare Sect. and Care of Handicapped Persons Sect. of Min. of Social Welfare; Sec. of Child Welfare Conf. of Northern Countries 36, Mem. of Natl. Insurance System 41-45, Chief 45, Chief of Pub. Assistance of Min. for Social Affairs 45-; Rapp. of UN Temp. Social Welfare Cttee. 47; Rep. UN Social Comm. 47-.

Bunche, Ralph Johnson (U.S.A.); b. 04, Detroit; ed. at Univ. of Cal. and Harvard Univ., Ph.D. (Harvard) 34; post-doctoral work in anthropology and colonial policy at Northwestern Univ., London School of Econ. and Univ. of Capetown; Asst. in Polit. Sci., Univ. of Cal. 25-27; Instructor in Polit. Sci., Howard Univ. 28-29, Head of Dept. 29-; Asst. Prof. 29-33, Asst. to Pres. 30-31, Assoc. Prof. 33-38, Prof. 38-; Co-Dir., Inst. of Race Relations, Swarthmore 36; Sr. Social Sci. Analyst in charge of research on Africa and other colonial areas, Br. Empire Sect., O.S.S. 41-44, Deputy Chief, Near East Africa Sect. 43, Chief of Africa Sect. 43-44; Territorial Specialist, Div. of Territorial Studies, Dept. of State 44-45; app. Assoc. Chief, Div. of Dependent Area Affairs, Dept. of State 45; Top-Ranking Dir., Div. of Trusteeship, UN Secre. 46-; Acting UN Mediator in Palestine 48-.

Burger, Jacob W. (Neth.); b. 04, Willemstad, N. Brabant; ed. at Univ. of Utrecht, Univ. of Amsterdam; Mem. of Socialist Dem. Labour Party 29-; fmr. Sec. of Inst. for Ed. of Labourers, Dir. of Regional Office of Dutch Soc. for Agric., Mem. of Mun. and Police Cts. of Arbitration of Dordrecht, Min. of Internal Affairs; Mem. of 2nd Chamber of States-Gen.; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Burns, Sir Alan Cuthbert Maxwell (U.K.); G.C.M.G.; b. 87, Antigua, Leeward Islands; Mem. of Colonial Service in W. Indies 05-12, in Nigeria 12-24; active service with W. Afr. Regt. 14-15; Acting Colonial Sec. of Bahamas 24-28; Deputy Chief Sec. in Nigeria 29-34; Gov. of Br. Honduras 34-39; Under-Sec. of

State at Colonial Office 39-41; Gov. and C-in-C of Gold Coast 41-47, also in charge of admn. of Br. Togoland; Rep. TC 47, Vice-Pres. of 3rd sess.

Bystricky, Rudolf (Czech.); b. 08, ILLD, Prague Univ. 30; Atty.-at-Law in Banská Bystrica 36-; Czech Rep. for Econ. and Reparation Matters in Allied Control Comm. in Budapest 45-; Acting as Chief of Econ. Div. of Min. of For. Affairs 47-; Mem. of Cen. Planning Comm.; Rep. UN Econ. and Employment Comm. 48-.

C

Cabañas, Gustavo Martínez (Mex.); b. 11, Chilpancingo, State of Guerrero; ed. at Natl. Univ. of Mex.; ILLD. 35, Dr. in Econ. Sci. 41; Economist, Treas. Dept. 34-38; Head of Office of Spec. Studies, Comité de Afos y Subsidios al Comercio Exterior 38-43; Dir., Review of Econ. 41-; Prof., Natl. School of Agric. 37-40, Natl. School of Econ. 38-; Interne, Bu. of Budget in Wash. 43-45, Sub-Dir., Dept. of Fin. Studies of Treas. Dept. 45-46, Dir., Org. and Management Div., Min. of Natl. Property and Adm. Inspection 47-; Prof. of Econ., Mex. City Coll. 48, Rep. 1st sess. GA 46, Alt. Rep. 2nd sess. GA, N.Y. 47; app. UN Field Recruiting Officer in Mex. 47; Chm., UN Cttee. on Contributions 46-.

Cabili, Tomas (Phil.); b. 03, Iligan, Lanao, ed. at Univ. of Phil., admitted to Bar 29, Jus. of Peace 34, Del. to Const. Conv. 34-35; Mem. of Natl. Asmb. 35-38, re-elected 38; Col., Army Reserve; one of leaders of resistance movement; Sec. of Natl. Defense 45; Mem. of Phil. Rehabilitation Comm. in Wash. 45-46; Sen. 45-; Pres., Lawyers' Guild; Vice-Pres., Nacionalista Party; Vice-Pres., Bar Assn.; Rep. 1st part of 1st sess. GA, London 46, 2nd sess. GA, N.Y. 47.

Cadogan, Sir Alexander George Montagu (U.K.), G.C.M.G., K.C.B.; b. 84; ed. at Eton and Oxfr.; app. Attaché at Constantinople 09; Min. to China 33, later Amb.; fmr. Technical Expert to U.K. dels. to LN; Perm. Under-Sec. of State for For. Affairs 38-46; attended all Big Three Confs. during 2nd World War; responsible for preparing 1st draft of Atlantic Charter; Chm. of U.K. del. during 1st phase of Dumbarton Oaks Conf. 44, Mem. of U.K. del. to UNCIO 45; Perm. Rep. to UN 46-.

Camey Herrera, Julio (Guat.); b. 10, Guat City, ed. Natl. Cen. Inst. and Univ. of San Carlos in Guat.; ILLD. (Univ. of San Carlos) 35; Prof., Fac. of Law, Univ. of San Carlos 38-43; Sec. of Comm., 1st Conf. of Fin. Ministers of Amer. Reps. 39; Sec. of Fac. of Law, Univ. of San Carlos 40, Prof., Fac. of Econ., Univ. of San Carlos 41-42; Chm. of Cttee. organizing Book Fair, Guat. 45-47; Chief of Legal Dept., Min. of For. Affairs; Rep. 2nd sess. GA, N.Y. 47.

Campion, Harry (U.K.); b. 05, Kearsley, Rockefeller Foundation Fellow, U.S.A. 32; Sec., Econ. Research Sect., Univ. of Manchester 33-39; Robert Outley Reader in Stats. and Lecturer in Vital Stats., Univ. of Manchester 33-39; Dir. of Cen. Stat. Office, Offices of the Cabinet 41-; Vice-Pres., Royal Stat. Soc., London; Rep. UN Nuclear Stat. Comm. 46, Dir. of Stat. Office of UN 46-47; Mem. of UN Cttee. on Contributions 47; Rep. 3rd sess. UN Stat. Comm. 48.

Cañas, Alberto F. (Costa Rica); b. 20; ed. at Univ. of Costa Rica; admitted to Bar 44; Ed., *Diario de Costa Rica* 45; Rep. to Cen. Amer. Univs. Cong., San Salvador 42; Perm. Rep. to UN 48; Rep. IC 48; Rep. TC 48.

Carias, Tiburcio, Jr. (Honduras); b. 08, Tegucigalpa; ed. at Univ. of Mex., Oxf. and Liverpool Univ.; fmr. Inspector-Gen. of Consulate in Liverpool, Consul-Gen. 38-46; app. Min. to U.K. 46, later Amb.; Chm. of Honduras del. to Intergov. Cttee. on Polit. Refugees in Evian and London 38, PC 45, UNRRA London 45, 1st sess. GA 46, 1st spec. sess. GA 47, 2nd sess. GA 47; Rep. IC 48.

Cassin, René (France); b. 87, Bayonne; Dr. of Legal and Econ. Sci.; Prof. of Civil and Int. Law at Aix 17, Lille 19, Inst. of Int. Studies at Geneva 28-29, Paris 29-30, Acad. of Int. Law at The Hague 30-34, and Univ. Inst. of Advanced Studies at Geneva 33-39; Natl. Comr. of Jus. and Pub. Instruction during 1st World War; Rep. to LN (aided in establishment of Int. Inst. of Intellectual Co-operation) 24-28; Rep. Conf. of Reduction of Armaments 32-33; Rep. Conf. of Allied Mins. of Ed. 42-44, Conf. for Establishment of an Educational, Sci. and Cultural Org. of UN, London 45, and 1st part of 1st sess. GA, London 46; Pres., Int. Assn. of Jurists; Vice-Chm., UN Nuclear Comm. on Human Rights; Rep. UN Comm. on Human Rights 46-47.

Castro, Hector David (El Sal.); b. 94, San Sal.; ed. at Natl. Univ. of El Sal.; Dr. of Law and Polit. and Soc. Sci.; Dist. Atty. and later Judge, San Sal. 17-19, Under-Sec. of Fin. 19; Consul to Liverpool 20, Sec. of Legation in Wash. 20-23, Chargé d'Affaires 23-27; Under-Sec. for For. Affairs 27-28; Min. of For. Affairs 31; Dean, Univ. of El Sal. 32-34, Rep. 6th and 7th Confs. of Inter-Am. Reps. at Havana 28 and Montevideo 33; Min. in Wash. 34-43; Amb. to U.S.A. 43-44 and 45-46; Rep. Cttee. of Jurists, Wash. 45; Chm., El Sal. del. to UNCIO 45; Rep. 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47; Chm., El Sal. del. to 2nd sess. GA, N.Y. 47.

Certeux, Jacques (France), b. 09, Douai (Nord), Inspector of Fin.; Chief of the Service of Co-ordination of Fin. Admin., Min. of Fin.; Vice-Pres., Commission Supérieure d'Etudes Fiscales; Rep. UN Fiscal Comm. 47-48.

Cestero, Tulio Manuel (Dom. Rep.); b. 77; Sec. to Pres. of Dom. Rep. 06-08; Chargé d'Affaires in Cuba 08-12, Rome 13; Min. to Spain, France, Italy 15, Sub-Dir., newspaper *Heraldo de Cuba* 17-21; Under-Sec. of For. Affairs 24; Min. to Argentina, Brazil, Chile, Uru. 25-29, 31; Min. to Mex. 34-36, to Argentina, Uru., Para. 36-42, to Chile 42; present Amb. to Peru; Rep. to Pan Amer. Confs. of 23, 28, 33, 36 and 38, Rep. 1st sess. ECLA 48.

Chaffee, Zechariah, Jr. (U.S.A.); b. 85, Providence, R. I.; ed. at Brown Univ.; LL.B. Harvard Univ. Law School 13; with Builders Iron Foundry, Providence 07-10, Chm. of Bd. of Dirs. 44-45; author; Asst. Prof. of Law, Harvard Univ. Law School 16; Prof. since 19, Consultant to Natl. Comm. on Law and Observance and Enforcement 29-31; Mem. of Bull. of Rights Comm., Council on Legal Ed. of Amer. Bar Assn.; Vice-Chm., Comm. on the Freedom of the Press, 47; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 47-48.

Chamoun, Camille (Leb.); b. 00, Leb.; ed. at Univ. of Beirut; elected to Parl. 34 and 37; app. Min. of Fin. 38 and later Min. of Fin. and Pub. Works; Min. of Interior 43-44; app. Min. to U.K. 44; present Min. of Interior; Chm., Leb. del. to Civil Aviation Conf. in Chicago 44, Conf. for Establishment of an Educational, Sci. and Cultural Org. of UN and PC in

London 45, Rep. 1st part of 1st sess. GA, London 46; Chm., Leb. del. to 2nd part of 1st sess. GA, N. Y. 46 and 2nd sess. GA, N. Y. 47; Rep. IC 48.

Chang Chung-fu (China); b. 01, Hupeh Prov.; ed. at Tsinghua Coll. in Peiping, Univ. of Mich., Harvard Univ. and Johns Hopkins Univ.; Ph.D. (Johns Hopkins) 29; Prof. at Nankai Univ. 30-37; Prof. at Natl. Peking Univ. 37-37, Mem. of People's Polit. Council 38-42, Counselor, then Adviser, Min. of For. Affairs 41-43; Dir., Amer. Affairs Dept., Min. of For. Affairs 43-46, Dir., Office of Chinese del. to UN 47, Adviser, Chinese del. to UN 46-47, to 2nd sess. GA, N. Y. 47; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 46-47.

Chang, P. C. (China), b. 92, Tientsin, ed. at Clark Univ. and Columbia Univ.; Ph.D. (Columbia) 24; Acting Prin., Nankai School, Tientsin 17-19, Dean of Tsinghua Coll. in Peking 23-26, Prof., Nankai Univ. 26-37, Visiting Prof., Univ. of Chicago 31, Univ. of Hawaii 33-34, Mem. of People's Polit. Council 38-40, Min. to Tur 40-42, to Chile 42-45, Rep. 1st sess. GA 46, 2nd sess. GA, N. Y. 47, 2nd spec. sess. GA, N. Y. 48, Rep. ECOSOC 46-47, Rep. and Vice-Chm., UN Comm. on Human Rights 47, Chm., Chinese del. to UN Conf. on Freedom of Inf., Geneva 48.

Chang, P. H. (China), b. 02, Tientsin, ed. at Nankai Coll. and Univ. of London, also studied in Berlin, Lecturer on Chinese, School of Oriental Studies, Univ. of London 23-25, Prof. of Com., Nankai Univ. 26-32, Acting Dean, School of Com., Nankai Univ. 30-32, Adviser, Bu. of For. Trade, Shanghai, Sec. Min. of Industry (for for trade); Counselor, Exec. Yuan, Govt. Spokesman 43-46, Consul Gen., N. Y. 46-47, Dir., Chinese News Service, N.Y. 46-47; Rep. UN Sub-Comm. on Freedom of Inf. and of Press 46-47.

Charles, Joseph D. (Haiti), b. 07, Limbe, ed. at Coll. of Notre-Dame du Perpetuel Secours and at a Law School; fmr. atty., fmr. teacher at Natl. School; fmr. Prof., Notre-Dame Coll., fmr. Ed. of mag. *Stella* and of polit. paper *La Citadelle*, fmr. Asst. Sec. to Haitian Cape Borough Hall, fmr. Sec. of Ct. of Jus. and of Haitian Cape Prefecture; fmr. Judge at Civilian Ct. of Jus.; fmr. Sec. of State for Pub. Ed., Deputy and Chm. of Ext. Affairs Cttee.; Pres. Order of Advocates, Amb. to U.S.A., Chm. Haitian del. to 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47, Rep. 2nd spec. sess. GA, N.Y. 48.

Cheng Paonan (China), b. 10, Nanking, ed. at Manchester Coll., Georgetown Univ. and George Wash. Univ.; Sec., Inspectorate Gen. of For. Affairs for the Five Southwestern Provinces 32; with Min. of For. Affairs 32-36; Vice-Consul, N.Y. 36-41; Rep. of Amer. Bu. for Medical Aid to China, concurrently Expert of Min. of For. Affairs 41-43, Dir., Midwest Bu. of Chinese News Service, Chicago 43-45; Counselor, CNRRA 45-48, Dir., CNRRA, Wash. Office 45-48; Sec.-Gen., Office of Council Mem. of China to UNRRA 45-48, Dir., Perm. Office of Chinese del. to UN 47-48; Adviser, Chinese del. to UN 48-49; Chm., UN Cttee. on Inf. from Non-Self-Governing Territories, Geneva 48; Rep. HAC.

Chernyshev, Pavel M. (U.S.S.R.); b. 09, Co. of Tver, ed. at Tver Inst. and Moscow Fin. and Econ. Inst.; Candidate in Econ. Sci.; Dir. of Export Dept., later Head of For. Dept. of Gov. Bank of U.S.S.R. 37-46; Adm. Chm., For. Trade Bank of U.S.S.R.

39-44, Econ. Adviser to U.S.S.R. del. to UN 46- ; First Vice-Chm, UN Fiscal Comm. 47- .

* Chinnery, E.W.P. (Australia); b. 87, Waterloo, Victoria; ed. in Australia and at Cambridge Univ.; diploma in anthropology (Cambridge); fmr. Magistrate, Govt. Anthropologist, Dir. of Dist. Services of Native Affairs, and Mem. of Legis. and Exec. Councils in New Guinea; Adviser to Australian Reps. on LN Perm. Mandates Comm. 30, later Rep., Official Adviser in native matters to Commonwealth of Australia 38- ; Dir. of Native Affairs in N. Territory 39- ; Adviser to Australian Rep. on TC 47, app. Alt. Comr. on S. Pac. Comm. in Sydney 48; Mem. of TC Visiting Mission to Tanganyika and Ruanda-Urundi 48.

Chinoy, Nur Mohamed Meherally (India); b. 88, ed. at Elphinstone Coll.; Mem. of Bombay Mun. Corp. 26-29, Mem. of Bombay Legis. Council 35; led deputations of motor trade interests to Govt. of India 36; Mem. of Motor Vehicles Insurance Cttee. 37; Pres., W. India Automobile Assn. 39-40, Pres., Fed. of Motor Transport Assns. of Bombay 41-42; Chm., Motor Manufacturers and Importers Assn., Dir., F. M. Chinoy and Co. Ltd. and Cen. Bank of India Ltd., City Dir. of various concerns; Rep. UN Transport and Communications Comm. 46-48, d. 48.

Chisholm, Brock (Can.), b. 96, Oakville, Ontario, ed. at Univ. of Toronto, M.D. 24; served in 1st World War; did postgraduate work at several hospitals in England; engaged in gen. med. practice in Oakland 25-31; practised psychological med. in Toronto 34-40, during 2nd World War, became an Area Commandant, then in succession, Dir. of Personnel Selection and Deputy Adjutant with rank of Maj.-Gen., Dir.-Gen. of Med. Services 42-44, Chm., Can. Med. Procurement and Assignment Bd. 42-44; Deputy-Min. of Health, Dept. of Natl. Health and Welfare 44-46, Exec. Sec., Interim Comm. of WHO 46-48; Dir.-Gen. of WHO 48- .

Chow Ying-tsung, Capt., (China); b. 01, Foochow, Fukien; ed. at Chinese Naval Coll. in Chefoo and Nanking Naval Coll.; service and training with Br. Navy 29-33; Sr. Officer in charge of Naval Offices outside China 39-41; Naval Attaché to U.K. 41-45; Dir. of Naval Ordnance 45; Naval Rep. MSC 46- .

* Christensen, Christen A. R. (Nor.); b. 06, Telemark; ed. at Univ. of Oslo; journalist for Oslo newspaper *Dagbladet*, 26-34; later, Counselor to H. Aschehoug and Oslo publishing house, imprisoned by Germans during early part of Nor. occupation; Mem. of Resistance Council and in charge of underground press during the latter part of Nor. occupation; Ed. in Chief, Oslo newspaper *Verdens Gang* since liberation of Nor.; Pres. of Liberal Students' Assn.; Sec. of PEN Club; Vice-Pres. of Nor. Press Assn.; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 46- .

Christiansen, Ernst (Den.); b. 91; grad. as printer 10, and later ed. abroad; leading organizer in labor movement; journalist and publicist specializing in for. policy; Mem. of Bd. of Broadcasting Service of Danish State (Radio Council and Program Cttee.) 40-43; arrested by Gestapo 43; Sen. 47- ; Rep. 2nd sess. GA, N.Y. 47.

Christides, Christophe John (Greece); b. 99, Constantinople; ed. in Geneva, Paris and Athens; LL.D. and Dr. of Econ. Sci. (Athens) 37; Rep. and Counselor of Greek del. to LN Greco-Bulgarian Mixed Emigration Comm. 25-32; practised law in Athens 33-46; Legal

Adviser to Int. Red Cross 42-47; Legal Adviser to Amer.-Jewish Joint Relief Cttee. in Greece 46, commentator on natl. and soc. questions, Athens Radio 46-47; Mem. of UNRRA Sub-Cttee. to Study Greek Balance of Payments 46; on Ct. of Appeal and Council of State; Rep. 2nd sess. UN Social Comm. 47.

Clow, Sir Andrew Gourlay (U.K.), b. 00, Aberdeen, ed. at Merchiston Castle School in Edinburgh and St. John's Coll., Cambridge, Settlement Officer 18-19, Controller, Labour Bu., Govt. of India 20-23, Mem. of Indian Legis. Asmb. 23, 25-27, 32-36, Mem. of Indian Council of State 28-29, 32-33, 36-38, Rep. Indian Govt. as Adviser or Rep. to ILO Confs. in Geneva 21, 23, 29, 31, 34, Joint Sec. (Industries and Labour) to Govt. of India 31-35, Sec. (Labour) 36-38, Communications Mem. of Govt. of India 32-42; Gov. of Assam 42-47, Rep. 3rd sess. ECAFE 48.

Cochran, H. Merle (U.S.A.), b. 92, Crawfordsville, Indiana, ed. at Univ. of Arizona, M.S. 14, Mem. of Consular Service in Mannheim (Ger.), Mex. and Guat., respy. 14-16; in Berne, Lugano, Kingston (Jamaica), Port-au-Prince, Montreal, Wash., Paris, and Basel respy. 18-32; First Sec. of Embassy in Paris 32-39, Adviser to 1st and 2nd meetings of Experts' Prep. Cttee. for Int. Mon. and Econ. Conf. at Geneva 32-33, attached to Amer. del. to Conf. in London 33, assigned to 2nd sess. of LN Cttee. for Study of Int. Loan Contracts 37, detailed to Treas. Dept. 39; sent on spec. mission to China 41, to Argentina 42; For. Service Inspector 42- ; Min. 47- ; Rep. SC Cttee. of Good Offices in Indonesia 48.

Cohen, Benjamin A. (Chile); b. 96, Concepcion, ed. at English School of Lota, Internado Barros Arana in Santiago, Univ. of Chile and Univ. of Georgetown in Wash.; hon. LL.D. (Amer. Univ. in Wash.) 47; reporter, assoc. city ed. and city ed. on several newspapers in Chile 11-22; Press Attaché to spec. Chilean Embassy to First Centennial of Brazilian Independence 22, Sec. of Chilean Defense in the Tacna-Arica Arbitration and of Chilean Embassy in Wash. 23-27; Chargé d'Affaires a.i. in U.S.A. and on spec. missions to Para. and Bol. 34; Dir. of Dipl. Dept. of Chilean For. Office 36-39, Amb. to Bol. 39-45, to U.S.A. 45; participated in numerous Pan-Amer. and int. confs. as official in comm. and arbitrations, sec., interpreter and Rep.; fmr. Mem. of Fac. of School of For. Service of Georgetown Univ.; loaned by Chilean Govt. to Int. Secre. of UN for Exec. Cttee. and PC 45; Chief of Inf. Planning Sect. during 1st part of 1st sess. GA, London 46; UN Asst. Sec.-Gen. in charge of Dept. of Pub. Inf. 46- .

Coles, Maj. William Hewett (U.K.); b. 82 served in 1st World War 14-18; Rep. to LN Opium Advisory Cttee., Vice-Pres. 38, Pres. 39; Asst. Sec., Home Office; Rep. 2nd sess. UN Comm. on Narcotic Drugs 47.

Colina, Rafael de la (Mex.); b. 98, Tlalnahuacan, Hidalgo; Vice-Consul in St. Louis 22, in Eagle Pass, Texas, 22-23; Chief of Admn. Sect. of Consular Dept. 23-24; Consul in Boston 24-25, in New Orleans 25-28, in Laredo, Texas, 28-30, in Los Angeles 30-32, Chief of Consular Dept. 32-33; Chief of Bu. of Licenses of Govt. of Fed. Dist. 33; Consul-Gen. in San Antonio, Texas, 34-35, in N.Y. 36-43; Min. Counselor, Embassy at Wash. 43-44; Min. in Wash. 44- ; Alt. Rep. Council of Org. of Amer. States, Wash. 48; Deputy Sec.-Gen. of Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Rep. UNCIO 45; Alt. Rep. to SC 46, Rep. 2nd

part of 1st sess. GA, N.Y. 46; Alt. Rep. 2nd sess. GA, N.Y. 47; Rep. 2nd spec. sess. GA 48.

Cooper, H. A. (U.K.); b. 96, London; app. to Admiralty 15; Admiralty Stat. on Combined Munitions and Assignment Bd. 42; Dir. of Fin. and Admn. Br. Admiralty del. 44-46; Dir. of Fin. and Admn., U.K. del. to UN; Rep. HAC.

Copland, Douglas Berry (Australia); b. 94, N.Z.; ed. in N.Z.; D.Sc. 25; Litt.D.; fmr. Prof. of Econ. at Univ. of Tasmania, Prof. at Univ. of Melbourne 24-46; Chm. of a Cttee. of Econs. and Under-Treasurers who reported to the Australian Loan Council in 31 and initiated the Premiers' Plan, which formed basis of Govt. fin. policy throughout the depression; acted as Commonwealth Price Fixing Comr. of Australia during 2nd World War; Comr. of State Savings Bank of Victoria; Min. to China 46-48; Vice-Chancellor, Natl. Univ. of Australia 48-; Rep. to 2nd part of 1st sess. GA, N.Y. 46; Rep. to 2nd sess. ECAFE 47.

Cordier, Andrew Wellington (U.S.A.); b. 01, Canton, Ohio; ed. at Manchester Coll. in Indiana and at Univ. of Chicago, Chm. of Dept. of Hist. and Polit. Sci., Manchester Coll. 27-44; Lecturer in Social Sciences for Indiana Univ. 29-44; Expert on Int. Security, Dept. of State 44-46; Tech. Expert, U.S.A. del. to UNCIO 45; Chief of a sect. of PC 45, Adviser to Exec-Sec. of PC 45, to Pres. of GA, London 46; Exec.-Asst. to Sec.-Gen. of UN 46-.

Corominas, Enrique V. (Argentina); b. 10, Cordoba Prov.; ed. in journalism; fmr. Dir. of Argentine Agrarian Inst.; fmr. Dir.-Gen. of Press, Propaganda and Broadcasting in Prov. of Buenos Aires; fmr. Sec.-Gen. of Union Council of Natl. Social Security Inst.; Mem. of Argentine del. to 1st sess. GA 46, and to Inter-Amer. Conf. for Maintenance of Continental Peace and Security, Rio de Janeiro 47; Vice-Chm., Argentine del. to 2nd sess. GA, N.Y. 47.

Correa, José A. (Ecu.), b. 15, Quito, ed. at Cen Univ. of Quito; LL.D., Asst. Chief, Dipl. Sect. of Min. of For. Affairs 35-37, Chief 37-40; Second Sec. of Embassy in Wash. 40-44, First Sec. 44-45; Alt. Rep., Int. Bar Assn., Wash. 43; Rep., Int. Civil Aviation Conf., Chicago 44; Dir. of Dipl. Dept., Min. of For. Affairs 45-46; Perm. Sec., del. to UN 46-; Alt. Rep. 2nd sess. GA, N.Y. 47; Rep. UN Social Comm. 47-; alt. Rep. IC 48.

Cosma, Mrs. Alice Kandalfé (Syria); b. 03, Damascus; ed. in Damascus, Beirut and at Columbia Univ.; organized students' activities in physical ed. and social activities at Int. House, N.Y.; successively Principal of Schools in Baghdad, Beirut and Damascus 27-43 and 47-48; Rep. Int. Women's Cong. in Chicago 33; Prof. of Ed., Teachers Coll. in Damascus 44-47; Organizer and Gen.-Sec. of Arab Women's Natl. Lea. 45-47; Organizer and Dir. of Child Welfare Assn., Damascus 46; Rep. 1st sess. of Comm. on Status of Women 47, Rapp. 2nd sess. 48; Adviser to Syrian del. to 2nd sess. GA, N.Y. 47; Personnel Officer, UN Secre. 48-.

Costa du Reis, Adolfo (Bol.); b. 91, Sucre, ed. in Corsica and at Univ. of Paris; app. Second Sec., Legation in Chile 18; Counselor, Legation in Paris 21-32; app. Min. to Swit. 32; Rep. LN; Rep. Chaco Peace Conf. 36; elected Chm. of LN Council 39; Amb. to Argentina 41-44; Mem. of LN Liquidation Bd. 46; Perm. Rep. to UN 46-.

Creech-Jones, Arthur (U.K.); b. 91, Bristol; Natl. Sec. of Transport and Gen. Workers Union '19-29; fmr. Pres. of Int. Fed. of Clerical Employees; fmr. Organizing Sec. of Workers Travel Assn.; fmr. Gov. of Ruskin Coll. of Oxf., Vice-Pres. of Workers Ed. Assn.; Mem. of Colonial Office Ed. Advisory Cttee. and Mem. of Higher Ed. Comm. to W. Afr.; fmr. Chm. of Labour Party's Advisory Cttee. on Imp. Affairs; M.P. 35-; Parl. Private Sec. to Min. of Labour and Natl. Service during 2nd World War; Under-Sec. of State for Colonies 45-47, Sec. 47-; Rep. 1st sess. GA 46 and 2nd sess. GA, N.Y. 47; Chm. of U.K. del. to 2nd spec. sess. GA, N.Y. 48.

Critchley, Thomas Kingston (Australia), b. 16; ed. at Univ. of Sydney, with N.S.W. Pub. Service 33-38; Asst. Econ. Adviser to Dept. of War Org. of Industry 41-44; served with Br. Min. of Inf. as Head of Research Sect. of the Far Eastern Bu. at Delhi 44-45; app. Second Sec. of Econ. Relations Sect., Dept. of Ext. Affairs 46, later First Sec., Rep. UN Cttee. of Good Offices in Indonesia 48-.

Crittenberger, Lieut.-Gen. Willis Dale (U.S.A.), b. 90, Anderson, Indiana; grad., U.S. Mil. Acad. 13, of Cavalry School at Ft. Riley, Kansas 24, of Command and General Staff School at Ft. Leavenworth, Kansas 25, and of Army War Coll. in Wash. 30, Aide to Gen. Parker in Mex. border campaign 16, served at Camp Meade, Maryland, during 1st World War, Maj. in News Sect. of Pub. Relations Branch of War Dept. Gen. Staff 26-29; Mil. Intelligence Officer in Phil. Dept. in Manila 32-34; assigned to 1st Cavalry (mechanized) at Ft. Knox, Kentucky 34-38, served in office of Chief of Cavalry in Wash. 38-40, app. C. of S. of 1st Armored Div. 40-41; Organizer, Comdr. of 3rd Armored Corps at Camp Polk, Louisiana; app. Comdr. of 4th Corps in Italian campaign 44-45; Commanding Gen. of Caribbean Defence Command and Pan. Canal Dept., Canal Zone 45-48; Army Rep. MSC 48-.

Cruikshank, R. J. (U.K.), b. 98, Deputy Dir.-Gen. of Br. Inf. Services 41; later, Dir. of Amer. Div. of Min. of Inf.; Mem. of Bd. of London News Chronicle; author; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press.

Cruz-Coke, Eduardo (Chile), b. 99, Valparaíso, M.D., expert in physiological chem., Rep. to Conf. on Sexology in Europe 36, app. Min. of Health 37; fmr. Adviser to Office of Workers' Insurance and Pres. of Natl. Food Council; candidate for Pres. 46, Sen. and Prof.; Mem. of TC Visiting Mission to W. Samoa 47.

Cuaderno, Miguel (Phil.), b. 90, Balanga, Bataan, ed. in Hongkong, London, and Phil.; admitted to Bar 19; elected Mem. of Const. Conv. and Drafting Cttee. of Seven 34; fmr. Exec. Vice-Pres. of Phil. Natl. Bank and Pres. of Phil. Bank of Com.; Lecturer in Banking, Far Eastern Univ.; Lecturer in Civil Procedure, Phil. Law School; Sec. of Fin.; Chm. of Natl. Devel. Co., a govt. corp.; Rep. ECAFE 47-; Vice-Chm. 1st and 2nd sess. 47; Rep. 2nd sess. GA, N.Y. 47.

Cubillas, José M. Pérez (Cuba), b. 01, Havana; ed. at Havana Univ.; Dr. of Pub. Law 21, D.C.L. 22; Adj.-joint Prof. of Pub. Fin. at Havana Univ. 21-25, Asst. Prof. 25-47, Prof. 48-; Head of Superior School of Com. 34-37, Prof. of Pub. Fin. in Fac. of Commercial Sci. 37-; Tech. Adviser to Min. of Treas. 44-; Dir. of Cuban Soc. of Int. Law, Mem. of Comm. to Reform Taxation System; Rep. UN Fiscal Comm. 47-; Rep. 2nd sess. GA, N.Y. 47.

Czesany, Karel (Czech); b. 02, Brno, Czech; ed. at Univ. of Brno; Dr. of Law and Polit. Sci.; in banking 22-32; lawyer 33-36; industry management 37-39; Chief of Presidium (Co-ordination Sect.) of Min. of Fin. 39-; Rep. UN Fiscal Comm. 47-.

D

Daniels, Jonathan Worth (U.S.A.); b. 02, Raleigh, N. Carolina; ed. at Univ. of N. Carolina, M.A. 22; journalist, fm. ed. and contributing ed. for various newspapers and magazines, Asst. Dir. of Office of Civilian Defense 42; Admn. Asst. to Pres. of U.S.A. 43-45, White House Sec. in Charge of Press Relations 45, Mem. of Bd. of Trustees of Vassar Coll. 42-; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

Danilov, Alexander (U.S.S.R.); b. 10, Aktinsk, Kazakh S.S.R.; ed. at Tashkent High School and Textile Inst. at Leningrad; worked on econ. probs. of U.S.S.R. textile industry 33-42, studied at Acad. of For. Trade 42-46; Mem. of Econ. Div. of Min. of For. Trade of U.S.S.R. 46; present Economist with Amtorg, Rep. UN Sub-Comm. on Employment and Econ. Stability 47-.

Darmois, Georges (France); b. 88, Eply (Meurthe et Moselle); ed. at Ecole Normale Supérieure, D. Sc. 21; Prof., Fac. of Sci., Nancy 19-33, Prof., Sorbonne 33; Rep., Int. Math. Cong. and Int. Inst. of Stats Conf., Chm., Conf. on Applications of Probability Calculus, Geneva 39, fm. Pres. of Stat. Soc. of Paris and Math. Soc. of France; Dir. of Studies of Stat. Inst. of the Univ. of Paris; Rep. UN Stat. Comm. 46-; Rep. UN Sub-Comm. on Stat. Sampling 46-.

D'Ascoli Sorillo, Carlos Alberto (Venez); b. 99, Caracas; ed. at Sorbonne, LL.D. 32; held various teaching posts in Pan., Ecua., Colomb., Venez.; app. Chief Ed. of Bogota newspaper *El Mes Económico y Financiero* 37; Ed. of fin. column of Caracas newspaper *Ahora* 36-37 and 40-43; Mem. of Bd. of Advisers of Comm. on Studies of Fiscal Legislation 41-44; Min. of Fin. 45-47; Gov. for Venez. of Int. Bank and of Int. Fund, Rep. 5th and 7th sesss ECOSOC 47-48; Vice Chm., Venez. del. to 2nd sessn. GA, N.Y. 47.

Davidson, George F. (Can.); b. 09, Nova Scotia, ed. at Univ. of Br. Columbia and Harvard; Ph.D. (Harvard) 32; app. Supt. of Welfare and Neglected Children for Prov. of Br. Columbia 34; app. Exec. Dir. of Vancouver Welfare Fed. and Council of Social Agencies 35; app. Dir. of Social Welfare for Br. Columbia 39; Spec. Adviser to Can. Immigration Branch on Br. Child Guest Movement 40; app. Exec. Dir. of Can. Welfare Council 42, Deputy Min. of Welfare 44; Mem. of Royal Comm. of Enquiry into Japanese resettlement 44, Rep. 4th sessn. ECOSOC 47; Rapp., 2nd sessn. Social Comm. 47.

Davis, Monnett Bain (U.S.A.); b. 93, Greencastle, Indiana; ed. at Univ. of Colorado, A.B. 17; 2nd Lieut. in Army 18; Consul at Port Elizabeth in S. Afr. 21-23, Saltillo in Mex. 24; assigned to Dept. of State, Wash. 24-28; Chief of Visa Office 28, For. Service Inspector 29-33; Consul-Gen. at Stockholm 33-34, Shanghai 34-36, Singapore 36-37, Buenos Aires 37-41, and First Sec., Buenos Aires, 40; Chief of Div. of For. Service Admn., Dept. of State 41-43; Deputy-Dir. of Office of For. Service, Dept. of State 44, Dir. 45; Min. to Den. 45; Career Min., Counselor of Embassy and Consul-Gen. in Shanghai 46; Amb. to Pan. 48; Rep. 1st and 2nd sesss. ECAFE 47.

de Booy, James Marnix (Neth.); b. 85, Kralingen, ed. at Royal Naval Inst. at Den Helder; Lieut. Comdr. in Navy; employee at Lab. of Bataafsche Petroleum Co. in Amsterdam 19, in Roumania 21-22; Acting Mgr. of Bataafsche Petroleum Co. in Maracaibo 26-28, Mgr. in Maracaibo 28-32, in The Hague 32-40, in London 40-44; Min. of Navy 44-46; Rep. UNSCOB 47-.

Dedman, John J. (Australia); b. 96, Scotland served in Br. Army at Gallipoli and in France during 1st World War, transferred to Indian Army 17, served in Afghan War 19 and in Iraq campaign 20, settled in Australia 22, elected M.P. 40, Mem. of War Cabinet during 2nd World War, Min. for Defence and Postwar Recon. 46-; Chm. of Australian del. to ITO Conf., Geneva 47 and Havana 47-48 (Chm. of 1st Cttee. on Unemployment at Havana); Rep. 6th sessn. ECOSOC 48.

de Echeverria, Mrs. Graciela Morales F. (Costa Rica); grad. in soc. studies and various branches of jurisprudence, fm. soc. worker; Chief of a Dept. in Costa Rican Soc. Security Office; Rep. UN Comm. on Status of Women 47-.

Dehousse, Fernand (Belg.); b. 06, Liege, ed. at Univ. of Liege; LL.D.; fm. Prin. Asst. to Belg. Min. of Labor; co-author of Socialist Plan for Reorganization of Belg. on a Fed. Basis, Ed., *Le Monde du Travail*, Prof. at Acad. of Int. Law, The Hague; Prof. of Int. Law at Univ. of Liege; Rep. UNCIO 45, 1st, 2nd and 3rd sesss. ECOSOC 46, UN Comm. on Human Rights 47-.

Delbos, Yvon (France); b. 85, ed. at Ecole Normale; founder of *L'Ere Nouvelle*; Dir. of Radical, Deputy for Dordogne 24-; Pres. of Radical-Socialist Party; Vice-Pres. of Chamber 32-; Min. of Jus. in Sarraut Cabinet 36; Min. of For. Affairs in Blum Cabinet 36-37, in Chateaufort Cabinet 37-38, Pres. of French-Brush Parl. Cttee. 39-; Min. of Natl. Ed. 39-40, arrested and sent to Ger. 43, liberated 45; Min. of State 47-; Rep. 2nd sessn. GA, N.Y. 47.

Delevingne, Sir Malcolm (U.K.); b. 68, ed. at City of London School and Trinity Coll., Oxf.; entered Home Office 92; Private Sec. to Sec. of State 96-98, Rep. to Int. Confs. on Labor Regulation at Berne 05, 06 and 13; Rep. on Labor Comm. of Peace Conf. 19, Rep. to ILO Confs. at Wash. in 19 and at Geneva in 23, 28 and 29; Rep. to Int. Opium Confs. in Geneva 24-25 and 31 and in Bangkok 31; Rep. to IN Opium Cttee. 21-34, fm. Mem. of Perm. Cen. Opium Bd.; fm. Deputy Perm. Under-Sec. of State in Home Office, retired 32, Mem. of UN Narcotic Drugs Supervisory Body.

Delgorge, J. H. (Neth.); b. 76, employed by the Opium Control Service in Neth. E. Indies consecutively as Asst. Inspector, Inspector, Asst.-Dir. and Dir. of Service 07-31; app. Govt. Adviser on Int. Opium Affairs 31; app. Govt. Adviser and Neth. Rep. on Advisory Cttee. on Traffic in Opium and other Dangerous Drugs (twice Chm. of Cttee.) 35; app. Mem. of Perm. Cen. Opium Bd. 40, later Vice-Chm.; Rep. 1st and 2nd sesss. UN Comm. on Narcotic Drugs 46-47.

de Marchena, Enrique (Dom. Rep.); b. 08, Ciudad Trujillo; ed. at Santo Domingo Univ., Inst. for Int. Ed. in N.Y. and Tulane Univ. in Louisiana; fm. Prof. of Int. Amer. Law, Santo Domingo Univ.; Sec.-Gen. of Land Ct. 32-35; Vice-Mayor of Ciudad Trujillo 43-45, Vice-Rector, Santo Domingo Univ. 45; Dir.-Gen. of Fine Arts 46-47; Under-Sec. of State for For. Relations

47-48; Rep. 2nd sess. GA, N.Y. 47; Min. Counselor and Alt. Perm. Rep. to UN 47, Min. and Perm. Rep., 48-.

de Medina, Raul Diez (Bol.); ed. at Georgetown Univ. For. Service School; after graduation, app. Second Sec. of Bol. Embassy in Wash.; resigned Embassy post to write articles on inter-Amer. affairs; in charge of Bol. press relations in U.S.A. during Gran Chaco War; after 5 years of journalism app. First Sec. of Bol. Embassy in Wash., then Counselor; app. Charge d'Affaires in Wash. 46, later Min.-Counselor; Vice-Chm., UN Palestine Comm. 48; Mem. of PAU Secre. 48-.

Deming, William Edward (U.S.A.); ed. at Univ. of Wyoming, Univ. of Colorado, Univ. of London and Yale Univ.; Ph.D. (Yale) 28; Instructor in Elec. Eng., Univ. of Wyoming 21-22; Asst. Prof. of Physics, Univ. of Colorado 24-25; Instructor in Physics, Yale Univ. 25-27; Physicist, Dept. of Agric. 27-39, Head, Dept. of Math. and Stat., Graduate School, Dept. of Agric., Wash. 33-; Adviser in Sampling, Bu. of Census 39-42, Bu. of Budget 42-; Consultant to Sec. of War 40-; to Dir. of Census 42-; Stat., Allied Mission to Observe Greek Elections 46, Adviser in Sampling Techniques, Sup. Command of the Allied Powers, Tokyo 47; Rep. UN Sub-Comm. on Stat. Sampling 47-.

Dendramis, Vassili (Greece); b. 83, Athens; ed. at Univ. of Athens; LL.D.; Sec. of Press Bu. of Min. of For. Affairs 07-10 and Dir. 32-33; Vice-Consul to Albania, Smyrna, and Constantinople resp. 12-14; Sec. of Legation in Bucharest 14-19; Acting Consul-Gen. in Berne, Trieste and Milan resp. 20-22; Perm. Rep. in Sofia 28-33, Cairo 33-36, to Argentina, Brazil, Chile and Uru. simultaneously in 36 and 45; fmr. Min. for Press and Inf.; Amb. to U.S.A. 47-; Perm. Rep. to UN 46-.

Dennis, Gabriel Lafayette (Lib.); b. 96, Monrovia, ed. in Lib., England, Ger. and U.S.A.; LL.D. (Emporia Coll., Kansas); Belg. Consul in Lib. 22-24; Sec. of Treas. 32-40; Rep. LN 32; Sec. of State 44-; Pres. of Bd. of Trustees of Coll. of W. Afr.; Chm. of Lib. del. to UN Conf. on Food and Agric., Hot Springs, Va. 43; Mem. Interim Comm. on Food and Agric.; Rep. UNCIO 45; Chm. of Lib. del. to 1st part of 1st sess. GA, London 46 and 2nd sess. GA, N.Y. 47.

Dennis, William E. (Lib.); b. 04, Monrovia, ed. at Lib. Coll.; Mem. of Bar of Sup. Ct. of Lib.; for 15 yrs. sole Propr. of Dennis and Co.; Sec. of Treas. 44-; Chm., Lib. del. to UN Fin. and Mon. Conf. at Bretton Woods 44, Treasurer, Bd. of Trustees of Coll. of W. Afr. and of Lib. Coll.; Rep. 2nd sess. GA, N.Y. 47.

De Smet, Pierre (Belg.); b. 92, Brussels; app. Prof. at Univ. of Louvain 24; app. Inspector of the Spec. Schools for Civil Engs. of Univ. of Louvain 30; Sen. 35-; Pres. of Spec. Schools of Univ. of Louvain 36-40; app. Min. of Econ. Affairs 38; elected Pres. of Belg. Civil Engs. Assn. 42; Dean, Fac. of Sci. at Univ. of Louvain 45-46, became Mem. of Anglo-Belg. Inter-Parl. Union and of Int. Assn. of Univ. Profs. and Lecturers 46; Adm. of Sen. Pension Fund 47; Rep. 2nd sess. GA, N.Y. 47.

Despradel, Arturo (Dom. Rep.); b. 00, Puerto Plata, ed. at Univ. of Santo Domingo, LL.D. 25; practised law 25-30; app. Civil Gov. of Prov. of Puerto Plata 30, Pres. of Ct. of Appeals 30-34; First Sec., Dom. Legation in Mex. 35-36; Chief of Protocol, Dom. Chancery 36, app. Under-Sec. of the Presidency and Min. to Haiti 37; later Sec. of For. Relations until 43 and 47-; Sec.

of Interior and Police 44-45; Amb. to Brazil 45-46; Chm., Dom. del. to 2nd sess. GA, N.Y. 47, to Ninth Int. Conf. of Amer. States, Bogota 48; Amb. at Large 47.

Deutsch, John James (Can.); b. 11, Quinton, Sask.; ed. at Univ. of Sask. and Queen's Univ. at Kingston, Ontario; fmr. Prof. at Regiopolis Coll. in Kingston; Research Asst. in Dept. of Econ. Research of Bank of Can. 36-42; Asst. Dir. of Research to Rowell-Sirois Comm. 37-40; Spec. Wartime Asst. to Under-Sec. of State for Ext. Affairs 42-43; mem. of ed. staff, *Winnipeg Free Press* 45-46, app. Sec. to Royal Comm. on Admin. Classifications in the Pub. Service 46; app. Dir. of Econ. Relations in Dept. of Fin. 46; Mem. of Can. del. to Int. Conf. on Trade and Employment, Rep. UN Econ. and Employment Comm. 47-.

De Visscher, Charles (Belg.); b. 84, Ghent, Prof. in Facs. of Law at Louvain and Ghent Univs.; Dir. of *Revue de Droit international et de Législation comparée* 20-; Mem. of Institut de Droit international 21-; Sec-Gen. 25-37; Mem. of PCA 23-; elected Judge of Perm. Ct. of Int. Jus. 37; Pres. or Mem. of several perm. conciliation and arbitration comms. set up by LN, Pres. of Polit. Movement of Resistance during 2nd World War; Mem. of Belg. Govt. of Liberation 44-45; Rep. UN Ctee. of Jurists in Wash. 45, UNCIO 45, London Conf. on Intellectual Coop. and 1st part of 1st sess. GA, London 46, Judge of ICJ 46-.

Diamantopoulos, Christos (Greece); b. 93, Athens, ed. at Univ. of Athens; LL.D., Consul-Gen. in Alexandria 33-37; Min. at The Hague 38-40; Min. at Moscow 40-41; Min. to Govts. of Pol. and Yugos. in London 42-43; Min. at Rio de Janeiro 43-46, Major-Gen., Head of Greek Mil. Mission to Control Council of Ger.; Rep. 1st spec. sess. GA, N.Y. 47, 2nd sess. GA, N.Y. 47.

Diego, Mario de (Pan.); b. 08, Pan. City, ed. at Natl. Inst. in Pan. City and in econ. in Alabama, U.S.A.; in Consular Service 27-32 (resigned); in business 32-40; re-entered Min. of For. Affairs as Asst. Chief of Protocol 40, Chief 41-45; app. Asst. Sec. of Min. of For. Affairs 45, Under-Sec. 46-; attended 1st Consultative Meeting of Amer. Mins. of For. Affairs 41; Asst. to Sec-Gen. of 1st Inter-Amer. Conf. of Mins. of Ed. 42; Adviser to Pan. del. to UNCIO 45; Rep. IC 48.

Dihigo, Ernesto (Cuba); b. 96, Havana; ed. at Univ. of Havana; Dr. of Law, Philos., and Letters; Prof. of Roman Law at Havana Univ. since 17 and of Commercial Law since 34; Mem., Superior Electoral Tribunal 33-38, Dean of Law School 39-42; Rep. to Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Rep. UN Ctee. of Jurists, Wash. 45, Counselor, Cuban del. to Conf. for Establishment of an Educational, Sci. and Cultural Org. of UN; Rep. UNCIO 45, PC 45, 1st sess. GA 46, Alt. Perm. Rep. to UN 47-.

Djordjevic, Mrs. Krista (Yugos.); b. 92, Zagreb, organized transfer of children from famine-stricken areas to other areas 17; active in People's Liberation Movement in 2nd World War, attached to Hdqrs. of Partisan Detachment of Serbia, Pres. of Initiative Ctee. of Red Cross in both occupied and liberated territories of Serbia during 2nd World War; sent to London with Yugos. Mil. Mission by Sup. Command of Natl. Liberation Army and Partisan Detachments as Rep. of Red Cross; Chief of Dept. of Invalids in Min. of Social Politics of Serbia 45-; Mem. of Cen. Ctee. of Yugos. Red Cross and Pres. of Main Ctee. of Serbian Red Cross; 2nd Vice-Chm., 3rd sess. of UN Social Comm. 47.

Dodd, Norris-E. (U.S.A.); b. 79, Chickasaw Co., Iowa; ed. in Iowa; fmr. pharmacist, livestock producer specializing in Hereford cattle; Regional Supervisor in Oregon for Food Admin. during 1st World War; app. Chm. of Co. Wheat Cttee. 33; later app. State Chm. of Oregon Corn-Hog Bd. of Review; app. Chm. of Oregon State Agric. Conservation Cttee. 36; app. AAA Field Rep. in W. States 38; Asst. Dir. of AAA W. Div. (in Wash.) 38-39, W. Div. Dir. 39-43; Chief of AAA 43-45; Dir. of Field Service Branch, Dept. of Agric. Production and Marketing Admin. 45-46; Under-Sec. of Agric. 46-48; Chm. of U.S.A. del. to 2nd and 3rd sess. of FAO Conf. 46 and 47; fmr. Chief U.S.A. Rep., FAO Council; app. Dir-Gen. of FAO 48.

Dorsinville, Max H. (Haiti); b. 10, Port au-Prince, ed. in law at Petit Séminaire Collège Saint Martial and at l'Ecole Nationale de Droit (Port-au-Prince); served in Dept. of For. Relations 18-40; Sec. of Haitian del. to 1st Conf. of Mins. of For. Relations of Amer. Repubs. in Pan. 39; app. Asst. Sec. to Pres. of the Rep. and to Cabinet 40, Under-Sec. of State of the Pres. Office 41-46, Asst. Sec.-Gen. of Min. of For. Affairs; Rep. 2nd sess. GA, N.Y. 47, Rapp. 4th Cttee.

Drew, Gerald Augustin (U.S.A.); b. 03, San Francisco, Cal.; ed. at Cal. School of Mechanical Arts; Univ. of Cal. (B.S., 24); Univ. of Grenoble 24-25; Univ. of Madrid 25-26, For. Service Office, Dept. of State 27, Vice-Consul at Pará (Brazil) 28, 3rd Sec. at Port-au-Prince 30, at San José (Costa Rica) 34, Consul 35, 3rd Sec. at Guatemala 36, at Managua 36, at Tegucigalpa (Honduras) 37, 2nd Sec. at Tegucigalpa 37, at San Salvador 37; Dept. of State 37-40, Consul and 2nd Sec. at Quito 40, at Guatemala 42; Sec. and Consul at Paris 44, 1st Sec. 45; Consul, Legation at Budapest 47-; Alt. Rep. UNSCOB 47, Acting Rep. 48-.

Drohojowski, Jan (Pol); b. 01, Tarnolt, ed at School of Polit. Sci. in Paris and Acad. of Int. Law at The Hague, Attaché and Second Sec. in Embassy at The Hague 22-23; Sec. and Chargé d'Affaires in Rome 23-26; Counselor at Embassy in Wash. 39-42; Min. and Chargé d'Affaires in Chungking 42; Min. and Consul-Gen. in Jerusalem 43; Min. and Gen. Sec. of Min. of Inf. in London 43-45; Rep. at negotiations with Br. Treas., London 45; Min. on spec. mission to Mex. 46, Nicar. and Dom. Rep. 47, Venez. 48; Rep. 2nd sess. GA, N.Y. 47; Rep. 2nd Gen. Conf. of UNESCO 47.

du Bois, Coert (U.S.A.); b. 81, Hudson, N. Y., ed. at Baltimore Forest School; served with U.S.A. Forest Service 00-17; Lieut.-Col., 10th Engineers in France 17-18; Consul in Paris 19, Naples 20, Port Said 22; in charge of State Dept. Visa Office 24-27; Consul-Gen. in Batavia 27-30; Foreign Service Inspector, India 30, Consul-Gen. in Genoa 31, Naples 31-37, Havana 37-41, in charge of State Dept. Caribbean Office 41-44; app. to Anglo-Amer. Caribbean Comm. 42, Rep. UN Cttee. of Good Offices in Indonesia 48.

Dukeston, Lord (Charles Dukes) (U.K.); C.B.E.; M.P. for Warrington 23-24 and 29-31; Mem. of Br. Trades Union Cong. Gen. Council 34-; Pres. of Cong. 46; Gen. Sec. of Natl. Union of Gen. and Municipal Workers until 46; Chm. of Natl. Joint Industrial Council for the Gas Industry; Mem. of Br. Inst. of Management; Mem. of Natl. Civil Aviation Consultative Council; Mem. of Br. Council (Film Cttee.) and Mem. of many Govt. cttees., including Natl. Advisory Cttee., and Natl.

Joint Consultative Cttee. to Min. of Labour; Rep. UN Comm. on Human Rights 47-.

Dulles, John Foster (U.S.A.); b. 88, Wash., D. C.; ed. at Princeton Univ. (B.A. 08), Sorbonne 08-09, George Wash. Univ. (LL.B. 11); Sec. of 2nd Hague Peace Conf. 07; Mem., Sullivan and Cromwell (law firm) 11; Maj. in 1st World War; Counsel of Amer. Comm. to Negotiate Peace 18-19, Mem. of Reparations Comm. to Sup. Econ. Council 19, Rep., Berlin Debt Confs. 33; Mem. of U.S. del. to UNCIO 45, to Council of For. Mins. in London 45, in Moscow 47; Chm. of Comm. on a Just and Durable Peace of Fed. Council of Churches; Chm. of Carnegie Endowment for Int. Peace, Alt. Rep. 1st sess. GA 46; Rep. 2nd sess. GA, N.Y. 47.

Duran-Ballen, Clemente (Ecu.); b. 04, Paris, ed. in France, Swit., U.S.A., Ecu.; Rep. to 1st Mining and Petroleum Conf., Quito 39, Exec. Pub. Relations Officer with Anglo-Ecu. Oilfields, Ltd., Ecu. 30-47; Consul Gen. in N.Y. 47-; Rep. 1st spec. sess. GA, N.Y. 47, 2nd sess. GA, N.Y. 47.

E

Eggerz, Peter (Ice); b. 13, Ice; ed. at Univ. of Ice; lawyer, Sec. to Regent of Ice. 41-44; Sec. to Pres. of Ice. 44-45; Sec. to Order of Falcon 44-45; First Sec. Ice. Legation in London 45-; Rep. 3rd sess. ECE 48.

Ekstrand, Eric Einar (Sweden); b. 80, Nyköping, ed. in law at Univ. of Upsala; entered dipl. service in 07 and served subsequently in Hamburg, St. Petersburg, Wash., Argentina, Chile, Uru., Para.; Head of Swedish Red Cross Relief Expedition to Russia 21-22, Mem. of Mixed Comm. for exchange of Greek and Turkish pop. 23; LN Rep. for protection of Albanian minority in Greece 24; Chm., LN Comm. of Inquiry into control of opium smoking in Far East 29-30; Dir. Div. of Narcotic Drugs and Social Affairs in Secre. of LN 31-40, Chm., UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

el-Khoury, Faris Bey (Syria); b. 79, Kfeir; ed. at Amer. Univ. of Beirut; Teacher at Amer. Univ. 97-99, Deputy of Damascus to Ottoman Parl. in Constantinople 14-18; Counselor of State 18; app. Prof. of Law at Syrian Univ. 19; Min. of Fin. 20, of Pub. Instruction 26, Deputy of Damascus and Pres. of Parl. 36-39, 43-44 and 45-; Prime Min. 44-45; Chm., Syrian del. to Arab Lea. Conf. in Cairo 45, UNCIO 45; perm. Rep. to UN 46-.

El Rifai, Abdel Bey Hakim (Egypt); b. 02, Chianerah; ed. at Fuad I Univ. in Egypt and Univ. of Paris; Prof. of Econ. and Fin. Legis. at Fuad I Univ. 29-47; Rep. Population Cong., Berlin 35; Rep. Int. Conf. of Inst. of Pub. Fin., Paris 38, Vice-Dean of Fac. of Law, Cairo 44; Dean of Law Coll., Baghdad 44-45, present Under-Sec. of State for Fin.; Rep. Paris Conf. on Reparations 45, Paris Peace Conf. 46; Chm., Egyptian del. for Fin. Negotiations with U.K. 47; Rep. 1st sess. GA 46, 2nd sess. GA, N.Y. 47.

Elvinger, Pierre (Lux.); b. 03, Wallferdange; ed. at State Coll. of Lux., Univ. of Liège, Montpellier, Grenoble and Paris; LL.D. 27; began career as Barrister 27; Chm., Jr. Bar. Assn. 32; Deputy Judge of Dist. Ct. 32, Judge 34; app. Acting Sec.-Gen. of Jus. Dept. (in exile) 40; Rep. Confs. of UNRRA at Atlantic City 43, Montreal 44 and Chm., Lux. del., London 45; Commercial Counselor to Legation in N.Y. 44; Counselor of Govt. in charge of Polit. Div. of For. Dept. 44-; Rep. 2nd part of 1st sess. GA, N.Y. 46, 2nd sess. GA, N.Y. 47, IC.

Elvins, H. C. (Australia); A.I.C.A., A.C.I.S. (England); b. 87, Victoria; entered Dept. of Ext. Affairs of Pub. Service of Commonwealth of Australia 06, later specializing in Treas. and Departmental Fin. and Accounting; Chief Inspector in Management Survey of Fed. Depts. 28-35; Rep. of Pub. Service Bd. for State of N.S.W. 35-40; Fin. Mem. of Mil. Bd. 40-41; Fin. Mem. of Air Bd. 41-46; placed on loan to UN by Australian Govt. as Comptroller of UN 46-48.

Enciso Velloso, Guillermo (Para.); b. 99, Ypané; ed. in law and philos. at Natl. Coll. of Asunción, and at Cen. Univ. of Madrid; Prof. of Psychol., Natl. Coll. of Asunción 30-47; Dir. of Schools 34-36; Ed. of mags. *Guarania* 36 and *Cultura* 43-47; Ed. of newspaper *Patria* 37-38 and 39-41; app. Min. of Ed. 46, Min. of Econ. 47; Amb. to U.S.A. 47-; Dir., Rep. Natl. Assn.; Chm., Para. del. to 2nd sess. GA, N.Y. 47.

Entezam, Nasrollah (Iran); b. 00, Teheran; ed. in law and polit. sci. at Univs. of Teheran and Paris; Sec. of Legation in Paris, Warsaw and London resp. 18-29; Rep. LN 29-38; Rep. World Econ. Conf., London 33; Chargé d'Affaires, Berne 34-38; fmr. Dir. of Polit. Dept., Min. of For. Affairs; fmr. Min. of Pub. Health; fmr. Min. of Posts and Telegr.; fmr. Min. of Communications; app. Min. of State for For. Affairs 45; Rep. UNCIO 45, Exec. Cttee. of PC 45, PC 45; Perm. Rep. to UN 46-.

Eriksson, Gustaf Herman (Sweden), b. 92, Upsala; ed. in law at Univ. of Stockholm; app. Under-Sec. of State in Min. of Fin. 31; app. Dir.-Gen. of Swedish Bd. of Trade 38; Min. without Portfolio 38; app. Min. of Food and Supply 39, Min. of Con. 41; Min. to U.S.A. 45-48; Perm. Rep. to UN 46-47; app. Amb. to Den. 48.

Evans, Harold (U.S.A.); b. 87; atty. in Phila.; Mem. of Pub. Service Comm. in Penn. 25-26; formerly active in civil liberty defence activities; Mem. of Exec. Bd. of Amer. Friends Service Cttee.; went to Europe for Quakers in winter of 41 to investigate child nutrition conditions in Ger. and Ger.-occupied territories; app. Municipal Comr. for Jerusalem, May 48.

Evatt, Herbert Vere (Australia); b. 94, N.S.W.; ed. at Sydney Univ.; LL.D. 24; Mem. of Legis. Asmb., N.S.W. 25-29; Judge, Fed. High Ct. of Australia 30-40 (resigned); Min. for Ext. Affairs and Atty.-Gen. 41-; Rep. UNCIO 45, Exec. Cttee. of PC 45, PC 45, SC 46-47, AEC 46-47, CCA 46-47; Deputy Prime Min. 46-; Rep. Paris Peace Conf., Far Eastern Comm.; Pres. of S. Pac. Regional Conf. 47; Chm., Australian del. to 2nd sess. GA, N.Y. 47; Rep. 7th sess. ECOSOC 48.

F

Fabela Alfaro, Isidro (Mex.); b. 82, State of Mex.; ed. at Univ. of Mex.; LL.D. 24; Acting Sec. of State for For. Affairs 13; fmr. Amb. with spec. mission to Gr. Brit., France, Italy and Spain; Min. to Argentina, Brazil, Chile, Uru. 15-18, to Ger. 20; Mex. Judge in Claims Comm. between Mex. and Italy 29-33; Mem. of PCA 36-; Chm., Mex. del. to LN 37-40; fmr. Chm. of Perm. Comm. on Agric. of ILO; Chm., Mex. del. to Third Conf. of Caribbean States; Prof. of Int. Law at Univ. of Mex.; founder of review of int. law and diplomacy, *Mundo Libre*, Dir. 40-45; Judge of ICJ 46-.

Fabrega, José Isaac (Pan.); b. 00, Panama; concerned with journalism for more than 20 years; Deputy in Natl. Legis. Asmb.; Min. of State for Ed. and For. Affairs; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 47-.

Fabregat, Enrique Rodriguez (Uru.); b. 98, San José; ed. at Univ. of Montevideo; fmr. Prof. of Hist. at Univ. of Montevideo; fmr. Deputy, later Vice-Pres. of House of Deputies; Min. of Ed. 29-32 (resigned); fmr. Prof. at Univ. of Rio de Janeiro, later Visiting Prof. at Univ. of Illinois, and Mills Coll. in Cal.; Perm. Rep. to UN 47-.

Faisal, Amir Ibn Abdul Aziz Al Saud (Sau. Arab.); b. 05, Riyadh; ed. in Riyadh; headed polit. missions to Europe in 19, 26 and 32; app. Viceroy of Hejaz 26; Min. of For. Affairs 34-; Chm. of Sau. Arab. del. to Palestine Confs. in London in 39 and 46, UNCIO 45, PC 45, 1st sess. GA 46, 1st spec. sess. GA, N.Y. 47, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48.

Faisal, Amir Ibn Abdul Aziz Al Saud (Sau. Arab.), Univ. of Cairo, Royal Univ. of Rome, Liverpool Univ. and Columbia Univ.; Vice-Consul in N.Y. and N. Orleans from 26 to 29; Consul in Kobe 29-36, Second Sec. in Athens 36-37; Consul-Gen. in Liverpool 37-39; Dir. of Nationalities Dept., Min. of For. Affairs 39-41; Consul-Gen. in Jerusalem 41-44; Chargé d'Affaires in Min. of For. Affairs 44-45; Min.-Counselor to Legation in Wash. 45-; Alt. Rep. SC 46, 2nd part of 1st sess. GA, N.Y. 46; Rep. 1st spec. sess. GA, N.Y. 47; Perm. Rep. to UN 46-; Chm. of Egyptian del. to 2nd spec. sess. GA, N.Y. 48.

Fay, Brig.-Gen. Pierre (France), b. 99, Dinan ed. at St. Cyr Mil. Coll., and Ecole Supérieure de Guerre; Mem. of Chasseurs Alpins in 1st World War; Mem. of French Mil. Mission to Brazil 32-35; fmr. Instructor at Ecole Supérieure de Guerre Africaine; Asst. C. of S. of French Air Force in Far East 39-40; Comdr. of Group in Tunisia with Allied Air Forces 42-43; Dir. of Mil. School in Morocco 43-44; Asst. to Chief of French Mission in Far East 45; Comdr. of French Air Forces in Indo-China 45; Air Rep. MSC 47-.

Federspiel, Per (Den.); b. 05, ed. Harrow School, England, and Copenhagen Univ.; Ph.D. in law (Copenhagen) 31; London Corr. Copenhagen newspaper *Dagens Nyheter* 31-32; atty.-at-law 33; counselor-at-law 37; Mem. of Resistance Movement, imprisoned by Gestapo during occupation, Min. for Spec. Affairs 45-; M.P. 47-; Rep. 1st sess. GA 46, 2nd sess. GA, N.Y. 47, Palestine Comm. 47-48.

Feio, Renato de Azevedo (Brazil), b. 05, Rio de Janeiro; ed. in civil eng. at Polytechnical School of Rio de Janeiro; began as student eng. in the Tech. Dept. of Cen. of Brazil Ry. 32, now Pres. of Ry.; at request of Brazilian Govt. submitted report on trans., distribution and utilization of Brazilian coal 38; designated to supervise the building in U.S.A. of locomotives and freight cars for Cen. of Brazil Ry 39; app. Mem. of Natl. Council of Mines and Metallurgy 40; Mem. of Natl. Comm. of Fuels and Lubricants 41; app. Gen.-Dir. of Cent. of Brazil Ry. 45, Production Dept. Supt. at Fabrica Nacional de Vagos S.A. 45-46, Rep. UN Trans. and Communications Comm. 47-.

Feller, Abraham Howard (U.S.A.); b. 04, N.Y., N.Y.; ed. at Columbia and Harvard Univs.; Research Fellow in Int. Law, Harvard Law School 29, Instructor in Int. Law 31-32, Thayer Teaching Fellow 32-34, Visiting Lecturer in Int. Law 37-38, Assoc., Inst. of For. Pub. Law and Int. Law 29-31; Spec. Asst. to Atty.-Gen. of U.S. 34-40; Counsel to Temp. Natl. Econ. Cttee. of U.S. Cong. 39-40; Assoc. Prof. of Law, Yale Univ. 40-44; Visiting Prof. of Law, Stanford

Univ. 47; Prof. of Int. Law, Ecole Libre des Hautes Etudes, N.Y. 48-; Consultant to Natl. Defence Mediation Bd. and Office of Lend-Lease Admin. 41; Deputy Dir. and Gen. Counsel, Office of War Inf. 42-44; Chief Drafting Officer of UNRRA Council sesss., Atlantic City 43, Montreal 44, London 45; Gen. Counsel, UNRRA 44-45; Rep. of UNRRA to ILO Conf. in Phila. 44, Int. Mon. Conf. 44, UNCIO 45; Alt. Rep. for U.S.A. PC of UN 45; Adviser to U.S. del. to 1st part of 1st sess. GA, London 46, Gen. Counsel and Dir., Legal Dept., UN Secre. 46-.

Ferguson, George Victor (Can.), b. 97, Cupar, Fife, Scotland; emigrated to Can. 04; ed. at Univ. of Alberta (Edmonton), and Oxf. Univ.; served with Can. Expeditionary Force 16-19; Mem. of Staff of Winnipeg Free Press 25-34, Managing Ed. 34-44, Exec. Ed. 44-46, Ed. of Montreal Daily Star 46-; Rep. UN Sub-Comm. on Freedom of Inf. and of Press 47-; Rapp. 47.

Ferrer-Vieyra, Enrique (Argentina), b. 17, Córdoba. ed. at Univs. of Córdoba and Cal.; Pres., Center of Philos. Studies, Univ. of Córdoba 41-42; Counselor of Embassy in Wash. 45-47, of Argentine del. to UN 48, present Counselor of Embassy to Org. of Amer. States in Wash.; Sec.-Gen., Argentine del. to 2nd part of 1st sess. GA, N.Y. 46, Rep. UN Cttee. for Progressive Devel. of Int. Law and its Cod. 47, Alt. Rep. IC 48; Sec.-Gen., Argentine del. to UN Conf. on Freedom of Inf. in Geneva 48, Alt. Rep. CCA 48.

Filho, Pedro Pernambuco (Brazil), b. 87, Natal, Rio Grande de Norte; ed. at Univ. of Brazil, Univ. of Vienna; spec. course in Neurology and Psychiatry in Salpêtrière and Pitié Hospitals in Paris; fmr. Prof. of Psychopathology, fmr. Mem. and First Vice-Pres. of Natl. Acad. of Med.; fmr. Rep. to Opium Conf. of LN; fmr. Mem. of Comm. to reorganize Braz. legis. on narcotics; fmr. Dir. of Ed. Research Center of Rio de Janeiro; fmr. Med. Supt. of Botofogo Sanitarium (for neuropsychiatry and toxicomanias); fmr. Dir. of the Service of Neuropsychiatry and Mental Hygiene of the Botofogo Polyclinic; present Mem. of Perm. Cen. Opium Bd.

Fischer, Hans (Swit.), dealt with questions relating to narcotic drugs for over 20 years; fmr. Asst. at the Inst. of Legal Med. of Zurich Univ.; app. Lecturer in 29 and Prof. of Pharmacology at Zurich Univ. 35; Rep. 9th Conf. of Int. Criminal Police Comm. (as Narcotics Expert) 32; for many years Expert of the Fed. Dept. of Pub. Health for the revision of the Federal Law on Narcotics; present Mem. of Perm. Cen. Opium Bd. and of (Drug) Supervisory Body.

Fletcher-Cooke, John (U.K.); b. 11; ed. at Malvern Coll., Univ. of Paris, Oxf.; Private Sec. to Perm. Under-Sec. of State for Colonies 37; Officer, Class V, Malayan Civil Service 37; Asst. Sec. to Govt. 38; attached for spec. duty to Dist. Office, Klang 39; Magistrate, Singapore 39; Sec., For. Exchange Control, Malaya 39, Dist. Officer, Cameron Highlands 40; commissioned as Intelligence Officer, R.A.F. 42, served in Malaya and Java; Prisoner of War in Java and Japan 42-45; Under-Sec. to Govt. of Palestine 46; Spec. Rep. of Govt. of Palestine to UNSCOP 47; Alt. Rep. TC 48, Rep. Spec. Cttee. to Examine Inf. under Article 73 c of UN Charter 48.

Fleury, Lorenzo Mendoza (Venez.), b. 97, Caracas; ed. in Caracas and at Sorbonne; Dr. of Polit. Sci. (Caracas) 19; app. Commercial Attaché of Legation in

Paris 27; Mem., Bd. of Dir. of Chamber of Com. of Caracas; Consul in Phila. 42-44; Alt. Perm. Rep. to UN. 48-.

Fong, Shan Kwei (China); b. 14, Chenghai, Chekiang Prov.; ed. at Natl. Chiaorung Univ. in Shanghai, and Harvard Univ.; Ph.D. (Harvard) 41; served in Econ., Fin. and Transit Dept., LN 41-46; Mem. of Conf. on Research in Income and Wealth, Natl. Bu. of Econ. Research, N. Y. 44-; Observer of LN to Inst. of Pac. Relations (9th Conf.), Hot Springs 45; Tech. Expert, Chinese del. to FAO Conf., Quebec 45, Tech. Assoc. to Chinese Rep., ECOSOC 46; Asst. Chief Controller, Cen. Trust of China 46-; Mem. and Sec., Eggs and Egg Products Sub-Cttee., Bd. for Devel. of Experts 47-; Asst.-Dir., Econ. Research Dept. 47-; Rep. UN Fiscal Comm. 47-; Asst. Sec.-Gen., Rediscount and Advance Cttee., Cen. Bank of China 48-.

Fontaina, Roberto (Uru.); Dir.-Gen. of broadcasting station "Radio Carve" CX16 in Montevideo 33-34, Chm. of Bd. of broadcasting network SADER (Sociedad Anónima Difusores Radio Eléctricas del Plata) CX16-CX24 and CX44 in Montevideo 34-40, Pres. of Authors Soc. of Uru. 34-41; co-author of Law of Authors Rights of Uru. 37, app. by Govt. of Uru. to Comm. in charge of re-writing the Law of Radio 38, Rep. ILO Conf. in Phila. 44, in Paris 45, Rep. 2nd part of 1st sess. GA, N.Y. 46; Counselor of Embassy in Wash. 46; Expert, Advisory Cttee. on UN Telecommunications 46-47, Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 47-.

Forsyth, William Douglass (Australia); b. 09, Casterton; ed. at Univs. of Melbourne and Oxf.; Extension Lecturer, Univ. of Melbourne 33-34 and 40-41; Rep., Int. Studies Conf., Paris 37 and Bergen 39, Rep., Br. Commonwealth Relations Conf., Lapstone (Australia) 38, in charge of operational and polit. inf., Dept. of Inf. 41-42; app. Research Officer, Dept. of Ext. Affairs 42; Mem. of Secre. for Australian NZ Conf. at Canberra and Adviser for Conf. at Wellington 44; Adviser at Dominion Talks in London and at UNCIO 45; Adviser for Far Eastern Advisory Comm. in Wash. and Rep. in Tokyo 45-46, First Sec., Head of Pacific Div., Dept. of Ext. Affairs 46-47, Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46, and 2nd sess. GA, N.Y. 47; Rep. 1st and 2nd sess. UN Pop. Comm. 47, Counselor, Embassy in Wash. and Australian Mission to UN 48; Rep. 2nd and 3rd sess. TC 48.

Foss, Einar P. (Den.); b. 93, Copenhagen, ed. in civil eng. in Copenhagen; RD.; employed by F. L. Smidth & Co., 20-45, Member of its Bd. of Dir., Chm. of Bd. of Dir. of A/S Faxe Kalkbrud (chalk quarries); Mem. of Bd. of Dir. of several other Companies; Mem. of Landsting (Upper House of Parl.) 43-; Rep. 2nd sess. GA, N.Y. 47.

Fournier, Ricardo (Costa Rica); b. 91, San José; ed. in law at Natl. Univ. of Costa Rica; fmr. Mayor, interim Judge and Deputy Magistrate at the High Ct. Sec. of Conf. of Cen. Amer. States, San José 20; Deputy 26-30; Min. of Pub. Ed. 30-31; Prof. of Law at Natl. Univ. 30-41; Legal Adviser in For. Office 42; Under-Sec. of State for For. Affairs; Vice-Chm., Costa Rican del. to 2nd part of 1st sess. GA, N.Y. 46, Chm. of Costa Rican del. to 2nd sess. GA, N.Y. 47; Rep. IC 48; Perm. Rep. to UN Jan.-Apr. 48.

Francisco, Vicente J. (Phil.); b. 91, Cavite; ed. in Phil. and at Columbia Univ.; admitted to Bar 14; Pub.

and Ed-in-Chief of only law journal in Phil.; founder of Francisco Law School in Manila, Dean 39; Mem. and Chm. of Judiciary Cttee. of Const. Conv. 34; Mem. of Cttee. of Lawyers who drafted civil and criminal rules of procedure 46; elected Sen. 46; Majority Floor Leader and Chm. of Rules and For. Relations Cttees. of Sen.; Rep. UN Palestine Comm. 47-48, 2nd spec. sesn. GA, N.Y. 48.

Freeman, Benjamin G. (Lib.); b. Careysburg; ed. in law at Lib. Coll.; fmr. Mem. of State Dept.; Mem. of Bar of Sup. Ct.; Col. in Militia; Mem. of House of Reps. 38-; present Speaker; Rep. Int. Rice Conf. in Baguio, Phil., 48; Chm., Lib. del. to 2nd spec. sesn. GA, N.Y. 48.

Frier, Julio Ortega (Dom. Rep.); b. 88, Santo Domingo; ed. at Santo Domingo Univ. and in U.S.A.; LL.D. (Santo Domingo); fmr. Sec. of Comm. of Ed.; Sec. of Jus. 36-37; Sec. of State for For. Relations 37-38; fmr. Rector of Santo Domingo Univ.; Pres., Asmb. to Revise Const. 41-42 and 46; Chm., Dom. del. to 3rd Inter-Am. Cong. of Caribbean; Amb. to U.S.A. 47-; Rep. 2nd sesn. GA, N.Y. 47; Amb. at Large 48-.

Frihagen, Anders (Nor.), b. 92, Vanylén; grad. in law at Oslo Univ.; attached to Min. of Fin. until 24; Inspector of Banks and Savings Banks 24-36; studied banking in different European countries in 28; Chief of Planning Div., Min. of Fin. 36; Managing Dir., Norwegian Industrial Bank, Oslo, 36 and 45-; Min. of Com. 39-42; Min. of Supply and Recon. 42-45; fmr. Rep. to Council of UNRRA; fmr. Vice-Pres., European Cttee. of UNRRA; Pres. of Council of UNRRA, Geneva 46, Chm., ECE 48.

Frisch, Hartvig (Den.), b. 93, Hillerd; ed. at Copenhagen Univ., Ph.D. 41; Magistrate 17; Asst. at Aarhus 18 and Metro. School of Copenhagen 23; Pres. of Studentersamfundet 23-25; Mem. of Rigsdag 26; Chm. of Social-Dem. Group 35-40; Prof. at Univ. of Copenhagen 41; Rep. to LN 36, Mem. of Const. Cttee. and of Defense Cttee. 46; Min. of Ed. 47; Rep. UNCIO 45, 1st sesn. GA 46, 2nd sesn. GA, N.Y. 47.

Frisch, Ragnar (Nor.); b. 95, Oslo; ed. at Oslo Univ., Ph.D. 26; Visiting Prof. at Yale Univ. 30, Lecturer at Sorbonne 31; Prof. of Econ. at Oslo Univ. 31-; founder of Econometric Soc. 31; Chief Publ. of *Econometrica* 33-; Dir. of Research, Econ. Inst. of Oslo Univ.; Mem. of Nor. Govt's Econ. and Fin. Council, Chm., UN Econ. and Employment Comm. 47; Rep. UN Sub-Comm. on Employment and Econ. Stability 47-.

G

Ganem, André (France); b. 91, Paris; ed. at Univ. of Paris; fmr. Prof. at several schools and Univs. in France, Sweden, Den.; Chief of For. Affairs Dept. of newspapers *Quotidien* and *Temps*; Corr. in Berlin 27-29; Corr. at Hague Confs. 29-30; Mem. of LN Secre. 31-40; Mem. of French del. to UNCIO 45, to 1st sesn. GA in London and N.Y. 46; Rep. UN Advisory Cttee. on Adm. and Budgetary Questions.

García Granados, Jorge (Guat.); b. 00, Guat. City; ed. in law and soc. sci. in France and at Univ. of Guat.; author; app. Sec. of Legation in El Sal. 20, Gr. Brit. 21; Mem. of Cong. 28-32; Prof. at Univ. of Guat. 29-34, Univ. of Mex. 39-43; Pres. of Const. Asmb. 44, of Cong. 45; app. Amb. to U.S.A. 45; Alt.

Rep. 2nd part of 1st sesn. of GA, N.Y. 46; Chm., Guat. del. to 1st spec. sesn. GA, N.Y. 47, and 2nd sesn. GA, N.Y. 47; Rep. UNSCOP 47; Chm., Guat. del. to 2nd spec. sesn. GA, N.Y. 48.

Garreau, Roger (France); b. 91, Dôle, Jura; ed. at Ecole Nationale des Langues Orientales Vivantes in Paris and Sorbonne; dipl. service successively in Bangkok, Peiping, Moscow, Indochina, Zagreb, Cairo, Hamburg, Lausanne and Zurich 13-40; app. Min. to Siam 40; del. of Provisional Govt. of Free France to Moscow 42-45; Amb. to Poland 45-; participated in Confs. concerned with settlement of Franco-Siamese question 27-31, for Franco-Chinese Treaty 32, for settlement of Franco-Turkish dispute over Alexandretta 38; Rep. TC 47-.

Garrod, Air Chief Marshal Sir Guy (U.K.); K.C.B., O.B.E., M.C., D.F.C.; b. 91, London; ed. at Oxf. Univ. and Royal Naval Coll. in Greenwich, entered Army 14, transferred to Flying Corps 15; received perm. comm. in R.A.F. at end of 1st World War; fmr. Instructor of R.A.F. Staff Coll.; app. to Command of R.A.F. Station, North Weald 27; app. Chief Instructor of Oxf. Univ. Air Squadron 28, posted to Iraq for air operations duties 31; Deputy Dir. of Org. and Dir. of Equipment, Air Min. 33-39, Air Mem. for Training on Air Council 40-43, later Deputy Air Officer C-in-C for India, then S.E. Asia; Acting Air C-in-C in S.E. Asia 44-45; Air Rep. MSC 46-48.

Gelissen, Henri Caspar Joseph Hubert (Neth.), b. 95, Venlo; ed. at Tech. Univ. in Delft, Imp. Inst. of London Univ., and Tech. Univ. of Charlottenburg, Ger.; Dr. of Tech. Sci. (Delft) 25; Lecturer at Tech. Univ. in Delft 17-20; Chief Eng. of Noury & V. D. Lande in Deventer 20-26; Dir. of Electrochemical Industry in Roermond 26-30; Prof. at Commercial Univ. in Tilburg 26-35; Dir. of Elec. Co. in Limburg 30-35 and 37; Pres. of Neth. Inst. of Electroheat and Electrochemistry 31; Min. of Econ. Affairs 35-37; Pres. of Neth. Chamber of Com. for Ger. 46, Rep. to Inter-Allied Reparation Agency in Brussels 46-; Rep. to London Patent Conf. 46, Rep. ECAFE 47-; ECOSOC 48.

Géraud, André (France); journalist, known under pseudonym of "Pertinax"; regular contributor to int. press; specialist in dipl. matters, author of several books of dipl. history; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 47-.

Gibbs, Air Vice-Marshal Gerald Ernest (U.K.); b. 96; served in 1st World War 14-18; served overseas with R.A.F. in Iraq, Palestine, Sudan and Kenya at various times between 1st and 2nd World Wars; Sr. Air Staff Officer of No. 11 Group, Fighter Command 40-41; Dir. of Overseas Operations, Air Min. 42-43; Sr. Air Staff Officer of 3rd Tactical Air Force in S.E. Asia 43-44; Sr. Air Staff Officer of R.A.F. in Burma 45; Sr. Air Staff Officer of R.A.F. Trans. Command since 46; Air Rep. to MSC 48-.

Gjesdal, Tor (Nor.); b. 09, Dyrvaag, Co. of Aust Agder; ed. at Kongsgaard Coll. in Stavanger and Univ. of Oslo; studied journalism in various European countries; joined daily *1ste Mai* as reporter 29, became, in addition, feature writer and roving corr. for Nor. Labour Press Syndicate 33; joined editorial staff of Oslo *Arbeiderbladet* 36, and became successively polit., war and for. corr.; Press Officer with Gen. Staff, Nor. Army 40; Press Attaché, Nor. Legation in Wash., D. C. 40-41; Head of Nor. Govt. Inf. Service 41-45; re-

joined *Arbeiderbladet* 45-46; Top-Ranking Dir., Dept. of Pub. Inf., UN Secre. 46-.

Gjores, Axel (Sweden); b. 89, Smedjebacken; ed. in econ. at Commercial Coll. in Stockholm, Co-operative Coll. in Manchester; Chief of Div. of Co-operative Fed., Stockholm 26-38; app. Dir.-Gen. of Bd. of Trade 38; Min. of Supply 41-47; Min. of Com. 47-48; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Glasheen, Terence Gilronan (Australia), b. 15; ed. at St. Ignatius' Coll. in Sydney, at St. John's Coll., and at Univs. of Oxf. and London; N.S.W. Rhodes Scholar for 38; app. on temporary duty in Dept. of Ext. Affairs 41; served in R.A.A.F. during 2nd World War; Sec. of Australian del. to PC 45, 1st sess. GA, London 46; fmr. Second Sec. in London Office of Dept. of Ext. Affairs; fmr. Asst. to Australian Rep. on SC's Balkan Comm.; Rep. UNSCOP 47.

Glass, David Victor (UK), b. 11, London, ed. at Univ. of London; Ph.D. 40, fmr. Reader in Demography at Univ. of London; app. Research Sec. of Pop. Investigating Cttee. 36; Mem. of Stat. Cttee., Mem. of Med. and Biological Cttees. and Dir. of Family Census of Royal Comm. on Pop.; Rep. Int. Conf. of Int. Union for Sci. Study of Pop. Probs. and Alt. Rep. LN Cttee. of Demographic Experts, Rapp. UN Pop. Comm. 47-.

Goldet, Antoine (France), b. 05 Paris, ed. at Ecole Normale Supérieure in Paris and Sorbonne, D. Sc. (Sorbonne); Bomber Navigator, French Squadron in U.K. 41-44; Deputy-Dir., Min. of Natl. Econ. 44, Chief of Econ. Dept., French Occupation Forces in Austria 45-47; Inspector-Gen. of Natl. Econ., Rouen and Paris 47-48; Top-Ranking Dir., Dept. of Econ. Affairs, UN Secre. 48-.

Gomes, Henrique de Souza (Brazil), b. 07, Rio de Janeiro; ed. at Univ. of Rio de Janeiro, fmr. Sec. of Embassies at Montevideo and Rome, Asst. Chief of Polit. and Dipl. Dept. of Min. of For. Relations 42-44; C. of S. to Min. of For. Relations 44-46; Sec.-Gen., Brazil del. to UNCIO 45, Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47, SC 47; Rep. Cttee. of Experts 47; Rep. HAC.

Gómez Robles, Julio (Guat.), b. 96, Guat. City, ed. at Instituto Nacional Central de Varones and at Univ. of Guat.; Jus. of the Peace, Guat. City 22-24; Judge, Lower Ct., Sacatepéquez 25; 6th Judge, Lower Ct., Guat. City 26; Sec. of Embassy in Mex. 27-31; app. Under-Sec. in Min. of For. Relations 29; Min. to Costa Rica 31-32; Pub. Prosecutor, 5th Chamber, Ct. of Appeals 33-34; Under-Sec., Min. of Fin. and Pub. Credit 34-; Prof. at Univ. of Guat. 38-; Rep. to Pan Amer. Conf. at Havana 40, to Food Conf. at Hot Springs 43; Chm. of Inst. of Social Security in Guat.; Rep. UN Conf. on Trade and Employment, Havana 47-48, UN 1st sess. ECLA, Santiago de Chile 48, First Vice-Pres.

González Fernández, Alberto (Colom.), b. 03, Bogotá; ed. at Columbia Univ., Nurnberg, and Dipl. and Consular Acad. in Vienna; app. Consul in Prague 27; app. Sec.-Gen. of Min. of For. Affairs 30 and again in 39, Sec. and Chargé d'Affaires in Wash. and Stockholm and subsequently Conselor to Embassy at the Vatican 34-39; Amb. to Ecua. 44, to Peru 45; Rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 43; Rep. 2n sess. GA, N.Y. 47; Alt. Rep. SC 47-; AEC 47-; CCA 47-; Rep. 2nd spec. sess. GA, N.Y. 48.

Goursat, Jean M. (France); b. 90, Naves (Corrèze), ed. at Ecole Polytechnique and Ecole des Mines in Paris, active service in both World Wars; service in Mines of the Ruhr 23-24; Chief, then Dir. of Service for Madagascar mines 24-28; Eng. at Lyon mines 28-30, Eng. for La Compagnie du Chemin de Fer du Nord 30-32, Asst. Chief of Works 32-33, Asst. Dir. of Works 33-34, Dir. of Works 34-38; Dir. of Movement for Société Nationale des Chemins de Fer Français 38-43, Dir. of S. E. region 43-44, Dir.-Gen. 44-46, Sec.-Gen. of Min. of Pub. Works and Trans. 44; Rep. UN Transport and Communications Comm. 47-.

Grady, Henry Francis (U.S.A.); b. 82, San Francisco, ed. at St. Mary's Univ. in Baltimore, Catholic Univ. in Wash., Columbia Univ. and Univ. of Cal.; Ph.D. (Columbia) 27, Com. Attaché, London, 19-20, The Hague 20, U.S. Trade Comm. to London and continental Europe 19-20, Act. Chief of Div., Bu. of For. and Domestic Com. 21, Lecturer, Georgetown Univ. 21, Univ. of Cal. 21-28, Dean of Coll. of Com. of Univ. of Cal. 28-37; Chief of Trade Agts. Div., Dept. of State 34-36, Vice-Chm. of U.S. Tariff Comm. 37-39; Asst. Sec. of State 39-41, Chm. of Exec. Cttee. on Com. Policy 39-; Pres. of Amer. President Lines 41-; Head of Amer. Tech. Mission to India 42, Vice-Pres. of Allied Control Comm. in Italy 43-44; Head of U.S. Sect., Allied Mission for Observing the Greek Elections 45-46, app. Amb. to India 47, to Nepal 48, to Greece 48, Rep. 3rd sess. ECAFE, Ootacamund 48.

Graeffe, Egbert (Belg.); b. 90, ed. in philos., lit. and classical philology; fmr. Mem. of Cttee. of War Archives Comm.; app. Legation Attaché 19; Second Sec. of Legation in Mex. 20-21, Acting Chargé d'Affaires 21-22, transferred to Wash. 22, to Cen. Admn. 23; app. Sec. 1st class of Legation in Paris 23, Counselor 30, fmr. Counselor of Legation in Peiping and Acting Chargé d'Affaires 31-33; transferred to Cen. Admn. 33, to Berlin 34; acting Chargé d'Affaires in Berlin 35-36, app. Min., 2nd class, in Teheran 36, accredited also to Afghan. 37 and Iraq 38; Amb. to The Hague 48-; Rep. UNCIP 48.

Grafstrom, Sven H. (Sweden); b. 02, Stockholm, ed. in law and econ. at Univ. of Stockholm; entered dipl. service in 28, and served in Oslo, London, Moscow, Teheran, Ankara, Warsaw respy. 28-36, Chief of Sect. in For. Office, Stockholm 41, Chief of Polit. Div. 45; app. Perm. Rep. to UN 48.

Graham, Frank Porter (U.S.A.); b. 86, Fayetteville, N. Carolina; ed. at Univ. of N. Carolina, Columbia Univ., Univ. of Chicago, Brookings Inst., Univ. of London; A.M. (Columbia Univ.) 15, app. Prof. of Hist. at Univ. of N. Carolina 15; Lieut., U.S. Marines during 1st World War; Pres., Univ. of N. Carolina 30-; fmr. Vice-Chm. of Natl. Consumers Advisory Bd.; fmr. Chm. of Natl. Advisory Council on Soc. Security, Mem. of Natl. Emergency Council; Chm. of Industries Cttee. of Amer. Rys.; N. Carolina Mem. on Natl. Defense Mediation Bd. 41-42; Pub. Mem. on Natl. War Labor Bd. 42; Rep. SC Cttee. of Good Offices in Indonesia 47-48.

Greenfield, Sir Harry (U.K.); b. 98; ed. at King Edward's School in Stourbridge, active service in 1st World War (Berkshire Yeomanry and Tank Corps) 16-19; Indian Imp. Police 19-27; Imp. Customs Service 27-36; Collector of Salt Revenue, Land Customs and Outposts, Madras 36-38, Dir. of Inspection, Customs

and Cen. Excises 39; Mem. of Cen. Bd. of Revenue 43; present Rep. Perm. Cen. Opium Bd.

Grez, Alfonso (Chile); Certified Pub. Accountant with many years experience in the export business; fmr. Prof. of Business Admin. and Econ. at Instituto Superior de Comercio; present Consul-Gen. in N.Y.; Rep. UN Transport and Communications Comm. 47-.

Gromyko, Andrei A. (U.S.S.R.); b. 09, Gromyky near Gomel; ed. at Inst. of Econ., and Post-Graduate School in Moscow; Prof. of Econ. at Acad. of Sciences, Moscow 37-39; fmr. Chief of Amer. Div. of Min. of For. Affairs; Counselor to Embassy, Wash. 39-43; Amb. to U.S.A. and Min. to Cuba 43-46; Deputy Min. of For. Affairs 46-; Chm. of U.S.S.R. del. to Dumbarton Oaks Conf. 44; Acting Chm. of U.S.S.R. del. to UNCIO 45; Rep. Exec. Cttee. of PC 45, PC 45; Perm. Rep. to UN 46-48.

Gross, Gerald Connop (U.S.A.); b. 03, N.Y.; ed. at Haverford Coll. in Penn; Communication Eng., U.S. Bu. of Standards 26-28; Asst. Chief Eng., Engineering Div. of Fed. Radio Comm. and Fed. Communications Comm. 28-45; Sec. of Interdepartment Radio Advisory Cttee. in Wash.; participated in numerous int. tech. confs., among them: Wash. Radioteleg. Conf. 27; Int. Aeronautical Conf. in Wash 28, European Radio Conf. in Prague 29; Int. Telecommunication Conf. in Madrid 32, in Cairo 38, in Atlantic City 47; Inter-Amer. Tech. Aviation Conf. in Lima 37; Inter-Amer. Radio Confs. in Havana 37, in Santiago de Chile 40; and Preliminary Five Power Conf. in Moscow 46, Asst. Sec-Gen. of ITU.

Gudmundsson, Jonas (Ice.); b. 98, Ice; ed. as teacher, M.P. 34-37; app. Mem. of Bd. of Govs. of Natl. Bank of Ice. 38, app. Perm. Sec. of Ice. Min. of Social Affairs 40; Rep. 2nd sesn. ECE 47.

Guerrero, José Gustavo (El Sal.); b. 76, San Sal; ed. at Univ. of El Sal. and Guat.; LL.D.; Min. to France, Italy and Spain 12-30, fmr. Min. of For. Affairs, Jus. and Ed.; Chm. of El Sal. dels. to LN Asmsb. 20-30, Vice-Pres. of Conf. for Control of Int. Trade in Arms, Munitions and Implements of War, Geneva 25; Rep. LN Council 27, Sixth Int. Conf. of Amer. States, Havana 38; Pres. of Xth LN Asmb. 29; fmr. Mem. of LN Cttee. on Cod. of Int. Law; Rep. Conf. on Cod. of Int. Law, The Hague 30, Pres. of Arbitral Tribunals for settlement of various disputes; elected Judge of Perm. Ct. of Int. Jus. 30, Vice-Pres. 31-36, Pres. 37-46; Vice-Pres. of Int. Dipl. Acad. in Paris; Chm. of El Sal. del. to 1st part of 1st sesn. GA, London 46; Pres. ICJ 46-.

Guimaraes, José Nunez (Brazil); b. 97, Rio de Janeiro; received Univ. degree in civil eng.; Prof. of Int. Trade in Fac. of Econ. in Rio de Janeiro; Tech. Adviser to Min. of Fin.; Organizer of Econ. Research Bu. of Banco do Brasil; Organizer of Econ. Research Bu. of the Export and Import Bu. of Banco do Brasil; Rep. to Int. Trade Conf. in London 46; Rep. UN Econ. and Employment Comm. 47-.

Gutiérrez R., Francisco de Paula (Costa Rica); b. 80, San José; ed. in econ. sci. at Columbia Univ.; twice elected to Cong.; Vice-Pres. of Chamber of Deputies 32-34; Sec. of Treas. 37-39, 43-44; app. Sec. of State for Industrial Devel. 43; Chm., Costa Rican del. to Mon. Conf. at Bretton Woods and UNRRA Conf. in Atlantic City; Amb. to U.S.A. 41-48; Rep. UNCIO 45, Chm., Costa Rican del. to 2nd part of 1st sesn. GA, N.Y. 46, 1st spec. sesn. GA 47; Vice Chm., Costa Rican del. to 2nd sesn. GA, N.Y. 47.

Gutt, Camille (Belg.); b. 84, Brussels; ed. at Brussels Univ.; LL.D. 06; barrister and journalist 06; active service in 1st World War 14-16; Sec-Gen. of Belg. Purchasing Comm., London 16; Sec-Gen. of Belg. del. to Reparations Comm. 19; First Sec. to Min. of Fin. 20; Asst. Rep. on Reparations Comm. 24; Under-Sec. to Sec. of Treas. 26; Belg. Mem. of Young Cttee. 29; Min. of Fin. 34-35 and 39-45; besides holding portfolio of Min. of Fin. in London, also held portfolios of Econ. Affairs 40-45, of Natl. Defense 40-42, of Communications 40-42; originator, with Johannes van den Broeck (Neth. Min. of Fin.), of Scheme for Benelux; Chm. Belg. del. to Bretton Woods Conf. 44, to Savannah Conf. 46; Managing-Dir. and Chm. of Exec. Bd. of Int. Mon. Fund 46-.

H

Hackworth, Green Haywood (USA), b. 83, Pres-tonburg, Kentucky; ed. at Valparaiso Univ., Georgetown Univ., Georgetown Univ. Law School and George Wash. Univ.; LL.D.; Atty., Dept. of State 16-18, Asst. Solicitor, Dept. of State 18-25, Solicitor 25-31; Legal Adviser, Dept. of State 31-46; Rep. of U.S. Govt. before Int. Joint Comm. formed by U.S.A. and Can. 23-46; Rep. to various int. confs.; Mem. of PCA, The Hague 37; Adviser at 2nd Meeting of Mins. of For. Affairs of Amer. Republics, Havana 40, Dumbarton Oaks Conf. 44; Inter-Amer. Conf. on Probs. of War and Peace, Mex. 45, UNCIO 45, and 1st part of 1st sesn. GA, London 46; Chm. of UN Cttee. of Jurists, Wash. 45; Judge of ICJ 46-.

Hägglof, Gunnar (Sweden), b. 04, Helsingborg, ed. at Univ. of Upsala, special studies in Berlin and Geneva; entered dipl. service in 26 and served in Paris, London, Moscow and Teheran resp. 26-32; Sec. of Swedish del. to LN Disarmament Confs. in Geneva 32-34, app. Min. without Portfolio 39; app. Min. to Belg. and Neth. 43; app. Min. to Moscow 46, Perm. Rep. to UN 47-48; app. Amb. to U.K. 48.

Hakim, Georges (Leb.); b. Tripoli, ed. at Amer. Univ. of Beirut and Ecole Française de Droit in Beirut; Instructor in Econ. at Amer. Univ. of Beirut 34-43, Adjunct Prof. in Econ. 43-46; Counselor of Legation in Wash. 46-; Rep. 2nd part of 1st sesn. GA, N.Y. 46, Alt. Rep. ECOSOC; Rep. UN Fiscal Comm. 47-.

Hall, Robert Lowe (UK); b. 01, Tenterfield, N.S.W., Australia; ed. at Univ. of Queensland and Oxf.; app. Teaching Fellow and Tutor in Econ. at Trinity Coll., Oxf. 27; with Min. of Supply in England 39-42 and 44-46; app. Mem. of Br. Raw Materials Mission to Wash. 42; Adviser to U.K. del. to 1st UNRRA Conf. 43, to UN Conf. on Food and Agric. at Hot Springs, Virginia 43, at Copenhagen 46, Mem. of U.K. del. to Prep. Conf. of Int. Trade Org. in London 46; Rep. Int. Rubber Study Group and Wool and Tin Confs. 46; Rep. UN Econ. and Employment Comm. 47-.

Hambro, Carl Joachim (Nor.); b. 85, Bergen, ed. at Univ. of Oslo; Ed. of Oslo daily *Morgenbladet* 13-21; Mem. of Storting 19-; Pres. of Odelslag of Nor. Parl. 26-; Mem. of Nor. del. to LN Asmb. 26-46; Mem. of Supervisory Cttee. of LN 26-46, Chm. 37-46; Pres. of LN Asmb. 39; Rep. 1st sesn. GA 46, 2nd sesn. GA, N.Y. 47.

Hambro, Edvard (Nor.), b. 11, Oslo; ed. at Vesterheim School in Oslo, Oslo Univ., Geneva Univ., and Yale; temp. collaborator with LN Secre. 33; Sec-Gen. of World Lea. of Norsemen; First Sec., Royal Nor. Min. of For. Affairs, London and Oslo 43-45; Assoc.

Chief of Legal Sect., UN Prep. Comm 45, Chief 45; Registrar, ICJ 46-.

Hamid Ali, Begum Shareefah (India), b. 83; worked in Sind Prov. for Women's Welfare (ed., social and med.) 08-25; helped organize Muslim Women's Ed. Conf. in Poona, and started hospitals for women and classes in midwifery 25-32; organized All-India Women's Conf. 26, Mem. 26-; app. Chm. of its Standing Cttee. 28, Organizing Sec. and Treas. 29-32, Pres. 40-41; Rep. to Round Table Conf., London 33; Chm. of Indian del. to World Conf. of Women, Istanbul 35; Rep. UN Comm. on Status of Women 47-.

Harmon, Lieut.-Gen. Hubert Reilly (U.S.A.), b. 92, Chester, Penn.; ed at U.S. Mil. Acad., B. S. 15, Second Lieut. in Army Air Corps 15; grad. from Air Service Eng. School 25, from Air Corps Tactical School 33, from Command and Gen. Staff School 35, and from War Coll. 38, Asst. Mil. Attaché for Air in London 27-29; Tactical Officer at West Point 29-32, Commanding Officer, 19th Bombardment Group 36-37; Mem. of War Dept. Gen Staff 38-40; Commanding Officer, Air Corps Advanced Flying School 40-41; Commanding Gen., Gulf Coast Air Forces Training Center 41-42, of 6th Air Force 42-43, of 13th Air Force (S. Pac. Area) 44; fmr. Commanding Gen., Caribbean Air Command, Asst. Chief of Air Staff, Personnel Hdqrs., 45, Air Rep MSC 47-.

Harriman, William Averill (U.S.A.); b. 91, ed at Yale Univ., B.A. 13; Vice-Pres. of Purchases and Supplies, Union Pacific Ry. 15-17, Chm. of Bd. 32-46; Chm. of Bd., Merchant Shipbuilding Corp 17-25; W. A. Harriman & Co. 20-31, Partner, Brown Brothers, Harriman & Co. 31-46, limited partner since 46; Chm. of Exec. Cttee., Illinois Central Ry. 31-42; Admn. Div. II, N.R.A. 34, Admn. Officer N.R.A. 34-35, Mem. of Business Advertising Council for Dept. of Com. since 33, Chm. 37-40, Chief of Materials Branch, Production Div., Office of Production Management 41; Spec. Rep. of Pres. of U.S.A. in Gr. Brit. with rank of Min 41, to U.S.S.R. (Chm. of Mission) with rank of Amb. 41; app. Rep. in London of Combined Shipping Adjustment Bd. 42; Amb. to Russia 43-46, to Gr. Brit. 46, Sec. of Com. 46-48, U.S. Spec. Rep. in Europe, ECA 48-; Rep. to ECE 48-.

Harrod, R. F. (U.K.); Economist in Stat. Office of Prime Min. during 2nd World War; writer on int. econ., the trade cycle, and econ. stability; present Joint Ed. of *Econ. Journal*; Rep. UN Sub-Comm. on Employment and Econ. Stability 47-.

Hassan, Major Ibne (Pak.); b. 10, United Provinces, India; ed. at Univ. of Lucknow in India; Commissioned from Royal Mil. Coll. 30, served in Indian Army to 36; selected for Indian Polit. Service; served in N.W. Frontier Province and Ext. Affairs Dept., Govt. of India to 45; Chargé d'Affaires, Indian Embassy in China 46-47, Pak. Embassy in Burma 48; present Sec., N.W. Frontier Province Govt.; Alt. Rep. 1st sess. ECAFE, Shanghai 47; Rep. 2nd sess. ECAFE, Baguio 47.

Hauck, Henri (France); b. Neuilly-sur-Seine; ed. at Lycée Lakanal in Paris and Univ. Coll. of Wales; Asst. Dir. of Pedagogical Museum in Paris 29-39; Prof. at Br. Inst. of Univ. of Paris 36-39; app. Labor Attaché to Embassy in London 40, Dir. of Labor, French Natl. Cttee. in London 40-43; Dir., Commissariat of Social Affairs in Algiers 43-44; Dir. in Min. of Labor 44-; Mem. of Bd. of Dir. of ILO and Pres. of its Industrial Cttee. of Inland Transport; Rep. Int. Labor Confs. in

N.Y. 41, in Paris 45, in Montreal 46, Rep. UNCTAD 45, Asmb. for liquidation of LN in Geneva 46, 1st sess. GA 46; Pres. of UN Nuclear Social Comm. 46, Rep. UN Social Comm. 47-; Rapp. 1st sess. 47.

Hauser, Philip Morris (U.S.A.); b. 09, Chicago; ed. at Univ. of Chicago; Ph.D. 38; Instructor of Sociology at Univ. of Chicago 32-37, Chief of Labor Inventory Sect., FERA and WPA 35-37; Asst. to Dir., Study of Social Aspects of Depression, Social Science Research Council 37; Asst. Chief Stat., Natl. Unemployment Census 37-38; Asst. Chief Stat. for Pop., Bu. of Census 38-42, Asst. Dir. 42- (on leave of absence 48, to Univ. of Chicago); Asst. to Sec. of Dept. of Com.; Mem. of Social Sci. Research Council; Rep. UN Pop. Comm. 46-.

Hawtree, Ralph George (U.K.); b. 79, ed. at Eton and Trinity Coll., Cambridge, and Harvard Univ.; entered Civil Service 03 and after few months in the Admiralty was transferred to Treas.; served in Treas. until retirement in 45, having been Dir. of Fin. Inquiries since 19; Vice-Pres., Royal Stat. Soc. 29-31 and 35-37, elected Pres., Royal Econ. Soc. 46; Rep. UN Fiscal Comm. 47-.

Helmore, James Reginald Carroll (U.K.); b. 06, ed. at St. Paul's School and New Coll.; entered Bd. of Trade 29, Private Sec. to Pres. 34-37, Under-Sec. 46; Joint Second Sec., Bd. of Trade 46-47, Second Sec. 47-; present Rep. UN Interim Co-ordinating Cttee. for Int. Commodity Agts.

Henriquez-Ureña, Max (Dom. Rep.); b. 85, Santo Domingo; ed. at Univ. of Havana; LL.D. 12, Dr. of Philos. and Letters 15, fmr. journalist, lawyer, and prof.; Sec. to Pres. of Rep. 16; Supt. of Pub. Ed. 31; Sec. of State 31-33; Perm. Rep. to LN 35-40; Rep. on LN Council 38-41; Min. to Argentina, U.K., Portugal, Mex. and Cuba, and Amb. to Brazil and Argentina resp. 34-45; Chm., Dom. Rep. del. to 1st spec. sess. GA 47, Perm. Rep. to UN 46-.

Herremans, Raymond (Belg.); b. 98, ed. in commercial eng., commercial and consular sci.; app. Consular Attaché in Gen. Admn. 29, in Batavia 29, in Shanghai 31, in Tokyo 32, in Riga 33, in Rio de Janeiro 36, in charge of Consulate Gen. in Batavia 30, Hankow 31; attached to Gen. Admn. 33-36, 38-47, Acting Chargé d'Affaires at Riga 33, Vice-Consul 33; fmr. Mem. of Spec. Dipl. Mission to Pres. of Chinese Rep.; Acting Chargé d'Affaires at Rio de Janeiro 37-38, Min. 47; Rep. UN Cttee. of Good Offices in Indonesia 47-.

Hesselberg, Hans Theodor (Nor.); b. 85, Lierne, ed. at Univ. of Oslo, D.Ph. 13; Asst. to Prof. V. Bjerknes 08-15; Dir. of Nor. Meteorological Inst. in Oslo 15-; Mem. of Int. Meteorological Cttee. 19-; Sec. 23-29, Mem. of Exec. Council 31-; Pres. 35-46, Vice-Pres. 46-.

Hewitt, Adm. Henry Kent (U.S.A.); b. 87, Hackensack, N.J.; ed. at U.S. Naval Acad., B.S. 07; Naval Coll. 28-29; commissioned Adm. 45; Instr., U.S. Naval Acad. 13-16 and 19-21; Naval War Coll. Staff 29-31; Head, Dept. of Math., U.S. Naval Acad. 33-36; served afloat in various capacities; Comdr. of cruisers in Atlantic Fleet 41, of Amphibious Force of Atlantic Fleet 42, of U.S. Eighth Fleet (U.S. Naval Forces in N.W. Africa) 43, of U.S. Twelfth Fleet (U.S. Naval Forces in Europe) 45-46; Naval Rep. MSC 47-.

Heykal Pasha, Mohamed Hussein (Egypt); b. 88, Kafr Ghannam; ed. Univ. of Cairo and Paris; LL.D. (Paris); fmr. practising lawyer and Prof. of Pub. Law,



BRAZIL



BURMA



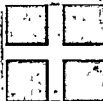
COSTA RICA



CUBA



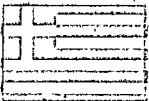
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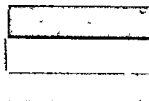
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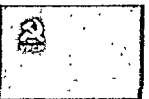
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UKRAINIAN S. S. R.



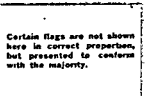
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UNION OF SOVIET
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YUGOSLAVIA



Certain flags are not shown
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but presented to conform
with the majority.

Univ. of Egypt; fmr. Chief Ed. of daily newspaper *Asyasya* and several times Min. of Ed.; Pres. of Liberal Const. Party; Pres. of Sen.; Chm., Egyptian del. to 2nd part of 1st sess. GA, N.Y. 46, and to 2nd sess. GA, N.Y. 47.

Heywot, Zaudie Gabre (Eth.); b. 12, Holota, Eth.; ed. at Menelik II School, Addis Ababa; Comptroller, Addis Ababa Customs 30-31; Asst. Officer, Asaba-Tafari 31-34; Asst. Headmaster, Jigjigga Ras Makonnen School 34-35; Headmaster of Eth. Refugee School in Manjaseh, Br. Somaliland 36-40; took part in Liberation Campaign 40-41; Sec.-Gen., Governorate, Addis Ababa 41-42; Sec.-Gen. and Dir.-Gen. of Harar Prov. 42-43; Gov. of Chercher Prov. 44; Sec.-Gen. of Prime Min.'s Office 44-45; First Sec. of Eth. Legation in London 45-46; Chargé d'Affaires in Stockholm 46-47; Dir.-Gen., Min. of For. Affairs 47-; Rep. 2nd sess. GA, N.Y. 47.

Hill, Martin (U.K.); b. 05, Cork, Ireland; ed. at Oriel Coll., Oxf., London School of Econ. and Univ. of Vienna (Rockefeller Fellowship 32-33); entered LN Secre. 27, Econ. and Fin. Sect. 27-34, Polit. Sect. 34-39, Econ., Fin. and Transit Dept. 39-45; Sec. to "Bruce Ctee." 39; Sec. to Econ. and Fin. Ctees. 42-45; Asst. to Sec.-Gen. 45-46; Spec. Adviser to Exec. Sec., UNCTAD 45; Chief, Adm. and Budgetary Sect., PC of UN 45; Spec. Adviser to Sec.-Gen. of UN 46-48; Deputy Exec. Asst. to Sec.-Gen. and Dir. of Co-ordination for Specialized Agencies and Econ. and Social Matters, UN Secre. 48-.

Hirschfeld, H. M. (Neth.); b. 09, Bremen; ed. at Rotterdam School of Econ.; Ec. D.; Employee of Rotterdamse Bank, Rotterdam and Amsterdam 20-25; Chief of Econ. Div. of Javansche Bank, Batavia 25-31; Dir.-Gen. of Trade and Industry, Min. of Econ. Affairs, The Hague 31-40, Mem. of LN Econ. Ctee. 33-39; Sec.-Gen., Min. of Trade, Industry and Shipping, The Hague 40-47; Govt. Comt., Min. of For. Affairs 47-; Rep. 2nd sess. ECE 47; Chm. of Neth. del. to Council of Econ. Union (Benelux) 48.

Hkio, Sso Hkum (Burma); b. 12, Mongmit; ed. at Govt. High School in Maymyo, Framlingham Coll. and Magdalen Coll., Cambridge; Sawbwa 37-; elected to Const. Asmb. 47; Counselor for Frontier Areas 47-48; Min. for Shan State and Head of Shan State Govt. 48-; Chm. of Burma del. to 3rd sess. ECAFE, Ootacamund 48.

Ho, Franklin L. (China); Prof. of Fin. and Stat. at Nankai Univ.; Dir. of Inst. of Econ., Nankai Univ. 30; Mem. of Ctee. of China Inst. of Pac. Relations, on Gen. Bd. 43; Adm. Vice-Min. of Econ. Affairs, Adviser of *Kin Cheng Banking Corp.*; Rep., 1st and 2nd sess. of UN Pop. Comm. N.Y. 47, Second Vice-Chm. of 3rd sess., N.Y. 48.

Ho Ying-chin, Gen. of the Army (China); b. 90, Hsing-I, Kweichow, ed. at Kweichow Mil. Primary School, Wuchang Mil. Acad., and Japanese Imp. Mil. Acad.; Chief Instructor, Whangpoa Mil. Acad. 24; C-in-C, Eastern Route Northern Expedition 25-27; Min. of War 30-44; C. of S. 38-44, C-in-C, Chinese Army in China Theatre 44-46, Army Rep. MSC 46-.

Hodgson, Lt.-Col. William Roy (Australia), OBE; b. 92, Kingston, Victoria; ed. at School of Mines in Ballarat, Royal Mil. Coll. in Duntroon and Melbourne Univ.; attached to Gen. Staff Army Hdqrs., Melbourne 21-34; Sec. of Dept. of Ext. Affairs 35-45; High Comm. in Ottawa 44; app. Min. to France 45, later, Amb.; Rep.

1st part of 1st sess. GA, London 46, SC 46, AEC 47, CCA 47, 1st spec. sess. GA 47, 2nd sess. GA, N.Y. 47, UN Comm. on Human Rights 47; UNSCOB 47-.

Holguin de Laval, Carlos (Peru); b. 92, Lima; fmr. Attaché, Second Sec. and Chargé d'Affaires of Legation in Colomb.; Sec. of Peruvian del. to Tacna-Arica Arbitration between 25 and 33; fmr. First Sec. at Legation in London; fmr. Dipl. Counselor for Leticia Conf. in Rio de Janeiro; fmr. Counselor and Chargé d'Affaires in London; Chargé d'Affaires in China and Japan 36-37; Min. to Venez. 38-40, fmr. Min. and, later, Amb. to Bol., Min. to Spain and to Portugal, and Amb. to Chile resp.; Perm. Rep. to UN 46-.

Hoo, Victor Chi-Tsai (China); b. 94, Wash., D.C.; ed. in Paris; Dr. of Law and Polit. Sci., Asst. Sec. to Chinese del. to Paris Peace Conf. 18-19, Mem. of Perm. Chinese del. to LN 19-21; Chargé d'Affaires in Berlin 22-24; subsequently served in various capacities in Chinese For. Office; Chargé d'Affaires in Swit. 32, Min. 33-42, at same time Dir. of Perm. Office of Chinese del. to LN in Geneva; Vice-Min. of For. Affairs 42-45; Mem. of Chinese del. to Bretton Woods and Dumbarton Oaks Confs. 44, UNCTAD 45; Alt. Rep. to Exec. Ctee. of PC, PC 45, 1st part of 1st sess. GA, London 46; UN Asst. Sec.-Gen. in charge of Dept. of Trusteeship and Inf. from Non-Self-Governing Territories 46-.

Hood, John D. L. (Australia); b. 04, Adelaide; ed. at Univ. of Tasmania and Oxf. Univ.; Mem. of editorial staff, London *Times* 29-36; Asst. Ext. Affairs Officer in London 36-39, subsequently head of Polit. Sect. of Dept. of Ext. Affairs in Canberra; Acting Sec. of Dept. of Ext. Affairs 44-45; app. Chargé d'Affaires at The Hague 45; app. Polit. Officer of Australian Mil. Mission in Berlin 45; Mem. of Australian del. to Council of For. Min., London 45, Special Ctee. of ECOSOC on Refugees 46, and Paris Conf. 46; Rep. on Comm. of Inquiry in the Balkans and UNSCOP 47; Rep. 1st spec. sess. GA 47, 2nd sess. GA, N.Y. 47; Min. in charge of Australian Mission to UN 47-.

Houdek, Vladimir (Czech.); b. 12, Ruzomberok; ed. at Law Fac. in Bratislava; mem. of legal dept. of cotton firm in Manchester 37-38; participated in underground movement 39-45; Chief of For. Dept. of Slovak Natl. Council and liaison for Br. and Amer. Mil. Missions during Slovak natl. uprising 44; Pres. Benes' Polit. Sec. on Slovak matters 44-45; app. Mem. of Embassy at Wash. 47; Perm. Rep. to UN 48-.

Howe, Clarence Decatur (Can.), b. 86, Waltham, Mass.; ed. at Mass. Inst. of Tech.; Mem. of Staff of Mass. Inst. of Tech. 07-08; Prof. of Civil Eng., Dalhousie Univ. 08-13, Chief Eng., Bd. of Grain Comrs. for Can., Fort William 13-16, formed firm of C. D. Howe & Co., Consulting Engineers, Port Arthur, Ont. 16; app. Min. of Rys. and Canals and Min. of Marine 35, app. Min. of Trans. 36; app. Min. of Munitions and Supply 40; app. Can. Rep. to Combined Production and Resources Bd. (U.K., U.S.A., and Can.) 42, app. Min. of Recon. 44; app. Min. of Recon. and Supply 46, app. Min. of Trade and Com. 48, present Rep. HAC.

Hozar, Faik (Tur.); b. 98, Istanbul, ed. at Ecole des Sciences Politiques in Paris, entered dipl. service 26; Sec. to Tur. del. to Int. Econ. Conf., Geneva 27; Second Sec., Legation in Berne 28-30, Embassy in Paris 30-33; returned to Min. of For. Affairs 33-35; First Sec., Legation in Bucharest 35, in Sofia 35-38; app. Dir. of 3rd Sect. of 1st Polit. Dept., Ankara 38; Mem. of Tur. del.

Univ. of Egypt; fmr. Chief Ed. of daily newspaper *Asyassa* and several times Min. of Ed.; Pres. of Liberal Const. Party; Pres. of Sen.; Chm., Egyptian del. to 2nd part of 1st sesn. GA, N.Y. 46, and to 2nd sesn. GA, N.Y. 47.

Heywot, Zaudie Gabre (Eth.); b. 12, Holota, Eth.; ed. at Menelik II School, Addis Ababa; Comptroller, Addis Ababa Customs 30-31; Asst. Officer, Asba-Tafari 31-34; Asst. Headmaster, Jigjiga Ras Makonnen School 34-35; Headmaster of Eth. Refugee School in Manjaseh, Br. Somaliland 36-40, took part in Liberation Campaign 40-41; Sec.-Gen., Governorate, Addis Ababa 41-42; Sec.-Gen. and Dir.-Gen. of Harar Prov. 42-43; Gov. of Chercher Prov. 44; Sec.-Gen. of Prime Min.'s Office 44-45; First Sec. of Eth. Legation in London 45-46; Chargé d'Affaires in Stockholm 46-47; Dir.-Gen., Min. of For. Affairs 47-; Rep. 2nd sesn. GA, N.Y. 47.

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Hirschfeld, H. M. (Neth.); b. 99, Bremen; ed. at Rotterdam School of Econ.; Ec. D.; Employee of Rotterdamsche Bank, Rotterdam and Amsterdam 20-25, Chief of Econ. Div. of Javansche Bank, Batavia 25-31, Dir.-Gen. of Trade and Industry, Min. of Econ. Affairs, The Hague 31-40; Mem. of LN Econ. Cttee. 33-39; Sec.-Gen., Min. of Trade, Industry and Shipping, The Hague 40-47; Govt. Comr., Min. of For. Affairs 47-; Rep. 2nd sesn. ECE 47; Chm. of Neth. del. to Council of Econ. Union (Benelux) 48.

Hkio, Sao Hkum (Burma); b. 12, Mongmit; ed. at Govt. High School in Maymyo, Framlingham Coll. and Magdalen Coll., Cambridge, Sawbwa 37-; elected to Const. Asmb. 47; Counselor for Frontier Areas 47-48; Min. for Shan State and Head of Shan State Govt. 48-; Chm. of Burma del. to 3rd sesn. ECAFE, Ootacamund 48.

Ho, Franklin L. (China); Prof. of Fin. and Stat. at Nankai Univ.; Dir. of Inst. of Econ., Nankai Univ. 30, Mem. of Cttee. of China Inst. of Pac. Relations, on Cen. Bd. 43; Admn. Vice-Min. of Econ. Affairs, Adviser of Kin Cheng Banking Corp.; Rep., 1st and 2nd sesns. of UN Pop. Comm. N.Y. 47, Second Vice Chm. of 3rd sesn., N.Y. 48.

Ho Ying-chin, Gen. of the Army (China); b. 90, Hsing-I, Kweichow; ed. at Kweichow Mil. Primary School, Wuchang Mil. Acad., and Japanese Imp. Mil. Acad.; Chief Instructor, Whangpoo Mil. Acad. 24; C-in-C, Eastern Route Northern Expedition 25-27; Min. of War 30-44; C. of S. 38-44, C-in-C, Chinese Army in China Theatre 44-46; Army Rep. MSC 46-.

Hodgson, Lt.-Col. William Roy (Australia); O.B.E.; b. 92, Kingston, Victoria; ed. at School of Mines in Ballarat, Royal Mil. Coll. in Duntroon and Melbourne Univ.; attached to Gen. Staff Army Hdqrs., Melbourne 21-34; Sec. of Dept. of Ext. Affairs 35-45; High Comm. in Ottawa 44; app. Min. to France 45, later, Amb.; Rep.

1st part of 1st sesn. GA, London 46, SC 46, AEC 47, CCA 47, 1st spec. sesn. GA 47, 2nd sesn. GA, N.Y. 47, UN Comm. on Human Rights 47; UNSCOB 47-.

Holguin de Laval, Carlos (Peru); b. 92, Lima; fmr. Attaché, Second Sec. and Chargé d'Affaires of Legation in Colom.; Sec. of Peruvian del. to Tacna-Arica Arbitration between 25 and 33; fmr. First Sec. at Legation in London; fmr. Dipl. Counselor for Leticia Conf. in Rio de Janeiro; fmr. Counselor and Chargé d'Affaires in London; Chargé d'Affaires in China and Japan 36-37; Min. to Venez. 38-40; fmr. Min. and, later, Amb. to Bol., Min. to Spain and to Portugal, and Amb. to Chile resp.; Perm. Rep. to UN 46-.

Hoo, Victor Chi-Tsai (China); b. 94, Wash., D.C.; ed. in Paris, Dr. of Law and Polit. Sci.; Asst. Sec. to Chinese del. to Paris Peace Conf. 18-19; Mem. of Perm. Chinese del. to LN 19-21; Chargé d'Affaires in Berlin 22-24; subsequently served in various capacities in Chinese For. Office; Chargé d'Affaires in Swit. 32, Min. 33-42, at same time Dir. of Perm. Office of Chinese del. to LN in Geneva, Vice-Min. of For. Affairs 42-45; Mem. of Chinese del. to Bretton Woods and Dumbarton Oaks Confs. 44, UNCTO 45; Alt. Rep. to Exec. Cttee. of PC, PC 45, 1st part of 1st sesn. GA, London 46; UN Asst. Sec.-Gen. in charge of Dept. of Trusteeship and Inf. from Non-Self-Governing Territories 46-.

Hood, John D. L. (Australia); b. 04, Adelaide; ed. at Univ. of Tasmania and Oxf. Univ.; Mem. of editorial staff, London *Times* 29-36; Asst. Ext. Affairs Officer in London 36-39, subsequently head of Polit. Sect. of Dept. of Ext. Affairs in Canberra; Acting Sec. of Dept. of Ext. Affairs 44-45; app. Chargé d'Affaires at The Hague 45; app. Polit. Officer of Australian Mil. Mission in Berlin 45; Mem. of Australian del. to Council of For. Min., London 45, Special Cttee. of ECOSOC on Refugees 46, and Paris Conf. 46, Rep. on Comm. of Inquiry in the Balkans and UNSCOP 47; Rep. 1st spec. sesn. GA 47, 2nd sesn. GA, N.Y. 47; Min. in charge of Australian Mission to UN 47-.

Houdek, Vladimir (Czech.); b. 12, Ruzomberok; ed. at Law Fac. in Bratislava; mem. of legal dept. of cotton firm in Manchester 37-38; participated in underground movement 39-45; Chief of For. Dept. of Slovak Natl. Council and liaison for Br. and Amer. Mil. Missions during Slovak natl. uprising 44; Pres. Benes' Polit. Sec. on Slovak matters 44-45, app. Mem. of Embassy at Wash. 47; Perm. Rep. to UN 48-.

Howe, Clarence Decatur (Can.); b. 86, Waltham, Mass., ed. at Mass. Inst. of Tech.; Mem. of Staff of Mass. Inst. of Tech. 07-08, Prof. of Civil Eng., Dalhousie Univ. 08-13, Chief Eng., Bd. of Grain Comrs. for Can., Fort William 13-16; formed firm of C. D. Howe & Co., Consulting Engineers, Port Arthur, Ont. 16; app. Min. of Rys. and Canals and Min. of Marine 35, app. Min. of Trans. 36; app. Min. of Munitions and Supply 40; app. Can. Rep. to Combined Production and Resources Bd. (U.K., U.S.A., and Can.) 42; app. Min. of Recon. 44; app. Min. of Recon. and Supply 46; app. Min. of Trade and Com. 48, present Rep. HAC.

Hozar, Faik (Tur.); b. 98, Istanbul; ed. at Ecole des Sciences Politiques in Paris; entered dipl. service 26; Sec. to Tur. del. to Int. Econ. Conf., Geneva 27; Second Sec., Legation in Berne 28-30, Embassy in Paris 30-33; returned to Min. of For. Affairs 33-35, First Sec., Legation in Bucharest 35, in Sofia 35-38; app. Dir. of 3rd Sect. of 1st Polit. Dept., Ankara 38, Mem. of Tur. del.

to Econ. Conf. of Balkan Entente, Bucharest 39; Asst. Dir.-Gen. of 2nd Polit. Dept. 39, Dir.-Gen. 39-44; app. Min., 2nd class 44, app. Dir.-Gen. of Anatole Agency 44; app. Min. to Czech. 46; Rep. 2nd sess. ECE 47.

Hsia, C. L. (China); b. 96, Ningpo, Chekiang, ed. at Glasgow Univ. and Edinburgh Univ.; Ph.D. (Edinburgh) 22, Prof. of Int. Law at South-Eastern Univ. 24-26; Prof. of Polit. Sci. at Chiaotung Univ. in Shanghai 24-26, Prof. at Soochow Univ. 29-30 and 34-45; Tech. Expert of Chinese del. to World Disarmament Conf. 32, to LN Asmb. 32; Mem. of Legis. Yuan 35-43, Mem. of Spec. Mission to Moscow 38; Chief Rep. of Chinese Min. of Inf. in U.S.A. 40-46; Mem. of Chinese del. to UNCIO 45, Adviser to Chinese Rep. on Far Eastern Comm. 45-46; Chm., War Crimes Cttee. of Far Eastern Comm. 45-46; Alt. Rep. to SC 46; Alt. Rep. to 2nd sess. GA, N.Y. 47, Rep. UN Advisory Cttee. on Adm. and Budgetary Questions; Vice-Chm., UN Comm. on Narcotic Drugs; Rep. HAC.

Hsiao, Ching-yuen (China); b. 00, Kweichow, ed. at Cal. Inst. of Tech. and Harvard Univ., D.Sc. (Harvard) 30, Sr. Eng. and later Chief, Div. of Planning, Bu. of Pub. Works, Municipality of Greater Shanghai, Dir., Kiangsi Provincial Highway Bu., Dir., South-Western Highway Eng. Bu.; Dir.-Gen., Natl. Highway Adm., Counselor, Min. of Communications, Rep. UN Trans. and Communications Comm. 47-.

Hsu Mo (China), b. 93, Soochow, ed. at Peiyang Univ., Tientsin and George Wash. Univ., LL.D.; Prof. of Int. Law and Int. Relations at Nankai Univ. in Tientsin, Dean of Coll. of Arts 22-25, served in Min. of For. Affairs, successively as Counselor, Dir. of European-Amer. Dept. and Dir. of Asiatic Dept. 28-31, Vice-Min. of For. Affairs 31-41, concurrently Dean of School of Diplomacy of Cen. Polit. Inst.; Min. (with Ambassadorial rank) to Australia 41-44, Amb. to Tur. 45-46; Mem. of Chinese del. to UN Cttee. of Jurists, Wash. 45, Adviser to Chinese del. to UNCIO 45; Judge of ICJ 46-.

Huddle, Jerome Klahr (U.S.A.); b. 91, Bettsville, Ohio, ed. at Heidelberg Coll. (Ohio), and George Wash. Univ.; fm. journalist and teacher; entered For. Service in 15; attached to Amer. Comm. to Negotiate Peace at Paris 18-19; served with Amer. Comm. to Ger. 20, Chief of Passport Control Div., State Dept. 25-27; Inspector for For. Service 35-37; Dir., For. Service Training School 37-41; fmly in Consular positions in Paris, Berlin, Warsaw, Hamburg and Cologne; Counselor of Legation, Berne 41-45; App. Amb. to Burma 47; Rep. UNCIP 48-.

Hunt, Brig. Frank Leslie (N.Z.); b. 90, Leeston; ed. in Dunedin; served in 1st and 2nd World Wars; appointments held overseas include Asst. Adjutant and Q.M. Gen. with 2nd N.Z. Expeditionary Force, Brigade Comdr.; appointments held in N.Z. include Dir. of Mil. Training, Adjutant Gen. and Q.M. Gen.; seconded from Army to Ext. Affairs Dept. 48; Observer to 1st and 2nd sess. of S. Pac. Comm. 48; Observer to 2nd sess. of LCAIE, Baguio 47, Rep. 3rd sess., Ootacamund 48.

Hussain, Mrs. Salma Tasadduque (Pak.); b. 08, Village Ghakhar, Dist. Gujranwal; ed. at Univ. of Punjab; Mem. of All-India Muslim Lea. Council 40-47; Sec. of Provincial Muslim Lea. (Women's Cttee.) in Punjab 40-48; Mem. of Women's All-India Muslim Lea. Working Cttee. 41-47; Pres. of Women's Ed. Cttee. of Anjuman-i-Himayat-i-Islam in Lahore 44-47; Mem. of

Punjab Provincial Muslim Lea. Working Cttee. 44-47; Salar (Chief) of Women's Natl. Guard 46-47; Mem. of Punjab Legis. Asmb. 46-47; Rep. 2nd sess. GA, N.Y. 47.

Hutson, Thomas (U.K.); b. 96; ed. at Univ. of Glasgow; joined Home Office after service in 1st World War, fm. Asst. Sec. of the Royal Comm. on Licensing, promoted to Principal 32, promoted to Asst. Sec. 38, promoted to Asst. Under-Sec. of State 41; seconded for special duties in connection with devel. of social insurance 43-45; at request of Control Comm. for Ger. and Austria, seconded to take charge of Internal Affairs Div. in Austria 46-47; Rep. 3rd sess. UN Comm. on Narcotic Drugs, N.Y. 48.

Huxley, Julian S. (U.K.); b. 87, London, ed. at Eton, Oxf., and at Marine Biological Station, Naples, fm. Lecturer on Zoology at Balliol Coll., Oxf., at Rye Inst. in Houston, Texas 12-16; active mil. service 16-19; Fellow of New Coll. and Sr. Demonstrator in Dept. of Zoology, Oxf. 19-24, Prof. of Zoology, King's Coll., London 24-34, fm. Chm. of P.E.P. (Polit. and Econ. Planning) Group on Research in Agric. Sci.; one of founders of Soc. for Experimental Biology; Pres., Natl. Union of Sci. Workers 26-29; Sec., Zoological Soc. of London and Dir., London Zoo 35-42; Mem. of Moscow Conf. of World Scientists 45, app. Dir.-Gen. of UNESCO 46.

1

Ibrahim, Sayed Hassan Ibn Ali (Yemen); b. 11, Sana'a, ed. at Theological High School of Sana'a; fm. Gov. of Dharmar dist.; fm. Rep. to Arab Lea.; Rep. 2nd extraordinary sess. of Atab Lea. Council in Bloudia (Syria) 46, Rep. Jordan Round-Table Conf.; Mem. of Yemen mission invited to Wash. by Pres. Truman 47, Rep. 2nd sess. GA, N.Y. 47; Chm. Yemen del. to 2nd spec. sess. GA 48.

Idenburg, P. J. (Neth.); b. 01, Hillegersberg, ed. at Univs. of Amsterdam and Leyden; Chief of Div. of Cultural Stats. of Cen. Bu. of Stats.; Dir. of Neth. Gen. Stat. Office; Dir.-Gen. of Ed.; Dir.-Gen. of Stats. in the Neth.; Mem. of Int. Stat. Inst.; Rep. Gen. Conf. of UNESCO; Rep. UN Stat. Comm. 47-.

Ilisley, James Lorimer (Can.); P.C.; b. 94, Somerset, N. S.; ed. at Acadia Univ., and Dalhousie Univ. Law School, LL.D.; admitted to B.C. 16, practiced law until 35; M.P. 26-30 and 35-48, K.C. 28; app. Min. of Natl. Revenue 35; Rep. LN 37; Mem. of Fin. 40-46, Min. of Jus. 46-48; Chm., Can. del. to UNRRA 46; Gov. of Int. Bank and Int. Fund 46; Rep. 2nd sess. GA, N.Y. 47.

Imru, Ras Haile Selassie (Eth.); b. 92, Prov. of Harrar; ed. at Menelik School in Eth.; Vice-Gov. of Prov. of Harrar 14-22; subsequently spent three years as Gov.-Gen. of Prov. of Wallo; Gov.-Gen. of Gooljam Prov. 33-35; Prisoner-of-war for six years; Min. to U.S.A. 46-; Rep. 2nd sess. GA, N.Y. 47.

Inan, Sefik (Tur.); b. 12, Simav; ed. at School of Polit. Sci. in Istanbul, Stat. Inst. of Univ. of Paris and Paris Law Fac.; fm. Dir. of Price Stat. Sect. in Dept. of Stats.; Prof. of Budgetary Questions and Pub. Credit at School of Polit. Sci. in Ankara 41-; Counselor in Dept. of Stats.; Rep. UN Stat. Comm.

Ispahani, M.A.H. (Pak.); b. 02, Madras; ed. at Madras, Cambridge Univ., and Inner Temple in London, called to the Bar 24; entered export-import business in Calcutta 25; Mem. of Calcutta City Corp. 33-36 and

40-47; Mem. of Bengal Legis. Asmb. 37-47; fmr. Mem. of Indian Const. Asmb. and of Pak. Asmb.; Mem. of All India Muslim Lea. Cen. Cabinet 42-; app. Personal Rep. of Mr. Jinnah and Official Rep. of Muslim Lea. to U.S.A. 46; Chm. of Govt. of India Trade del. to Middle East 47; Amb. to U.S.A. 47-; Rep. 2nd sesn. GA, N.Y. 47, 2nd spec. sesn. GA, N.Y. 48, IC 48.

J

Jacklin, Seymour (U. of S. Afr.); b. 82, Cape of Good Hope; privately educated; in Transvaal Civil Service 02; Treasury Official, U. of S. Afr.; fmr. Under Sec.-Gen. and Treasurer of LN; Mem. of Bd. of Liquidation of LN; present Rep. UN Ctee. on Contributions.

Jackson, Comdr. R.G.A. (Australia); b. 11, Melbourne; entered Royal Australian Navy 29; app. to staff of Flag Officer in charge of Malta 37; loaned to Br. Army and app. Chief Staff Officer to Gov. and Comdr. in Chief 40, in addition acted as Sec. of Malta Defence Ctee.; app. to personal staff of Br. Min. of State in Cairo 42; app. Dir.-Gen. of Middle E. Supply Centre 42; Sr. Deputy Dir.-Gen. of UNRRA 45-47; UN Asst. Sec.-Gen. for the Exec. Office of the Sec.-Gen. and for Gen. Co-ordination of UN 48.

Jackson, Lieut.-Col. Samuel Henry (Australia); M.C.; b. 92, Queensland; Fellow of Inst. of Chartered Accountants in Australia; app. Deputy Dir. of Security for Victoria 43, for N.S.W. 43; Asst. Dir., Commonwealth Investigation Service 46-47; app. Counselor to Australian Mission in Japan 47; Rep. UN Temp. Comm. on Korea 47-.

Jahn, Gunnar (Nor.); Prof. of Stat. at Univ. of Oslo 13-; Mem. of Oslo Acad. of Sci. 27-; Rep., LN Econ. Ctee. 28-30; fmr. Rep., LN Stat. Experts Ctee.; fmr. Dir., Nor. Cen. Stat. Bu.; Prof. of Polit. Econ. at Oslo Commercial Coll.; fmr. Chm., Ctee. of Int. Stats. Inst. on revision of its statutes; Dir., Bank of Nor.; Rep. UN Nuclear Stat. Comm. 46, UN Stat. Comm. 47-.

Jamali, Mohammed Fadhil (Iraq); b. 03, Kadhima; ed. at Amer. Univ. of Beirut and Columbia Univ.; Ph.D. 32; fmr. teacher at Teachers Coll. in Baghdad; Dir.-Gen. and Inspector-Gen. of Ed. and Pub. Instruction 32-43; app. Dir.-Gen. of For. Affairs 45; app. Min. of For. Affairs 46; Rep. UNCIO 45; Chm. of Iraqi del. to 1st spec. sesn. GA, N.Y. 47; Vice-Chm., Iraqi del. to 2nd sesn. GA, N.Y. 47.

Jardim, Germano G. (Brazil); b. 02, Brazil; ed. in London, Rio de Janeiro, and at Univ. of the Fed. Dist.; Sec., Yellow Fever Service in State of Ceara 23-27; Mem. of Tech. Staff of Yellow Fever Work in Pub. Health Dept. 30-31; Tech. Asst. in Gen. Bu. of Inf., Stat. and Publ. 32-37; Chief of Sect. of Cultural Stat., Service of Ed. and Health Stat. 38-40; Teacher of Ed. Stat. 44-45; Rep., Ctee. of the Census of the Americas in 50; Rep. UN Nuclear Stat. Comm. 46; Rep. UN Pop. Comm. 47-.

Jawdat Al-Ayubi, Ali (Iraq); b. 86, Mosul, Iraq; ed. at Istanbul Mil. Coll.; one of Comdrs. with Emir Faisal of Arab revolt; Min. of Interior 23-24, of Fin. 30-33; app. Chief of Royal Household and Private Sec. to King 33; Prime Min. and Acting Min. of Interior 34-35; Pres. of Chamber of Deputies 35; Min. to U.K. 35-37, to France 37-39; Min. of For. Affairs 39-41; Min. to U.S.A. 42-; fmr. Dir. of Iraq Petroleum Ltd., Br. Oil Devel. Ltd. and Iraq Cement Co.; Rep. UNCIO 45, 1st sesn. GA 46, TC 47-; 1st spec. sesn. GA 47.

Jayanama, Direck (Siam); b. 04, Pitsanuloke City; app. Interpreter in Translation Dept., Min. of Jus. 25; barrister-at-law (Siam) 28; app. Private Sec. to Min. for For. Affairs 33; app. Asst. Sec.-Gen. to Council of Mins. 35, Sec.-Gen. 36; app. Min. without portfolio 38; Min. of State acting for Min. for For. Affairs 39, Deputy Min. for For. Affairs 39; Min. for For. Affairs 41, 43 and 46; Amb. to Japan 42-43; Min. of Jus. 45; Min. of Fin. 45-46; Deputy Prime Min. 46, Lecturer, Univ. of Moral and Polit. Sciences, Bangkok; Amb. to U.K.; Rep. 2nd sesn. GA, N.Y. 47.

Jessup, Philip C. (U.S.A.); b. 97, N.Y.; ed. at Hamilton Coll., Yale Law School, Columbia Univ.; Ph.D. 27; app. Lecturer in Int. Law at Columbia Univ. 25, Prof. 35; Asst. to Elihu Root at Conf. of Jurists at Perm. Court of Int. Jus. 29; Lecturer, Acad. of Int. Law, The Hague 30; Legal Adviser, Amer. Amb. to Cuba 30, Div. Chief in Dept. of State's Office of For. Relief 43; Asst. Dir. of U.S. Naval School of Mil. Govt. 42-44; Chief, Div. of Personnel and Training, UNRRA 43; Asst. Sec.-Gen. to UNRRA Conf. 43, and to Int. Mon. and Fin. Conf. at Bretton Woods 44; Rep. UN Ctee. for Progressive Devel. of Int. Law and its Cod. 47; Rep. 2nd spec. sesn. GA, N.Y. 48; Alt Rep. to SC. 48-; Alt Rep. to IC 48.

Johnson, Herschel V. (U.S.A.); b. 94, Atlanta, Ga.; ed. at Univ. of N. Carolina, (B.A. 16) and Harvard Law School; Capt. of Infantry during 1st World War; Third Sec. of Legation at Berne 21; Sec., Sofia 22-23; Dept. of State 24-26; Sec. of Legation at Tegucigalpa, Honduras 27-28; First Sec. of Embassy, Mex. City 29-30; Chief of Div. of Mex. Affairs, Dept. of State 30-34; First Sec. of Embassy, London 34-39, Counselor 39-41, Min. 41; Min. to Sweden 41-46, alt Rep. SC 46-48, Acting Rep. 46-47; Deputy Chief of U.S. Mission to UN 47-48; Rep. 1st spec. sesn. GA, N.Y. 47, and 2nd sesn. GA, N.Y. 47; app. Amb. to Brazil 48.

Johnson, Sir Nelson K. (U.K.); b. 92, Canterbury; ed. at Imperial Coll. in London and London Univ.; D.Sc. (London Univ.) 38, served in R.A.F. 15-18; Mem. of Meteorological Office 19-28; Mem. of Chemical Defence Research Dept., War Office 28-38; Dir. of Meteorological Office 38-; Mem. of Conf. of Dir., Int. Meteorological Ctee. and Exec. Council 38-46; Pres. of IMO and its Int. Meteorological Ctee. and Exec. Council 46-.

Jonasson, Hermann (Ice.); b. 96, Skagafjord, ed. at Univ. of Ice.; Leader of Progressive Party; Deputy Judge, Reykjavik 24-28, app. Chief of Police 28; M.P. 34-; Prime Min. and Min. of Jus. 34-42; Chm. of Agric. Bank of Ice. 43-; Rep. 2nd sesn. GA, N.Y. 47.

Jouhaux, Léon (France); b. 79, Paris, Sec.-Gen., C.G.T. 09-; Mem. of Gov. Body of ILO 20-; Rep. of France to LN, Pres., C.G.T. (Force Ouvrière); Vice-Pres., Gov. Body of ILO; Pres. of Econ. Council of France; Rep. 2nd sesn. GA, N.Y. 47.

K

Kaminsky, Leonid Ivanovitch (Bye. S.S.R.); b. 07, Moghilev; ed. at Bye. State Univ., fmr. Lecturer on Hist.; fmr. Adviser on Social and Cultural Questions to Bye. Govt.; carried out mil. assignments during 2nd World War; Mem. of Dipl. Service 44-; Rep. UNCIO 45, FAO Conf. in Quebec 45, 2nd part of 1st sesn. GA, N.Y. 46; fmr. Rep. UNRRA Council; Rep. 1st spec. sesn. GA, N.Y. 47, ECOSOC 47-; 2nd sesn. GA, N.Y. 47; Perm. Rep. to UN 47-.

main) in London 27-31, between Br. Empire and Hungary (Treaty of Trianon) in London 29-31; Mem. of PCA 29-; Mem. of Perm. Comm. of Conciliation and Arbitration between Nor. and Pol. 30-; Joint Com. of Perm. Comm. of Conciliation between U.S.A. and Italy 31-; Mem. of Perm. Comm. of Conciliation between Ger. and Lux. 31-; Judge of Sup. Ct. of Nor. 31-; Assoc. of Inst. of Int. Law; Judge of ICJ 46-.

Klekovkin, Michael (Ukr. S.S.R.); b. 08; ed. at Architectural Univ.; Author Architect at Main Architect Bd. in Kiev; worked 6 months in U.S.A. on UNRRA scholarship; Rep. UN Comm. on Human Rights 47-.

Kock, Mrs. Karin (Sweden); b. 91; Stockholm; ed. at Univ. of Stockholm, Ph.D. 29; Lecturer at Stockholm Univ. 33, Acting Prof. 38-46, Expert to Min. of Com. 45; Chief of Sect., Min. of Com. 46; Min. without Portfolio 47; Min. of Supply 48-; Rep. ECE 47-.

Koo, V. K. Wellington (China); b. 88, Shanghai, ed. at St. John's in Shanghai and Columbia Univ.; Ph.D. (Columbia); Min. of For. Affairs 22, 24 and 31; Prime Min. 27, Mem. of World Ct. 27 and 33; Rep. to LN Asmb. and Council 32-39; Amb. to France 36-41, to U.K. 41-46, to U.S.A. 46-; Chm., Chinese del. to second phase of Dumbarton Oaks Conf. 44; Rep. UNCIO 45, Exec. Cttee. of PC 45, PC 45, 1st sess. GA 46, SC 46, 2nd sess. GA, N.Y. 47.

Korbel, Josef (Czech); b. 09, Czech; ed. at Charles Univ.; app. Mem. of For. Office 34; Press Attaché at Legation in Belgrade 37-38; Head of Broadcasting Dept. of Govt. in Exile in London 39-45; fmr. Private Sec. to Pres. Masaryk; Chef de Cabinet to Min. of For. Affairs 45; Amb. in Belgrade 45-48; Chm., Econ. Comm. for Balkans and Finland during Paris Peace Conf.; Rep. UNCIP 48.

Kosanovic, Sava N. (Yugos.); b. 94, Plaski; ed. at Univ. of Budapest; journalist, elected Sec.-Gen. of Ind. Dem. Party 26; M.P. 27; Min. of Supplies 41; later Min. of Interior; app. Min. of Inf. 45; Amb. to U.S.A. and Mex.; Mem. of Presidium of Natl. Asmb.; Rep. Conf. of For. Mins. in London 45, Paris 46; Rep. 1st sess. GA 46; Chm., Yugos. del. to 1st spec. sess. GA 47, Rep. 2nd sess. GA, N.Y. 47.

Krasovec, Stane (Yugos.); b. 05, Slovenia, ed. at Classical Coll. in Ljubljana and Univ. of Zagreb; participated in resistance movement during 2nd World War; fmr. Officer in charge of Press of Liberation Front of Slovenia; fmr. Asst. to Min. for Econ. Recon.; fmr. Sec. to Econ. Council of Fed. Govt.; Dir. of Govt. Staff; Rep. UNCIO 45, UNRRA; Alt. Rep. 2nd and 3rd sess. of ECOSOC 46; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46, Chm., 3rd sess. UN Comm. on Narcotic Drugs 48.

Kraus, Frantisek (Czech.); b. 04, Trest (Moravia); ed. at Charles Univ., Prague, LL.D.; fmr. barrister-at-law, Mem. of Min. of Social Welfare 45-; Rep., Council of UNRRA in London 45, Int. Labour Conf. in Paris 45, 1st part of 1st sess. GA, London 46, UN Nuclear Social Comm. in N.Y. 46, Chm., 1st and 2nd sess. UN Social Comm. 47.

Kruysse, A. (Neth.), b. 07, The Hague; ed. in phar. and analytical chem., bromatology and toxicology at Univ. of Leyden; Dr. of Sci. and Apothecary 36, Sci. Asst. of Analytical Chem. at Univ. of Leyden 37-40, app. Health Officer in Div. of Pharmacy, Food, Narcotic Drugs and Environmental Sanitation in Pub. Health Service 40, Asst. Dir. of Pub. Health Service 40; Asst. Dir. of Pub. Health 45-; Mem. of several Comm. on

Pub. Health; Rapp., 3rd sess. UN Comm. on Narcotic Drugs 48.

Krylov, Sergei Borisovitch (U.S.S.R.); b. 88, Leningrad; ed. at Univ. of Leningrad; LL.D.; lectured on Compar. Const. Law and Int. Law for about 30 years; Dean of Inst. in Leningrad 30-39; Legal Adviser to Commissariat of For. Affairs 42-46; Prof. of Int. Law at Higher Dipl. School and at Inst. of Int. Relations, Moscow 42-46; Rep. Dumbarton Oaks Conf. 44, UNCIO 45; Counselor at sess. of Cttee. of Jurists in Wash. 45, to Exec. Cttee. of PC 45, and to 1st part of 1st sess. GA, London 46; Judge of ICJ 46-.

Kuczborski, Stanislaw (Pol.); b. 07; graduate of Electrical Dept. of Polytechnical Inst. of Warsaw, present Dir. of the Pol. Rys.; Rep. UN Transport and Communications Comm. 47-.

Kyrou, Alexis (Greece), b. 01, Athens, ed. in law at Univs. of Athens and Paris, entered dipl. service 23; Sec. of Greek del. to LN 26-27, Vice-Consul in Constantinople 28-29, Consul in Cyprus 30-31; Sec. to Legation in Berlin 32-36; in Belgrade 37-39; Chief of Sect., Min. of For. Affairs 39-41 (re-assumed duties after liberation); Sec.-Gen. of Greek del. to Paris Peace Conf.; Rep. 2nd part of 1st sess. GA, N.Y. 46, fmr. Liaison Rep. to SC Comm. of Inquiry on Greek Frontier Incidents; Perm. Rep. to UN 47-.

L

Labib, Mahmoud (Egypt); Dr. in Pharmacy; expert and appraiser of medicinal and chemical products in Egyptian Customs Dept.; Dir. of Pharmacy Sect., Min. of Pub. Health 44-; Rep. UN Comm. on Narcotic Drugs 47.

Labouisse, Henry Richardson, Jr. (U.S.A.), b. 04, New Orleans; ed. at Princeton and Harvard Univs.; LL.B. (Harvard) 29; admitted to N.Y. Bar 30, practised with firm of Taylor, Blanc, Capron and Marsh and successor firm in N.Y. 29-40; with State Dept. 41-; Chief of Div. of Defence Materials 43, of Eastern Hemisphere Div. 44; Adviser for Econ. Affairs at Embassy in Paris 44-45, Min. 45; Spec. Asst. to Asst. Sec. for Econ. Affairs, Wash. 45-46; Spec. Asst. and Econ. Adviser to Dir. of Office of European Affairs 46-48, Rep. to ECE 48.

Lall, Shamaldharee (India); b. 94, ed. at St. Xavier's Coll. in Calcutta and Exeter Coll., Oxf., fmr. Under-Sec. of Fin., Bihar Govt.; fmr. Under-Sec. and then Deputy-Sec. of Labour Dept., Govt. of India, Joint Sec., Royal Comm. of Labour 30, fmr. Sec. of Ed. and Devel., Bihar Govt.; Deputy High Commr. for India in London 38-44, Sec., Min. of Labour, Govt. of India, app. Rep. to ILO Governing Body 38, Chm., Governing Body 48.

Lambert, Norman Platt (Can.); b. 85, Mt. Forest, Ont.; ed. at Univ. of Toronto; journalist 09-18, Sec., Can. Council of Agric. 18-22; in grain and flour business 22-32; Sec., Natl. Liberal Fed. 32, Pres. 35; Sen. 38-; Chm., Sen. Standing Cttee. on Ext. Affairs, Rep. 2nd sess. GA, N.Y. 47.

Lange, Halvard M. (Nor.), b. 02, Oslo, ed. at Univ. of Oslo, Geneva and London; fmr. Lecturer in Econ. Hist.; Sec. of Workers' Ed. Assn. and Warden of Gen. Labor Coll. in Oslo; spent 3½ years in Gestapo prison and Ger. concentration camp during 2nd World War; Min. of For. Affairs 46-; Chm., Nor. del. to Paris Peace Conf. 46, Rep. 2nd part of 1st sess. GA, N.Y. 46 and Chm., Nor. del. to 2nd sess. GA, N.Y. 47.

Lange, Oscar (Pol.); b. 04, Tomaszow Mazowiecki; ed. at Univ. of Poznan, Cracow, Harvard, and Minnesota; LL.D. 28; app. Lecturer in Econ. and Stat. at Univ. of Cracow 31; Lecturer at Univ. of Mich. 36 and, later, at Pol. Free Univ. of Warsaw, Univs. of Cal. and Stanford; Prof. of Econ. at Univ. of Chicago 38-45; Visiting Prof. at Columbia Univ. 42-43; Amb. to U.S.A. 45-47; Rep. to UN 46-48; Vice-Chm., UN Sub-Comm. on Employment and Econ. Stability 47-.

Langhelle, Nils (Nor.), b. 07, Bergen, ed. at Univ. of Oslo, fm. teacher; Chm., Bergen Div. of Labor Party 35; arrested by Gestapo 41, re-arrested 43, imprisoned 1½ years in Sachsenhausen concentration camp near Oranienburg, Ger.; app. Min. of Communications 45; Rep. 2nd sess. GA, N.Y. 47.

Lannung, Hermod (Den.), b. 95, Vestervang, ed. at Univ. of Copenhagen, Mem. of Copenhagen City Council since 33, and Chm. of its Radical Group since 35, Mem. of Upper House of Parl. since 39, barrister-at-law, Rep. 1st sess. of GA in London and N.Y. 46, Rapp. of UN Spec. Cttee. to Examine Inf. Transmitted under Article 73 c of Charter 48.

Laugier, Henri (France); b. 88, Mane, Basses-Alpes; ed. at Univs. of Grenoble and Paris; M.D. and D. Sc. (Univ. of Paris); became Prof. of Physiology of Work at Conservatoire National des Arts et Métiers, Prof. of Gen. Physiology in Fac. of Sci., and Co-Dir. of Natl. Inst. of Vocational Guidance 37, Organizer of Palais de la Découverte, fm. Exchange Prof. at Univs. of Sao Paulo, Lima and Mex., Dir. of Natural Sci. Research Centre in Paris 37-40; dismissed from all his posts by Vichy Govt. 40, Prof. of Physiology at Univ. of Montreal 40-43; Prof. at New School for Social Research in N.Y. 40-43, app. Rector of Univ. of Algiers 43; app. Dir.-Gen. of Cultural Relations in Min. of For. Affairs in Paris after liberation of France 44; app. UN Asst. Sec.-Gen. in charge of Social Affairs 46.

Laurentie, Henri (France), b. 01, Indre-et-Loire; ed. at Ecole des Langues Orientales in Paris; Colonial Adm. for 25 years, serving in French Cameroons, French Guinea and Chad; Sec.-Gen., French Equatorial Afr. 40-43; Dir. of Polit. Affairs (Colonial Office) 43-47; Alt. Rep. TC 47-; Chm. of TC Visiting Mission to Tanganyika and Ruanda-Urundi 48.

Laves, Walter H. C. (U.S.A.); b. 02, Chicago, Illinois; Chm. of Dept. of Polit. Sci. at Hamilton Coll. in Clinton, N.Y. 26-36; Assoc. Prof. of Polit. Sci. and Chm. of Social Sci. at Univ. of Chicago 38-46; during 2nd World War, held many advisory and exec. posts with Govt., including office of Co-ordinator of Inter-Am. Affairs 41-42, and Office of Civilian Defense 42-43; Consultant on Int. Affairs, Exec. Office of Pres., Bu. of Budget 43-47, serving in that capacity as Adviser to U.S. del. to UNCIO 45, to 1st part of 1st sess. GA, London 46, to ECOSOC 46, to ILO Conf. in Montreal 46, and to 1st Gen. Conf. of UNESCO in Paris; present Deputy Dir.-Gen. of UNESCO.

Lawrence, Harry Gordon (U. of S. Afr.); K.C.; b. 01, Cape Town; ed. at Univ. of S. Afr.; admitted to Cape Sup. Ct. Bar 26; barrister 26-38; M.P. 29-; app. Min. of Labor 38; app. Min. of Interior and Pub. Health, also responsible for co-ordination of internal security and inf. 39; app. Min. of Welfare and Demobilization 43; Min. of Jus., Soc. Welfare and Demobilization 45-48; Rep., Br. Commonwealth Conf. in Canberra 47; Chm., S. Afr. del. to 2nd sess. GA, N.Y. 47.

Lazarte, Jorge Alfredo (Peru); b. 13, Arequipa, ed. at Universidad del Gran Padre San Agustín de Arequipa, Natl. School of Medicine in Santiago de Chile, School of Medicine of San Fernando in Lima and Univ. of Minnesota; M.D. (Lima) 40, Fellow of Mayo Foundation for Medical Education and Research, Rochester, Minnesota 41-44; First Asst., Neuro-Psychiatry Sect., Mayo Clinic 45-46; Medical Asst., Rochester State Hosp., Rochester, Minnesota 46-47, Asst. to Supt. of Hosp. 47-; Instructor in Psychiatry at Mayo Foundation and at Univ. of Minnesota 48-; Rep. UN Comm. on Narcotic Drugs 48.

Lebeau, Roland (Belg.), b. 04, Hodumont, Prov. of Liège, ed. at Univ. of Brussels and Univ. of Amsterdam; LL.D. (Univ. of Brussels); associated with Natl. Bank of Belg. 27-30; app. Mem. of Official Relations Sect. of Int. Labour Office (Geneva and Montreal) 30, served with ILO in various capacities including those of Sec. of Governing Body and of several of its various Coms. as well as of Int. Labour Conf., and several times Pres. of Staff Union of ILO 30-45, Counselor of Legation and Asst. Chief of the Services of Confs. of Peace and Int. Org. in Min. of For. Affairs 45-; Sec.-Gen., Belg. del. to UNCIO 45, PC and GA, London 46; Rep. HAC, Chm., UN Staff Benefit Cttee.; Chm., UN Appeals Bd.

Ledon, Mrs. Amalia de Castillo (Mex.); b. Ciudad Victoria, Tamaulipas; ed. at Natl. Univ. of Mex.; active worker in the social, cultural and polit. fields of Mex.; founder-mem. of several orgs. such as the Ed. and Popular Recreation Office of the Fed. Dist. in 29, the Soc. for the Protection of Children, and the Mex. Theatre Org.; Asst.-Gen. of Gen. Bd. of Civic Action 32; Pres. of Int. Club of Women 33; Pres. of Women's Mex. Athenaeum 34-; Rep. to Inter-Am. Comm. of Women 39, Vice-Pres. 45-; Women's Rep. in Advisory Council of Mex. City and Mem. of Intellectual Co-operation Office 40; Rep. Inter-Am. Conf. on Probs. of War and Peace in Mex. City 45; Rep. 2nd part of 1st sess. GA, N.Y. 46, and 2nd sess. GA, N.Y. 47; Rep. UN Comm. on the Status of Women 47-; Vice-Chm., 2nd sess. 48.

Lefaucheux, Mrs. Marie Hélène (France); Mem. of French resistance movement in 2nd World War; Rep. to Const. Asmb. as Mem. of Mouvement Républicain Populaire; Vice-Pres. of Mun. Council of Paris; Alt. Rep. 1st sess. GA, 46 and 2nd sess. GA, N.Y. 47; Rep. UN Nuclear Sub-Comm. on Status of Women 46; Rep. 1st sess. of UN Comm. on Status of Women 47, Chm. 48.

Le Gallais, Hugues (Lux.); b. 96, Dommeldange; ed. at Univ. of Liège (Belg.) and in Zürich; Rep. of Lux. Steel Corp. in Paris, London, Tokyo and Bombay 19-37, Chief of Rail Export Div. 37-38; Chargé d'Affaires in U.S.A. 40, Min. 40-; Rep. UNCIO 45, 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47; Vice-Chm., Lux. del. to 2nd sess. GA, N.Y. 47; Chm., Lux. del. to 2nd spec. sess. GA 48.

Leitao da Cunha, Vasco T. (Brazil); b. 03, Rio de Janeiro; ed. at Univ. of Rio de Janeiro; joined Min. of For. Relations 27; Asst. to Sec.-Gen. of Min. of For. Relations 39-41; Acting Min. of Jus. and Internal Affairs 41-42; Chargé d'Affaires in Rome 44-45, Consul-Gen. at Geneva; Rep. 1st part of 1st sess. GA, London 46, Rep. UNSCOP 47-.

Leiva, Joaquín (El Sal.); b. 89, San Sal; ed. at Univ. of El Sal. and Univ. of Liverpool; fm. Consul in Liverpool and in Bordeaux; fm. Under-Sec. and later Acting

Min. of Ext. Relations and Jus.; fmr. Gen. Inspector of El Sal. consulates in U.S.A.; fmr. Min. on Spec. Mission to Costa Rica; fmr. Pres. of Natl. Bd. of Tourism, and of Boy Scout Ctee.; Rep. 1st Conf. of Cen. Amer. States in Guatemala 34; Rep. Inter-Am. Conf. for Maintenance of Peace, Buenos Aires 36; Rep. 8th Int. Conf. of Amer. States, Lima 38; Chief of Protocol; Rep. 2nd sess. GA, N.Y. 47.

Le Mouél, Joseph Jean (France); b. 89, Cléguerac (Morbihan); ed. at French Natl. High School of Posts, Telegraphs, and Tels.; fmr. Admn. of Posts, Telegraphs, and Tels.; Dir.-Gen. of French Postal Admn. 46-; Pres., 12th Cong. of UPU 47; Pres., Exec. and Liaison Ctee. of UPU 48-.

Leontic, Ljubo (Yugos); b. 87, Dalmatia; ed. at Univ. of Karl-Ferdinand in Prague 7-11; LL.D.; Chief Ed., *Yugoslavija* in Prague 14, *Yugoslavija* in Antofagasta, Chile 15, *Jugoslavenska Drzava* in Valparaíso 16, *Jadran* in Buenos Aires 17, *Jugoslavenska Zastava* in Chicago 17, and, later *Rad* in Dubrovnik; Under-Sec. of State, Min. of Inf., Under-Sec. of State for For. Affairs respy. 43-45; Amb. to U.K. 45-; Rep. PC 45, Paris Peace Conf., For. Mins. Council in London and N.Y.; Rep. 2nd sess. GA, N.Y. 47.

Li, C. M. (China); b. 06; ed. at Univ. of Cal.; Ph.D.; Deputy-Dir. of CNRRA 45-48; Alt. Rep. to 3rd Council sess. of UNRRA; Rep. to 5th and 6th Council sess. of UNRRA; Adviser, Cen. Bank of China; Exec. Mem., Bd. of Trustees for Rehabilitation Affairs; Rep. 3rd sess. ECAFE, Ootacamund 48.

Lie, Trygve Halvdan (Nor.); b. 96, Oslo; ed. in law at Oslo Univ.; became a Mem. of Trade Union Youth Org. 11; Asst. to Sec. of Nor. Labor Party 19-22; Legal Adviser to Trade Union Fed. 22-35; Natl. Exec. Sec. of Labor Party 26; Min. of Jus. 35-39; elected M.P. 36, re-elected 45; Min. of Trade, Industry, Shipping and Fishing 39-40; escaped to England with Nor. Govt. 40; Acting For. Min. (in England) 40; For. Min. 40-45 (resigned); evolved provisional measures that saved Nor. fleet for Allies; app. Acting For. Min. of interim coalition govt. 45, For. Min. 45; Chm., Nor. del. to UNCIO 45, Chm., Ctee. III; Chm., Nor. del. to 1st part of 1st sess. GA, London 46; elected Sec.-Gen. of UN 46.

Lieu, D. K. (China); b. 91, Hwai-an, Kiangsu Prov.; ed. at Univ. of Michigan; Sec. at Wash. Disarmament Conf. 21-22; founded Chinese Econ. Soc. 23 and Chinese Stat. Soc. 29; Rep. Int. Inst. of Stats. Conf. 29 and 31; Rep. Int. Pop. Conf., Rome 31; fmr. Dir.-Gen. of Stats. for Natl. Govt. and fmr. Dean of School of Com., Natl. Chungking Univ.; fmr. Exec. Mem., For. Trade Comm.; Rep. UN Nuclear Star. Comm. and Econ. Adviser to Chinese del. to PC, London 45; Rep. Int. Wheat Council, Wash. 47; present Commercial Counselor of Embassy in Wash.; Rep. 1st and 2nd sess. UN Stat. Comm.; Rep. UN Sub-Comm. on Econ. Devel. 47-.

Lin Mousheng (China); b. 04; ed. at Univ. of Chicago; Ph.D. 37; Ed., *Contemporary China*, Chinese News Service 41-46; Chief of Research Sect., Dept. of Pub. Inf., UN Secre. 46-47; Tech. Counselor, Chinese del. to UN 47-; Mem. of TC Visiting Mission to Tanganyika and Ruanda-Urundi 48.

Lisicky, Karel (Czech.); b. 93, Holesov (Moravia); ed. in Alsace-Lorraine, Univ. of Prague and Strasbourg; Lieut. in Czech. armed forces of liberation in Russia and France 17-18; Second, later First, Sec. in Legation in Paris 19-26; app. First Sec. and Counselor of Legation

in Warsaw 26; Sec.-Gen. of Czech. del. to Lausanne Conf. on Ger. Reparations 32; Mem. of LN Secre. in Polit. Dept. 34-37; Counselor of Legation in London 37-38, *Chargé d'Affaires* 38-41; held rank of Min. in Min. of For. Affairs since 41; Rep. Exec. Ctee. of PC 45, 1st sess. GA 46, 2nd sess. GA, N.Y. 47, Paris Peace Conf. 46, Council of Deputies For. Mins. for the Peace Treaties with Ger. and Austria, UNSCOP 47; Rapp. for Peace Treaty with Roumania at Paris Peace Conf.; Chm., Palestine Comm. 47.

Liu Chieh (China); b. 06, Kwangtung Prov.; ed. at Oxf. Univ. and Columbia Univ.; Sr. Sec., Min. of For. Affairs 31; Expert, Chinese del. to LN 32-39, First Sec. and Counselor, Embassy in London 33-40, Counselor, Embassy in Wash. 40-43, Min. 43-45; Vice-Min. for For. Affairs 45-47; Rep. UNCIO 45, 1st sess. GA 46, 2nd sess. GA, N.Y. 47; Amb. to Can. 47-; Rep. TC 47-; Pres. 48.

Lokanathan, Palamadai S. (India); b. 94; ed. at St. Joseph's Coll., Univ. of Madras, and London School of Econ.; Ph.D.; fmr. Prof. of Econ. at Univ. of Madras; fmr. Mem. of Sen. and Academic Council of Madras Univ.; fmr. Mem. of Bd. of Studies in Econ. at Univ. of Madras, Travancore, Annamalai and Andhra; Mem. of Labor Advisory Bd. of Govt. of Madras 25-29, fmr. Mem. of Consultative Ctee. of Economists to Indian Govt.; Rep. World Business Conf. at Rye, N.Y., 44, Pacific Relations Conf. at Hot Springs, Va. 45, UN Conf. on Trade and Employment 47; Ed., *Eastern Economist* of New Delhi; app. Exec. Sec., ECAFE 47.

Lomakin, J. M. (U.S.S.R.); b. 04, Tambov Dist.; graduated as an eng.-econ. from Moscow Tech. Inst.; fmr. Lecturer on Industrial Planning and Org.; fmr. writer of articles on econ. for magazines and newspapers; studied courses for *Tass* For. Contrs. 37; app. Ed. for *Tass* in N.Y. 39, app. Vice-Consul in N.Y. 41; transferred to San Francisco as Consul-Gen. of U.S.S.R. on West Coast 42; recalled to Moscow and app. Deputy Chief of Press Dept. of Min. of For. Affairs 44; app. Adviser to U.S.S.R. del. to UN 46, app. Consul-Gen. in N.Y. 46; recalled to Moscow 48; Rep. UN Sub-Comm. on Freedom of Inf. and of the Press 47-48.

López, Alfonso (Colom.); b. 86, Honda, ed. in U.K. and U.S.A.; founder and Vice-Pres., Amer. Mercantile Bank of Colom., becoming its Pres. in 18; elected Deputy 15; app. Min. to U.K. 31; Pres. of Colom. 34-38 and 42-45 (resigned); founder of *El Liberal* and fmr. Ed. and part owner of *El Diario Nacional*, Rep. Econ. Conf. in London 33; Chm. of Colom. del. to Pan. Amer. Conf. in Montevideo 33, 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47; Perm. Rep. to UN 47-48.

López, Salvador P. (Phil.); b. 11, Currímao, Ilocos Norte, ed. at Univ. of Phil.; Instructor in Eng. at Phil. Women's Univ. of Manila, and Univ. of Phil. 33-41; Columnist, *Phil. Herald* 33-41; Ed., *Herald Mid-Week Magazine*, Manila 37-39, *Monday Mail*, Manila 38-41; Assoc. Ed. and Ed. Writer, *Phil. Herald* 38-41; News Commentator, Station KZRM, Manila 38-40, Rep. 2nd Cong. of Amer. Writers, N.Y. 39, Capt., Acting Exec. Officer, Press Relations Sect., Gen. MacArthur's Hdqrs. on Corregidor 42; after liberation resumed duties with Pub. Relations Office, Gen. MacArthur's Hdqrs., Manila 45, Chief, Historical Sect., G-3, Phil. Army Hdqrs. 45; Chief, Div. of Cultural Relations, Dept. of For. Affairs, Manila 46; Adviser on Polit. Affairs, Phil. Mission to UN 46-; Rep. UN Sub-Comm. on Freedom of Inf. and of Press 47-.

Louth, Omar (Egypt); b. 07, Cairo; ed. at Jesuits' Coll. in Cairo and at the Egyptian Univ. in Cairo; Pub. Prosecutor in Mixed Cts. 38-44; Judge in Mixed Cts. 44-46; Asst. Legal Counselor to Minis. of For. Affairs and Jus., in the Council of State; Rep. UN Comm. on Human Rights 47-.

Loyo, Gilberto (Mex.); b. 01, Orizaba, Veracruz; ed. in Mex. and Rome; LL.D., Mex. 25; Chief, Office of Econ. Stats., Gen. Bu. of Stats. 33; Dir. of Social Welfare, Dept. of Labor 36, Prof. of Demographic Policy, Univ. of Mex. 36-45, Dir., Natl. Census Office, Gen. Bu. of Stat. 37-42; Chief, Div. of Econ. Research, Dept. of Fin. and Pub. Credit 43-45; Dir.-Gen. of Credit, Dept. of Fin. and Pub. Credit 45-46; Rep. Inter-Amer. Stat. Inst. 46; present Dir.-Gen. of Stats. in Dept. of Natl. Econ., and Dir. of the Natl. School of Econ. at the Univ. of Mex.; Rep. UN Stat. Comm.; Chm., Mex. del 1st sess. ECLA, Santiago 48.

Lubin, Isador (U.S.A.), b. 96, Worcester, Mass., ed. in econ. at Clark Coll. in Worcester, and Robert Brookings Inst.; Ph.D. (Brookings) 26; Instr. in Econ. at Univ. of Missouri 17-18; Asst. Prof., Univ. of Mich. 20-22; Mem. of Teaching Fac. in Brookings Inst. 23-26, Assoc. Prof. in Econ., Univ. of Missouri 24; Adviser to Ed. and Labor Cttee. of Sen. 28-29, Chm. of Bd., Natl. Child Research Center 30-35; Advisory Comm. to Fed. Co-ordinator of Rys. 33-36; Vice-Chm., Cen. Stat. Bd. 33-38, Mem. of Pres. Econ. Security Cttee 34-35, Rep. to meetings of Governing Bd. of ILO in Geneva 35, 36, 37; U.S. Comm. of Labor Stat. 33-46, Mem. of Industrial Resources Cttee. 37-43, of Temp. Natl. Econ. Cttee. 38-41; Deputy Dir., Labor Div., Office Production Management 40-41; Spec. Stat. Asst. to Pres. 41-45, Min. and Assoc. Rep. to Allied Reparations Comm. in Moscow 45; Rep. Comm. on Devastated Areas 46; Rep. UN Econ. and Employment Comm. 46-; Rapp. 47-48.

Lucero, Brig.-Gen. Franklin (Argentina); b. 97, San Luis Prov.; ed. at Mil. Acad., Argentine Army (15-18) and at Command and Staff Coll. (28-33); 2nd Lieut., 13th Regt. (Infantry) 18-21; Lieut., Gunnery School 21-23; Capt., Secre. of Pres. of Argentina 31; Maj., Comdr. of Infantry Battalion, "Sargento Cabral" School 36; Lieut.-Col., Mountain Center (Mendoza) 40, Comdr., 4th Infantry Regt. 41; Mil. Attaché, Chile 43; Col. 43; Chief Sec., War Dept. 44; Argentine Army Rep. to Inter-Amer. Defense Bd. 47; present Mil. Attaché, Embassy in Wash.; Rep. 2nd sess. GA, N.Y. 47.

Lyckowski, Tadeusz (Pol.); b. 00, Warsaw; ed. at Jagiellonian Univ. in Cracow, LL.D. 28; civil servant, Min. of Industry and Trade, Warsaw 27-39, Chief of Commercial Policy and Treaties Dept. 35-37, Acting Dir. of Div. of Trade 37-39, Dir. of Econ. Dept. in Polit. Min. of Industry, Trade and Shipping in London 42-45; Adviser to Min. of For. Trade and Shipping in Warsaw 45-47; Dir. of Econ. Div. at Min. of For. Affairs 47- (Min.); Rep. 2nd and 3rd sess. ECE 47-.

M

McCloy, John J. (U.S.A.); b. 95, Phila.; ed. at Amherst Coll. and Harvard Univ.; Capt. of Field Artillery in France during 1st World War; became Mem. of law firm of Cravath, de Gersdorff, Swaine & Wood in 29, in charge of firm's Paris office 30-31; Expert Consultant to Sec. of War 40, later Spec. Asst.; Asst. Sec. of War 41-45 (resigned); fm. Chm. of Combined Civil Affairs Cttee. of Combined Chiefs of Staff; Mem.

of firm of Milbank, Tweed, Hope, Hadley & McCloy 45-47; elected Pres. and Chm. of Exec. Bd. of Int. Bank of Recon. and Devel. 47.

McComb, Arthur R. (Australia); b. in Brisbane; served with Australian Flying Corps in 1st World War; fm. Controller of Ground Operations and Chief Inspector of Ground Organization for the Australian Civil Air Bd.; fm. Mem. of PICA Council and Chm., Air Navigation Cttee.; Deputy Sec.-Gen. of ICAO 47-.

McCreery, Lieut.-Gen. Sir Richard Loudon (U.K.); K.C.B., K.B.E., D.S.O., M.C.; b. 98; ed. at Eton, served in France 15-17 and 18; Staff Coll. 28-29; Commanded 12th Lancers (armored car regiment) 35-38; served in France 40, Middle East 42, Tunisia 43, Italy 44-45, Chief of Gen. Staff in Middle East 42; Commanded 8th Army in Italy 44-45; C-in-C of British Forces of Occupation in Austria and Br. Rep. on Allied Comm. for Austria 45-46; C-in-C of Br. Army of the Rhine 46-48; Army Rep. to MSC 48-.

McIntosh, Alister Donald (N.Z.); b. 06, Pictou, ed. at Marlborough Coll., Victoria Univ. Coll., and at Univ. of Michigan and of N.Z.; Mem. of staff, Parl. Library 26-33; app. to Prime Minister's Dept. in 34, Sec. to War Cabinet 43-45, Sec. of Dept. of Ext. Affairs 43; app. Perm. Head of Prime Min.'s Dept. 46; Rep. 1st part of 1st sess. GA, London 46, 2nd spec. sess. GA, N.Y. 48.

McNair, Sir Arnold Duncan (U.K.); C.B.E., K.C., b. 85, London; ed. at Aldenham School and Gonville and Caius Coll., Cambridge; LL.D.; app. Fellow of Gonville and Caius Coll. 12, later Univ. Lecturer in Law; Prof. of Int. Law at The Hague Acad. of Int. Law 28, 33 and 37; Tagore Prof. at Univ. of Calcutta 31, Whewell Prof. of Int. Law at Univ. of Cambridge 35-37, Prof. of Compar. Law 45-46; called to Bar by Gray's Inn, and became a Bench of that Inn 36; Vice-Chancellor of Univ. of Liverpool 37-45; Mem. of PCA; Ed. of 4th edition of Oppenheim's *Int. Law*; Ed. of *Journal of Compar. Legis.*; Judge of ICJ 46-.

McNamara, William Morris Jutson (Australia); b. 93; graduate in Arts and Econ. of Univ. of Sydney; associated for many years with ed. and other aspects of Australian labor movement; Hon. Sec. of the Henry Lawson Labour Coll.; Pub. Relations Officer of business training firm of Hemingway and Robertson; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

McNaughton, Gen. Andrew G.L. (Can.); C.H., C.B., C.M.G., D.S.O.; b. 87, Moonson, Sask.; ed. at McGill Univ.; served overseas during 1st World War; later app. Dir. of Mil. Training and Staff Duties, subsequently Dist. Officer Commanding at Victoria, B.C.; Columbia; Deputy C. of S. 23-28, Chief 29-35, Pres. of Natl. Research Council 35-39; Comdr. of First Can. Army in 2nd World War; Min. of Natl. Defence 41-45, Co-Chm. of Can.-Amer. Joint Defence Bd. 45-46, Rep. AEC 46-; Perm. Rep. to UN 46-.

McNeil, Hector (U.K.); b. 10, Glasgow; ed. at Univ. of Glasgow; fm. journalist; M.P. 41-; fm. Parl. Private Sec. to P. Noel-Baker; Under-Sec. for For. Affairs 45-46, Min. of State 46-; Chm. of UN Ctee. on Refugees 46; Rep. ECOSOC 46-; 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Machado, Olyntho Pinto (Brazil); b. 06, Fed. D. of Brazil; Mem. of Brazil Econ. Mission 40; Asst. Dir.

Export-Import Dept., Bank of Brazil; Alt. Rep. 2nd sess. GA, N.Y. 47; present Rep. UN Advisory Cttee. on Adm. and Budgetary Questions.

Mahalanobis, Prasanta Chandra (India); b. 93; ed. at Presidency Coll. in Calcutta and King's Coll. in Cambridge; Pres. of Presidency Coll. and Prof. of Physics 15-; Lecturer at Calcutta Univ., Postgrad. Dept. 17-; Hon. Head of Postgrad. Dept. of Stat. 41-; Hon. Prof. of Stat. 46-; Hon. Sec. and Dir. of Indian Stat. Inst. in Calcutta 31-; Hon. Ed. of *Sankhya* (journal of stat.) 33-; Foundation Fellow of Natl. Inst. of Sci. of India 34-; Sec. 45; awarded Weldon Prize by Oxf. Univ. 42; Stat. Adviser to Govt. of Bengal 44-; elected F.R.S. 45; Gen.-Sec. of Indian Sci. Cong. 45-; Vice-Chm. of UN Stat. Comm. and UN Sub-Comm. on Stat. Sampling 47.

Makin, Norman John Oswald (Australia); b. 89, Petersham, N.S.W.; Mem. of House of Rep. 19-46, Speaker of House of Rep. 29-31; Min. for Navy and Munitions 41-46, for Aircraft Production 45-46; Min., later Amb. to U.S.A. 46-; Rep. 1st sess. GA 46, SC 46 and 47, TC 47, 2nd sess. GA, N.Y. 47, 6th sess. ECOSOC 48.

Malik, Charles M. (Leb.), b. 06, Bitirrin, Leb., ed. at Amer. Univ. of Beirut and Harvard Univ.; Ph.D. (Harvard) 37; associated with a Rockefeller Foundation unit in Egypt 30-32; Asst. Prof. of Philos., Harvard Univ. 36-37; Prof. of Philos. and Head of that Dept., Amer. Univ. of Beirut 37-45; Min. to U.S.A. 45-; Rep. UNICIO 45, ECOSOC 46-; 2nd part of 1st sess. GA, N.Y. 46, 2nd sess. GA, N.Y. 47, 1st spec. sess. GA 47; Rapp., Comm. on Human Rights 47-; Rapp., 1st sess. of Drafting Cttee. on Int. Bill. of Rights, Vice-Chm. and Rapp. in 2nd sess.; Pres., 6th and 7th sess. of ECOSOC 48; Chm., Leb. del. to 2nd spec. sess. GA, N.Y. 48.

Malik, Col. Majeed (Pak.), b. 02, Lahore, Pak., ed. at Punjab and Aligarh Univs.; fmr. Ed., *Outlook and Eastern Times*, fmr. Chief Ed. for Reuters in Bombay, Col. in 2nd World War, resigned Comm. as Col. in 47, fmr. Dir. of Pub. Relations, Govt. of India, present Dir. of Pub. Relations, Pak., Rep. 2nd spec. sess. GA, N.Y. 48; Mem. of Pak. del. to SC on India-Pak. Question 48.

Malik, Yakov A. (U.S.S.R.); fmr. Mem. of Press Sect. of For. Office; app. Counselor at Embassy in Tokyo 39; Amb. to Japan 42-45; Deputy Min. for For. Affairs 46-; Perm. Rep. to UN 48-.

Malyshev, I.S. (U.S.S.R.); ed. at Moscow Stat. Inst., fmr. Sr. Sci. of Inst. of Econ. Research; fmr. Lecturer on Polit. Econ. in Moscow; directed preparation of various stat. handbooks on U.S.S.R.; Deputy Head of Gen. Stat. Dept. of U.S.S.R., Rep. UN Pop. Comm. and UN Stat. Comm. 47-.

Mance, Brig.-Gen. Sir Harry Osborne (U.K.); K.B.E., C.B., C.M.G., D.S.O.; b. 75; ed. at Bedford School; joined Royal Engineers 95; served in S. Afr. War 99-02; Ry. Eng. in S. Afr., England and Nigeria 02-11, Dir. of Rys., Light Rys. and Roads of War Office 16-20, Mem. of Cen. Rhine Comm. 20-21 and 44-; Mem. of Comm. of Enquiry on Oder Dispute 24; Tech. Adviser to Ottoman Bank 24-; presented Fin. Report on Austrian Rys. 24, on Belg. Rys. 26; Br. Dir. of Ger. Ry. Co. 25-30; Dir. of Canals in Min. of War Transport 41-44; Chm. of UN Temp.

Transport and Communications Comm. 46; Rep. UN Transport and Communications Comm. 47-.

Manuilsky, Dmitri Zakharevich (Ukr. S.S.R.); b. 83; ed. in hist. at St. Petersburg Univ. and Sorbonne; joined revolutionary movement in 05, exiled to Kiev for participating in Kronstadt uprising 06, escaped abroad 07; returned to Russia 17; headed a Red Cross Mission to France 19; Mem. of Revolutionary Cttee. of Ukr. 20-21; elected Mem. of Presidium of Comintern 24; Commissar for For. Affairs and Deputy Chm. of Council of People's Commissars of Ukr. 44-; Prof. of Hist. and Mem. of Acad. of Sci. of U.S.S.R.; Chm., Ukr. del. to UNICIO 45; Vice-Pres., PC 45; Chm., Ukr. del. to 1st sess. GA 46, and 2nd sess. GA 47; Chm., 1st Cttee. of 1st sess. GA 46; Rep. SC 48, AEC 48, CCA 48.

Marshall, George Catlett (U.S.A.), b. 80, Uniontown, Penn.; ed. at Virginia Mil. Inst., Infantry-Cavalry School, and Army Staff Coll.; service in Phil. 02-03 and 13-16, Instructor at Army Staff Coll. 08-10; Army Expeditionary Forces 17-19, A.D.C. to Gen. Pershing 19-24; served with 15th Infantry in China 24-27, Asst. Commandant of Infantry School at Ft. Benning, Georgia 27-32; Comdr. of 8th Infantry 32-33, Sr. Instructor of Illinois Natl. Guard 33-36; Commanding Gen. of 5th Infantry Brigade 36-38; Asst. and later Deputy C. of S., War Plans Div., Gen. Staff 38-39, Acting C. of S. of Army 39, C. of S. of U.S. Army 39-45, Personal Rep. of Pres. in China with rank of Amb. 45-47, Sec. of State 47-; Rep. Council of For. Mins. in Moscow 47, in London 47; Chm., U.S. del. to Inter-Amer. Conf. for Maintenance of Continental Peace and Security at Rio de Janeiro 47, to 2nd sess. GA, N.Y. 47.

Marshall, Herbert (Can.); b. 87, Toronto; ed. at Univ. of Toronto; active service in 1st World War; Lecturer in Econ. at Univ. of Toronto 19-21; app. Prices Stat. in Dominion Bu. of Stat. 21; app. Chief of Internal Trade Branch 28; Rep., meeting of Int. Inst. of Stat. in Prague 38, Sec. of Conf. of Br. Commonwealth Stats. 35; Asst. Dominion Stat. 42-45, Dominion Stat. 45-; Chm. of UN Stat. Comm. and UN Cttee. on Stat. Classification 47.

Marshall, J. Thornton (Can.); b. 00, Buckingham, England; with Bu. of Vital Stats. of Br. Columbia 16-41, Inspector 29-39, Dir. 39-41; Dir. of Vital Stats. of Can. 41-; Chief Admn. Officer, Dominion Bu. of Stats. 46-47; Asst. Dominion Stat. 47-; Sec. of Vital Stat. Council for Can.; Mem. of Int. Stat. Inst.; Mem. of Inter-Amer. Stat. Inst., Mem. of Stat. Comm. of Inter-Amer. Cttee. on Social Security, Rep. UN Pop. Comm. 47-.

Martin, Paul (Can.); K.C., b. 03, Ottawa, ed. at St. Michael's Coll., Harvard, Trinity Coll. in Cambridge and Geneva School of Int. Studies; fmr. Pres. of Border Cities Branch of LN Soc. of Can., fmr. Mem. of Council of LN Soc. of Can.; fmr. Vice-Pres. of Inst. of Int. Affairs; elected Mem. of House of Commons 35, re-elected 40, Chm. of Can. del. to World Youth Conf. 36, Rep. 19th LN Asmb. 38; Parl. Asst. to Min. of Labour 43; Sec. of State 45-; Rep. Int. Labour Confs. Phila. 44, London 45; elected Chm. of Cttee. on Const. of ILO 45, Min. of Natl. Health and Welfare 46-; Rep. 1st sess. GA 46, ECOSOC 47-48.

Martínez-Lacayo, Juan José (Nicar.); b. 11, Granada; ed. in Granada and Los Angeles; app. Private Sec. to Min. to U.S.A. 29; Gov. of Granada 35-36; Consul-Gen. in San Francisco 36-43; Rep. 1st Inter-Am. Cong. of Tourism 39; Consul-Gen. in N.Y. 43-47 (retired); Rep. to Golden Gate Int. Exposition 39-40; Rep. 1st sess. GA 46, 1st spec. sess. GA 47, 2nd sess. GA, N.Y. 47.

Masaní, Minocheher Rustom (India); b. 05; ed. at Elphinstone Coll. in Bombay, London School of Econ. and Lincoln's Inn at London; barrister at law; Advocate, Bombay High Ct. 29; fmr. Mem. of Bombay Provincial Cong. Cttee. and All-India Cong. Cttee.; Founder and fmr. Sec. of All-India Cong. Socialist Party; Mem. of Bombay Mun. Corp. 35-; Mayor 43-44; Chm. of People's Provincial Food Council 44-45; Amb. to Brazil; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

Masaryk, Jan (Czech.); b. 86, Prague, ed. in Prague, fmr. Chargé d'Affaires in Wash.; served in Min. of For. Affairs in Prague 20-22 and 23-25, Counselor to Czech. Legation in London 22-23; Min. to Gr. Brit. 25-38 (resigned); app. For. Min. of Czech. Govt. in London 40, Vice-Premier 41-45, Chm., Czech. del. to UNRRA Conf. in Atlantic City 43, ILO Conf. in Phila. 44, UNCTO 45; Rep. Exec. Cttee. of PC 45, PC 45, Chm., Czech. del. to 1st sess. GA 46, Rep. ECOSOC 46, Chm., Czech. del. to 2nd sess. GA, N.Y. 47; d. Mar. 10, 48.

Matienco, Eduardo Anze (Bol.) b. 02, Cochabamba; ed. at Univ. of Cochabamba, and Ecole Libre des Sciences Politiques in Paris; app. Sec. of Legation in Para. 29; Sec. and Chargé d'Affaires, Buenos Aires 31 and 32; app. Sec. of Bol. del. to 7th Int. Conf. of Amer. States, Montevideo 33; Officer in Bol. Army, Gran Chaco War 33-35; app. Dir. of Polit. Branch of Min. of For. Relations 35, Under-Sec. 37; Gen. Adviser to Chancery 38; app. Min. of For. Relations 41, Amb. to Peru 42; Perm. Rep. to UN 47-.

Matthews, Sir William Thomas (U.K.); b. 38; Principal, H.M. Treasury 20; Asst. Sec., Assistance Bd. 34; Principal Asst. Sec., Assistance Bd. 37; Civil Adviser to Intendant Gen., Cairo 41; Dir.-Gen. of Middle East Relief and Refugee Admn. 42; Dir.-Gen. of UNRRA in the Balkans 44; Under-Sec. of Min. of Natl. Insurance 45; present Rep. UN Advisory Cttee. on Admn. and Budgetary Questions.

May, Herbert L. (U.S.A.); b. 77, Phila.; ed. at Cornell Univ. (LL.B. 97) and N.Y. Law School; admitted to Bar 98; practised law in N.Y.C. 98-04; Vice-Pres. and Gen. Counsel, May Drug Co. in Pittsburgh 04-22, Chm., Bd. of Directors 22-28; Mem. of the Staff of For. Policy Assn. 26-; Mem. of the Bd. of Directors 32-; Mem. of Perm. Cen. Opium Bd. 28-; Mem. of Narcotic Drugs Supervisory Body 33-; present Pres. of Perm. Cen. Opium Bd.

Mayhew, Maj. Christopher Paget (U.K.); b. 15; ed. at Christ Church Coll., and Oxf.; M.P. (Labour) for S. Norfolk 45-; Parl. Private Sec. to Lord Pres. of the Council 45; Parl. Under-Sec. of State for For. Affairs 46; Rep. ECOSOC 47-48.

Maza, José (Chile); b. 89, ed. at Univ. of Chile; elected Deputy, House of Rep. 21 and 24; app. Prime Min. and Min. of Interior 21; Min. of Jus. and of Pub. Ed. 25; elected Sen. 25, 32, 36 and 45, Pres. of Sen. 36-37; Chilean Rep. to Interparliamentary Cong.

at Versailles 28; Amb. to Uru., then to Brazil 43; Amb. to Dom. Rep., Haiti, Pan. and Peru respy. 45; Pres. of Comm. for For. Affairs of Sen.; Rep. UNCTO 45; Chm. of Chilean del. to 2nd sess. GA, N.Y. 47.

Mehta, Mrs. Hansa Manubhai (India); b. 97, Saurat; ed. at Baroda Coll.; attended Women's Int. Conf. at Geneva 21 and First Ed. World Conf. at San Francisco 23; elected Mem. of Schools Cttee. of Bombay Municipality 26; became Mem. of All-India Women's Conf. 27; Sec. of Natl. Council of Women in India 30-31 and Pres. of the Bhagini; Fellow of Sen. of Bombay Univ. 31-; Mem. of Bombay Legis. Council 37 and 40; Parl. Sec. for Ed. and Health 37-39; Pres. of Bombay Prov. Primary Ed. Bd. 39-42; Pres. of All-India Women's Conf. 45-46; Rep. UN Nuclear Comm. on Status of Women 46; Rep. UN Comm. on Human Rights 47-.

Melville, Leslie Galfried (Australia); b. 02, Marsfield, N.S.W.; ed. at Univ. of Sydney; Pub. Actuary of S. Australia 24-28, Prof. of Econ. at Univ. of Adelaide 29-31; Econ. Adviser to Commonwealth Bank of Australia 31-; Mem. of Advisory Cttee. on Fin. and Econ. Policy, Dept. of Treas.; Chm., Australian del. to UN Mon. Conf. at Bretton Woods 44; Chm., UN Sub-Comm. on Employment and Econ. Stability 47-.

Mendès-France, Pierre (France); b. 07, Paris; ed. at School of Polit. Sci. in Paris and Sorbonne; elected Deputy 32; fmr. Mayor of Louviers; Under-Sec. for Treas. 38-39, volunteered for Air Force 39; sentenced by Vichy Govt. to six years' imprisonment 40, escaped and joined underground movement 41; joined Free French Air Force 43; Fin. Comm. for French Provisional Govt. 43-44; Chm., French del. to Mon. Conf. in Bretton Woods 44, Savannah 46; fmr. Min. of Natl. Econ.; Gov., Int. Mon. Fund; Alt. Gov., Int. Bank; Rep. ECOSOC 47-.

Mendez Guardia, Manuel (Pan.); b. 19, Pan. City; ed. at George Wash. Univ., J. D. 42; Second Sec., Min. of For. Relations (Under-Sec. of State) 46-; Rep. 2nd sess. GA, N.Y. 47.

Menon, K.P.S. (India); b. 98, Kattayem (Travancore, S. India); ed. at Madras Christian Coll. and Oxf. Univ.; joined Indian Civil Service 21; fmr. Deputy-Sec. to Govt. of India in For. and Polit. Dept.; Agent to Govt. of India in Ceylon 29-33; app. by Indian Govt. on invest-spec. mission to Zanzibar, Kenya and Uganda to investigate position of Indians 34; fmr. Min. of Bharnat gate position of Indians 34; fmr. Min. of Unclio 45; State; app. Agent-Gen. in China 43; Rep. UNCTO 45; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46; Amb. to China 47-48; Sec., Ext. Affairs Min., Govt. of India; Chm., UN Temp. Comm. on Korea 47-.

Menon, M. Gopala (India); b. 01; ed. at Madras Univ.; Rep. of Standard Vacuum Oil Co. 30-33; Marketing Officer, Govt. of India 36-40, Chief Asst. Controller of Coffee 40-44; Deputy-Dir. in Food Dept., Govt. of India 44-46; Under-Sec., Min. of Ext. Affairs and Commonwealth Relations, Govt. of India 48-; First Sec. to Perm. Office of India del. to UN 48-; Sec. to India del. to 2nd sess. GA, N.Y. 47; Sec. of Kashmir del. to SC 48; Alt. Rep. to 2nd spec. sess. GA, N.Y. 48; Alt. Rep. IC; Rep. 3rd sess. UN Comm. on Narcotic Drugs 48.

Menon, V. K. R. (India); b. 03; ed. at Univ. of Madras and Christ's Coll., Cambridge; joined Indian Civil Service 26; Asst. Magistrate and Collector, Bihar

Under-Sec., Fin. Dept. 31; Magistrate and Collector 34; Deputy Comr. 39; Sec., Fin. Dept., Bihar 40; Inspector-Gen. and Regional Comr. of Excise 44; Sec., Min. of Labour and Dir.-Gen. of Resettlement and Employment, Govt. of India 46-47; Sec., Min. of Communications 48-; Rep. UN Trans. and Communications Comm. 48-.

Methöfer, Arthur (Neth.); b. 91; ed. at Leyden Univ.; LL.D.; Vice-Consul 19-27; Consul 27-38; Min. to Venez. 40, to Peru 46; Rep. 1st sesn. ECLA 48.

Moch, Jules (France); b. 93; ed. at Ecole Polytechnique; served in Army in 1st World War; Eng. 20-27; Deputy for Hérault 28-40; Under-Sec. of State 37; Min. of Pub. Works 38; served in French Navy 39-40; imprisoned for anti-Pétain vote 40-41; active in resistance movement, Deputy to Const. Asmb., later to Natl. Asmb.; Min. of Public Works and Trans. in 2nd de Gaulle Cabinet, and subsequently in Cabinets of Gouin, Bidault and Ramadier; Min. of Natl. Econ. and Recon. 47; Min. of Interior 47-; Rep. 2nd sesn. GA, N.Y. 47.

Modzelewski, Zygmunt (Pol.); b. 00, Czeszochowa; ed. at Univ. of Warsaw and Cracow, and at School of Polit. Sci. in Paris; fmtr. journalist; Officer in Pol. Army during 2nd World War; 1st Dir. of Pol. tel. agency *Polpress* 44-45; Amb. in Moscow 45; Under-Sec. of State for For. Affairs 45-47; elected Deputy of Legis. Asmb. 47; Min. of For. Affairs 47-; Rep. PC 45, 1st part of 1st sesn. GA, London 46, SC 46; Chm., Pol. del. to 2nd sesn. GA, N.Y. 47.

Moe, Finn (Nor.); b. 02, Bergen; ed. at Lycée Corneille and Univ. of Paris; journalist, for. corr. 33, and later Co-For. Ed. of Labor Party newspaper *Arbeiderbladet*; winner of Conrad Mohrs Press Scholarship 36; Dir. of Nor. broadcasting from U.S.A. 40-43; Press Consultant at Nor. Min. of For. Affairs in London 43-45; Mem. of Nor. del. to 1st part of 1st sesn. GA, London 46; fmtr. Polit. Adviser to Sec.-Gen. of UN; Perm. Rep. to UN 46-.

Monge, Juvenal (Peru); b. 90, Lima; ed. in civil eng. at Lima School of Eng; fmtr. Eng. on roads and rys. of Peru; fmtr. Prof. of Harbor and Econ. Eng. at School of Eng; Prof. of Admn. and Fin. Org. of Industrial Enterprises at Univ. of San Marcos in Lima; elected to Cong. 23, subsequently served 4 terms; Rep. Int. Mon. and Fin. Conf., Bretton Woods 44; Counselor to Peruvian del. to Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45, to UNCIO 45; Rep. 5th, 6th and 7th sesns. of ECOSOC; Rep. 2nd sesn. GA, N.Y. 47.

Monroe, Miss Elizabeth (U.K.); b. 05; ed. at St. Anne's Coll., Oxf.; Mem. of LN Secre. 30-32; Royal Inst. of Int. Affairs 33-38; holder of Rockefeller Travelling Fellowship (Mediterranean area) 37-38; Dir. Middle East Div. of Min. of Inf. 39-44; Dipl. Corr. of *The Observer* 44-45; Mem. of Foreign Staff of *The Economist* 45-47; Gov. of St. Anne's Coll.; Counselor of Royal Inst. of Int. Affairs; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

Mora, José A. (Uru.); b. 87, Montevideo; ed. at Univ. of Montevideo; Dr. of Law and Social Sci.; First Sec. of Legation in Spain and Portugal (residence in Madrid) 26, in Rio de Janeiro 28, in U.S.A. 29-30; Chief of Dept. of Int. Orgs., Min. of For. Affairs 33, Dir. 45; Sec.-Gen. of Uru. del. to Commercial Conf. at Buenos Aires 35, to Conf. for Consolidation of

Peace at Buenos Aires 36; Min. to Bol. 42-44; Chm., Uru. del. to Conf. of Inter-Amer. Devel. Comms. at N.Y. 44; Alt. Rep. to Cttee. of Jurists in Wash. 45; Mem. of Uru. del. to Meetings of Amer. Mins. of For. Affairs in Panama, Havana, Rio, and Mex.; Rep. 2nd part of 1st sesn. GA, N.Y. 46, Rep. UN Comm. on Human Rights 47-.

Morales Flores, Arturo (Costa Rica); b. 11; ed. at Univ. of Costa Rica; one of founders of "Popular Home" (natl. housing project); fmtr. Sec.-Gen. of Natl. Bd. of Housing and Head of Dept. of Housing of Costa Rican Social Security Fund; Rep. to 3rd Inter-Amer. Conf. on Agric. in Caracas and to World Mon. Conf. in Savannah, Ga. 45, Rep. to and one of founders of Fed. of Coffee Producers of Cen. Amer. and Mex.; Rep. 2nd part of 1st sesn. GA, N.Y. 46 and 2nd sesn. GA, N.Y. 47.

Morgan, Eduardo (Pan.), b. 02, Aberystwith, Wales; Circuit Judge 26-28 and 36-41; Legal Adviser for Natl. Ry. of Chiriqui Prov. 42-; Legal Adviser for other domestic and for. firms in Chiriqui Prov. and in Pan. City; Rep. UN Palestine Comm. 47-48.

Morgenstierne, Wilhelm Munthe (Nor.); b. 87, Oslo; ed. at Oslo Univ.; served Legation in Wash. 10-12, as Commercial Counselor 17-21; app. Counselor 21; subsequently Chief of Amer. Div. of For. Office in Oslo until 29; Consul-Gen. in N.Y. 29-34; Min. to U.S.A. 34-42, Amb. 42-; Rep. UNCIO 45, 2nd part of 1st sesn. GA, N.Y. 46, 2nd sesn. GA, N.Y. 47.

Morozov, Alexander P. (U.S.S.R.), b. 00, Kostroma Dist.; ed. at Leningrad Polit. Inst. and Fin. Inst.; fmtr. Lecturer at Fin. Inst.; Chief of Dept. of For. Currency and Mem. of Bd. of Min. for For. Trade of U.S.S.R. 39-46; Mem. of U.S.S.R. del. to Monetary and Fin. Conf., Bretton Woods 44; Rep. ECOSOC, Vice-Chm. of UN Econ. and Employment Comm. 47-.

Morris, Gen. Sir Edwin Logie (U.K.); K.C.B., OBE, M.C.; b. 89; ed. at Wellington and at Royal Mil. Acad. in Woolwich; Imp. Defence Coll. 33; Comdr. of Royal Engineers 34; Deputy Dir. of Operations, War Office 36-38, Chief of Gen. Staff in India 42-44; Gen. Officer, C-in-C of Northern Command 44-; Army Rep. MSC 46-48.

Morse, David A. (U.S.A.), b. 07, N.Y.; ed. at Rutgers Univ. and Harvard Law School, admitted to New Jersey Bar 33; Imp. Spec. Asst. to U.S. Atty.-Gen., later Chief Counsel of Petroleum Labor Policy Bd. in Dept. of Interior; Impartial Chm. of Metropolitan N.Y. Milk Industry 40-42, of Cleaning and Dyeing Industry of New Jersey 41-42; fmtr. Dir. of Labor Div. of Allied Mil. Govt. in Italy and Ger., fmtr. Gen. Counsel of Natl. Labor Relations Bd.; app. Asst. Sec. of Labor 46, later Under-Sec. and Acting Sec.; fmtr. Mem. of ILO Governing Body; fmtr. Chm. of U.S. del. to Int. Labour Confs. 46-48, app. Dir.-Gen. of ILO 48.

Mow Pong-tsu, Lieut.-Gen. (China); b. 04, Fenghua, Chekiang Prov.; ed. at Whampoa Mil. Acad., Canton Mil. Aviation School, and Second Mil. Aviation School of U.S.S.R.; Pilot, later Instructor, later Squadron Leader, later Chief Flying Instructor 26-32; Commandant, later Acting Commandant, and later Deputy Commandant of Natl. Air Force Area 32-34; Commanding Gen. of 3rd Air Force Area 34-35; Deputy C-in-C, Chinese Air Force 37; Chief of Operations Dept., Comm. on Aeronautical Affairs 38; C-in-C, Chinese Air Force 40-43, Head of Chinese Air Force

Mission to U.S.A. 43; Expert of Chinese del. to Dumbarton Oaks Conf. 44; Alt. Rep. to Int. Civil Aviation Conf., Chicago 44; Expert of Chinese del. to UNCIO 45; Rep. Int. Civil Aviation Conf., Montreal 45; Air Rep. MSC 46-.

Mudaliar, Sir. A. Ramaswami (India); b. 87; ed. at Christian Coll. and Law Coll. in Madras; fmr. Ed. of *Justice*; fmr. Mayor of Madras; fmr. Mem. of Madras Legis; fmr. Mem. of Econ. Cttee. of LN; Rep., Nine-Power Conf. in Brussels 37; Rep. of India on Imp. War Cabinet and Pac. War Council 42-43; Dewan, Mysore State, Chm., Indian del. to UNCIO 45, Chm. of Comm. 3; Rep. PC 45; Chm., Indian del. to 1st part of 1st sess. GA, London 46; Pres., ECOSOC 46-47.

Mulattier, Léon Frédéric (France), b. 87, Eure (Drôme); ed. at Collège de Montélimar, Ecole Spéciale des Travaux Publics Paris, Conservatoire des Arts et Métiers Paris, Ecole Nationale Supérieure des Postes et des Télégraphes de France; active service in 1st World War 14-18; Ed., Min. of Posts, Tel. and Teleg. 19; app. Ed., Cen. Adm. of Posts, Tel. and Teleg. 23, later Deputy-Chief of Bu., Chief, Deputy-Dir., and Dir., Prof. at Ecole Nationale Supérieure des Postes et des Télégraphes de France 26-39, Chm., French del. to Asmb. of Int. Teleg. Consultative Cttee. in Warsaw 36, to Asmb. of Int. Radio Consultative Cttee. in Bucharest 37, to Teleg. and Radiocommunications Conf. in Cairo 38, app. Vice-Dir. of Bu. of ITU 40; present Asst. Sec.-Gen. of ITU.

Muniz, Joao Carlos (Brazil), b. 93, Matto Grosso, ed. at Univ. of Rio de Janeiro and N.Y. Univ.; app. Consul in Chicago 26, later Consul-Gen. in Wash., Dir., Fed. Council for For. Trade Council 38-41; Min. to Cuba 41-42, Amb. to Ecua. 42-45; Sec.-Gen., Min. of Ext. Affairs 45; Rep. to Bankers' Conf., Phila. 26, Commercial Aviation Conf., Wash. 27, sess. of Labour Conf., Geneva 23-34, N.Y. 41, Food and Agric. Conf., Hot Springs 43; Rep. 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47; Alt. Rep. CCA 47; Rep. 2nd sess. GA, N.Y. 47; present Perm. Rep. to UN.

Muñoz, Rodolfo (Argentina), b. 08, Buenos Aires, ed. at Buenos Aires Univ. and La Plata Univ.; Dir. of Internal Revenue 31; Adviser to Min. of Fin. 33-35; Econ. Attaché to Embassy in London 36-39, Sec. 40-44; Counselor and Chargé d'Affaires, Paris 45; Sec., Argentine del. to 1st part of 1st sess. GA, London 46; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46; Rep. 1st spec. sess. GA, N.Y. 47; app. Counselor to Argentine Perm. Del. to UN 47; Alt. Rep. SC 48, AEC 48, CCA 48.

Muri, Alois (Swit.); b. 79, Sursee (Lucerne); ed. at Ecole Cantonale in Lucerne and Ecole Technique in Winterthur; Dr. of Tech. Sci. (Ecole Polytechnique Fédérale, Zürich) 34; Chief of Telegs. and Tels. Div. in Adm. of Posts, Telegs. and Tels. 21-43; Dir.-Gen. of Adm. of Posts, Telegs. and Tels. 43-45; Dir. of Int. Bu. of UPU 45-; Vice-Pres. of 12th Cong. of UPU 47; Sec.-Gen. of Exec. and Liaison Cttee. of UPU 48-.

Nyrdal, Karl Gunnar (Sweden); b. 98, Dalecarlia; ed. at Univ. of Stockholm; LL.D. 27; Assoc. Prof. of Int. Econ. at Post-Grad. Inst. of Int. Studies in Geneva 30-31; fmr. occupant of Lars Hierta Chair of Polit. Econ. and Pub. Fin. at Univ. of Stockholm; app. by Carnegie Inst. in N.Y. to direct study of Negro prob. in Amer. 38, author, *An American Dilemma* 44; Sen. 31-47 (resigned); app. Chm. of Post-War Econ. Plan-

ning Comm. for Sweden 44; Min. for Com. and Trade 45-47 (resigned); app. Exec. Sec., ECE 47.

N

Nájera, Francisco Castillo (Mex.); b. 86, Durango; ed. at Coll. of State of Durango and at Univ. of Mex., special studies in med. in Paris, Berlin and N.Y., also studied in Paris and Brussels; M.D. (Univ. of Mex.); fmr. Prof. at Univ. of Mex.; Dir., Juárez Hosp. 18-19; app. Dir., Army Med. School 20; Min. to China, Belg., Holland and France resp. 22-35; Amb. to U.S.A. 35-45; For. Min. 45-46; Rep. UNCIO 45, SC 46; Chm., Mex. del. to 2nd part of 1st sess. GA, N.Y. 46, Rep. UNSCOP 47-.

Nasr, Taha Bey el Sayed (Egypt); b. 02, Cairo; ed. at Egyptian Univ.; worked in various Sects. of State Legal Dept. 29-41; app. Asst. Royal Legal Adviser 41, app. State Legal Adviser to Min. of Interior and Min. of Health 45; app. Legal Adviser, State Council, to Min. of For. Affairs and Min. of Jus. 46; app. Under-Sec. of State for Sudan Affairs, Presidency of the Council of Ministers 47; Adviser to Egyptian del. to UNCIO 45, Mem. of Egyptian del. to Int. Health Conf., N.Y. 46; Rep. 2nd sess. GA, N.Y. 47.

Nehru, R. K. (India), b. 02; ed. at Allahabad Univ. (United Provinces) and Exeter Coll. (Oxf.); Deputy Commr. of Cen. Provinces 25-33, Collector of Customs in Bombay 36-38, in Madras 38-39; Commr. of N. India Salt and Cen. Excises 39-42; Joint Sec. in Dept. of Supply 42-44, in Dept. of Com. 44-46; Chm., Indian del. to Prep. Cttee. of Int. Conf. on Trade and Employment in London 46; fmr. Additional Sec. to Ext. Affairs Dept.; Min., Embassy in Wash. 48; Rep. UN Econ. and Employment Comm. 47-.

Neser, J. (U. of S. Afr.); b. 97, Rep. of the Transvaal, ed. at Grey Univ. Coll. in Bloemfontein; Mem. of Dept. of Native Affairs 15-20; Private Sec. to Min. of Pub. Lands 20; transferred to Prime Min.'s office 20, later, Parl. Officer to Gov.-Gen.'s Council; transferred to Dept. of Labor and Soc. Welfare 36; Asst. Sec. for S.W. Afr. 37-43, Sec. 46-; Under-Sec. for Recon. 43-46, Rep. 2nd sess. GA, N.Y. 47.

Nisot, Joseph (Belg.); b. 91, Charleroi; ed. at Univa. of Ghent, Cambridge, Geneva, Freiburg, Harvard, LL.D.; Assoc. Legal Adviser to Min. of For. Affairs 19-22, to LN 22-40, Rapp. of Harvard Research Group in Int. Law 40-42; Legal Adviser, Belg. Govt. in U.S.A. 42-45; Counselor and Min. to Belg. Embassy in Wash. 45-47; Min. and Alt. Perm. Rep. to UN 47-; Legal Adviser to Cttee. of Jurists and to Conf. for revision of Statute of Perm. Ct. of Int. Jus. 29, to Conf. on bills of exchange and promissory notes 44, 30; Rep. UNRRA Confs. 43, 44, 46, ILO Conf. 44, Food World Mon. Conf. 44, Civil Aviation Conf. 44, Food and Agric. Conf. 45, UN Cttee. of Jurists (Wash.) 45, UNCIO 45, ECOSOC, SC Cttee. of Experts, Legal Advisory Cttee. of AEC; Rapp. UN Sub-Cttee. on Prevention of Discrimination and Protection of Minorities; Alt. Rep. SC, IC, AEC, Working Cttee. of AEC, CCA 47-48.

Norlund, Ib (Den.); b. Copenhagen, ed. at Univ. of Copenhagen; M.P. 45-47; editor; Alt. Rep. 1st sess. GA 46; Rep. 2nd sess. GA, N.Y. 47.

Nyun, U So (Burma); b. 98, Rangoon, ed. at Rangoon Coll., Balliol Coll. of Oxf., Univ. of Edinburgh and Inns of Ct. in London; called to Bar at Middle

Temple (London) 26; practised as an Advocate in High Ct. of Judicature at Rangoon for ten years; Comr. of Rangoon 39-42 (relieved of his post by Japanese); after expulsion of the Japanese again app. Comr. and at same time Mayor of Rangoon; later app. Amb. to U.S.A.; Chm., Burma del. to 2nd spec. sesn. of GA, N.Y. 48.

O

Odffjell, Fredrik (Nor.); b. 78, Bergen; received Captain's cert. and became shipowner; Rep. Nor. Shipowners at all Maritime Confs. of Int. Labour Office; fmr. Pres. of Nor. Shipowners Assn.; fmr. Pres. of Baltic and Int. Maritime Comm.; fmr. Vice-Pres. of Int. Shipping Fed.; Rep. UN Transport and Communications Comm. 47-.

Orr, Sir John Boyd (U.K.); b. 80, Ayrshire, Scotland; ed. at Glasgow Univ.; M.D.; D.Sc. (Glasgow Univ.); Dir. of Rowett Research Inst. of Animal Nutrition 19-45, Dir. of Imp. Bu. of Animal Nutrition 29-45; Ed.-in-Chief, *Nutrition Abstracts and Reviews* 30-45; Mem. of Reorganization Comm. for Fat Stock Industry 32; Mem. of Reorganization Comm. for Milk 35-36; fmr. Mem. of Cattle Cttee. of Min. of Agric. of Colonial Advisory Council of Agric. and Animal Health, of Min. of Health's Advisory Cttee. on Nutrition, of LN Tech. Comm. on Nutrition and of War Cabinet Sci. Cttee. on Food Policy; fmr. Chm. of Scottish Sci. Advisory Cttee.; Prof. of Agric. Univ. of Aberdeen 42-45; app. Rector of Glasgow Univ. 45, Chancellor 46; M.P. 45-; Adviser to U.K. del. to FAO Conf., Quebec 45; Dir.-Gen. of FAO 45-48.

Ortiz-Rodríguez, Jorge (Colom.); b. 02, Medellín; ed. at Antioquia Univ. (Medellín), Colegio Rosario (Bogotá), and London School of Econ.; LL.D. and Dr. of Polit. and Econ. Sci. (Bogotá) 25; Mem. of House of Reps.; textile businessman; Counselor to Colombian del. to 2nd sesn. GA, N.Y. 47; Vice-Chm. of UN Fiscal Comm. 47-; Alt. Rep. UN Social Comm. 47-; Rep. 2nd spec. sesn. GA, N.Y. 48.

Owen, Arthur David Kemp (U.K.); b. 04, Pontypool, Monmouthshire, Wales; ed. at Leeds Grammar School and Univ. of Leeds; Dir., Social Survey of Sheffield 29-33; Sec. Civil Research Div., Polit. and Econ. Planning 33-36, Co-Dir., Pilgrim Trust Unemployment Survey 36-37; Stevenson Lecturer in Citizenship at Univ. of Glasgow 37-40; Gen.-Sec. of Polit. and Econ. Planning 40-41; Personal Asst. to Sir Stafford Cripps 41-44; Officer in charge of LN Affairs in For. Office 44-45, Mem. of U.K. del. to UNCIO 45; Deputy Exec. Sec. to PC 45; app. UN Asst. Sec.-Gen. in charge of Econ. Affairs 46.

Oyeaar, Jan Johan (Neth.); b. 97, Amsterdam; ed. in econ. at Amsterdam and Utrecht Univs.; LL.D.; worked for Amsterdam Shipping Co. 12-33, fmrly. its Gen. Rep. in Br. India and simultaneously Consul at Calcutta; app. Mem. of Econ. Intelligence Dept. of Min. of Econ. Affairs 36, later Dir.; app. Dir. of Shipping in Min. of Econ. Affairs 39; app. Sec.-Gen. of Min. of Shipping after liberation of the Neth.; Chm., later Mem. of United Maritime Consultative Council 46, Dir.-Gen. of Shipping in Min. of Transport and Adviser to Govt. on trans. and seaports in gen.; Rep. UN Transport and Communications Comm. 47-; Chm. of 1st sesn. 47.

P

Padilla Nervo, Luis (Mex.); b. 98, Zamora, Michoacan; ed. at Univs. of Mex. and Buenos Aires, George Wash. Univ. and London School of Econ.; entered dipl. service 30; Envoy to Madrid 31; Min. to U.S.A. 32-34, subsequently to El Sal., Costa Rica, Pan., Uru., Neth., Den. and Cuba; Rep. LN 38; app. Asst. Sec. of Labor 42, Chm., Mex. del. to Exec. Cttee. of PC 45, PC 45; Rep. 1st part of 1st sesn. GA, London 46, UNESCO Asmb. in London, Exec. Cttee. of PC of UNESCO in London; Chm., Mex. del. to last Asmb. of LN in Geneva 46; Rep. SC 46, AEC 46, Chm., Mex. del. to 2nd part of 1st sesn. GA, N.Y. 46, 1st spec. sesn. GA, N.Y. 47, 2nd sesn. GA, N.Y. 47, 2nd spec. sesn. GA, N.Y. 48; Chm., Mex. del. to 1st, 2nd and 3rd sesns. of TC 47-; Pres. of IC 48.

Pallares, Arturo Meneses (Ecu.), fmr. Sr. Officer in Research Sect. of Dept. of Labor of PAU; Chief of Sect. on Int. Confs. in Min. of For. Affairs, Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

Palthey, Georges Louis Claude (France); b. 10, Châlon-sur-Saône (Saône et Loire); ed. at Chartreux Institution in Lyon, Lyon Catholic Fac., Sorbonne and Ecole Libre des Sciences Politiques in Paris; LL.D.; Ed., Min. of Fin. (in charge of Pub. Accounting, controlling expenses incurred by Min. of Fin.) 34, Chief of Secre., Gen. Office of Econ. Control 42; Chief, Bu. of Cen. Admn. of Min. of Fin. and of Natl. Econ. 45, Asst. Fin. Comptroller attached to French missions to U.K. 45; Gen. Sec., French Council of Supplies in U.K. 46, Chief of del. 47; Asst. Dir. of Personnel, UN Secre. 48, Dir. 48-.

Palza, Humberto (Bol.); b. 01, La Paz; ed. at Univ. of La Paz and in social and econ. sci. in Argentina; app. Under-Sec. of Ed. 28, Deputy 29; Gen. Adviser then Under-Sec. to Min. of For. Affairs 39-43; Lecturer at Univ. of Santiago 45, Prof. at Univ. of La Paz; Rep. Meeting of Mins. of For. Affairs of Amer. Reps., Havana 40; Perm. Alt. Rep. to UN 47.

Pandit, Mrs. Vijaya Lakshmi (India); b. 00; ed. by private instruction; thrice imprisoned in civil disobedience movements; elected Mem. of Allahabad Mun. Bd. and Chm. of Ed. Cttee. 35; Mem. of Legis. Asmb. of United Provinces; Min. for Local Self-Govt. and Pub. Health 37-39 and 46-47; Pres. of All-India Women's Conf. 41-43; founder and Pres. of All-India Save the Children Cttee.; Amb. to U.S.S.R. 47-; Chm., Indian del. to 2nd part of 1st sesn. GA, N.Y. 46, and 2nd sesn. GA, N.Y. 47.

Panikkar, Sardar Kavalam Madhava (India), b. 95; ed. at Madras and Oxf.; called to Bar (Middle Temple); fmr. Prof. at Aligarh Muslim Univ.; fmr. Ed., *Hindustan Times*; fmr. Sec. to Chancellor of University of Princes; fmr. For. Min. of Patiala State; For. and Polit. Min. of Bikaner State 39, fmr. Sec. of Indian States' del. at Round Table Conf. in London; Indian States' Rep. to Pac. Relations Conf., Can. 42, and Commonwealth Relations Conf., London 45; Vice-Pres., Royal India Soc., London; app. Prime Min. of Bikaner State 41, Amb. to China; Rep. 2nd sesn. GA, N.Y. 47.

Panyushkin, Alexander S. (U.S.S.R.), b. 05, ed. at Frunze Mil. Acad.; temp. Rep. in Chungking 38; Amb. to China 39-44; Mem. of Soviet For. Office 45-47; app. Amb. to U.S.A. 47; Rep. 2nd spec. sesn. GA, N.Y. 48.

Papánek, Ján (Czech); b. 96, Brezova; ed. at L'Ecole Libre des Sciences Politiques and L'Institut des Hautes Etudes Internationales in Paris and L'Académie de Droit at The Hague; LL.D. (Univ. of Paris and Charles Univ. of Prague); Commercial Attaché of Legation in Budapest 25-27; Sec. of Legation in Wash. 27-32; app. Parl. Sec. to Min. of For. Affairs 32; app. Czech Consul in Pittsburgh 36; app. Personal Rep. of Czech. Pres. in U.S.A. 39, Dir., Czech. Govt. Inf. Service in N.Y. 42-46, Mem. of UNIO 42-46, Rep. UNCIO 45, ECOSOC 46-48; Vice-Pres., ECOSOC 47-48, Perm. Rep. to UN 46-48; present Mem. of UN Ctee. on Contributions and UN Advisory Ctee. on Adm. and Budgetary Questions.

Parodi, Alexandre (France), b. 01, Paris, ed. at Univ. of Paris; Dir.-Gen. of Min. of Labor 38-40; app. Pres. of Underground Press Comm 43; under name of "Cerat", app. Del.-Gen. of French Ctee. of Natl. Liberation and of Fin. and Social Council of Resistance 44; Min. of Labour 44-46; Pres. of Int. Labour Conf. 45; Amb. to Rome and Del. to Allied Adv. Council for Italy 45; Perm. Rep. to UN 46-.

Parró, Alberto Arca (Peru), b. 01, Ayacucho, ed. at Indiana State Univ. and Universidad Mayor de San Marcos in Lima; teacher 25-30; Del. to Int. Students' Conf. in Pirapolis, Uru. 25; Mem. of Drafting Ctee. of Gen. Election Law 30, Deputy 31-36, Head of Census Office, later incorporated into Natl. Bu. of Stat. 33-41; Dir., Natl. Bu. of Stat. 42-44, Rep. Inter-Amer. Demographic Cong. in Mex. 43; Rep. Inter-Amer. Stat. Inst., Chm. of its Ctee. on Demographic Stat. 42-4, Hon. Chm. of its Ctee. on 1950 Census of the Americas 46; Prof.; Rep. 1st part of 1st sess. GA, London 46, ECOSOC 46-47; Chm., UN Pop. Comm. 47-.

Patterson, George Sutton (Can.); b. 87, Moncton, New Brunswick Prov.; ed. at Mt. Allison Univ. (Sackville, New Brunswick), Univ. of Toronto and Columbia Univ.; Ph.D. (Columbia) 32; Missionary in Japan for Can. Methodist Church 12-16, served with Can. Field Artillery and Royal Garrison Artillery 16-19, worked with Natl. Council of the Y.M.C.A. in Japan 21-32, in Can. 32-36; Gen. Sec. of Toronto Y.M.C.A. 36-43; assisted in establishment of Can. Legation in Chungking and Counselor there 43-45; Alt. Can. Rep., Far Eastern Comm. in Wash. 46; attached to Can. Embassy in Nanking 46-47; Acting Chm. of Can. Liaison Mission, Tokyo 47; Rep. UN Temp. Comm. on Korea.

Pearson, Lester Bowles (Can.); b. 97, Toronto; ed. at Univ. of Toronto, Oxf. Univ.; app. First Sec., Dept. of Ext. Affairs 28; First Sec., then Counselor of High Comr. for Can. in London 35-41; Asst. Sec. of State for Ext. Affairs 41; Min.-Counselor at Legation in Wash. 42; fmr. Rep. on UNRRA; app. Min. to U.S.A. 44, Amb. 45; Chm. of Interim Comm. and 1st sess. of FAO Conf. 45; app. Under-Sec. of State for Ext. Affairs 46, Sec. of State for Ext. Affairs 48; Chm. Can. del. 1st spec. sess. GA 47, and Chm. Ctee. I; Alt. Rep. 2nd sess. GA, N.Y. 47; Rep. IC 48; Alt. Rep. SC 48.

Pektas, Mrs. Mihri (Tur.); b. 95, Bursa; ed. at Amer. Coll. for Girls in Istanbul; taught Eng. and Tur. in schools and colls. 16-34; elected to Natl. Asmb. 35, re-elected 38 and 42; Mem. of Tur. del. to Inter-Parl. Conf. in London 35 and in Oslo 39; Mem. of Receiving Ctee. of Int. Alliance of Women, Istanbul 35; Mem. of Tur. del. LN 36; UN Comm. on Status of Women 47-.

Pelt, Adrian (Neth.); b. 92, Koog-aan-de Zaan, Prov. of N. Holland; ed. at Dutch primary and secondary schools and at Ecole Libre des Sciences Politiques in Paris, London corr. 15-16, and Paris corr. 16-19 of various Dutch newspapers; For. Sub-Ed. of *Nieuwsblad voor Nederland*, *Het Nieuwsblad van den Dag* and *De Telegraaf* 10-15 and 19-20; Mem. of LN Sectr. for 20 years, entering Inf. Sect. in 20, and becoming its Dir. by 34; Organized Neth. Govt. Inf. Bu. in England and directed its services 40-45; Mem. of Neth. del. to UNCIO 45, Exec. Ctee. of PC 45, PC 45, 1st part of 1st sess. GA 46; app. UN Asst. Sec.-Gen. for Conf. and Gen. Services 46.

Perez-Cisneros, Enrique (Cuba); b. 16, Saint Nazaire, France; studied agric. econ. in Cuba and in France; Mem. of Cuban del. to UNRRA at Atlantic City 43, Alt. Rep. UNRRA at Montreal 44, at Atlantic City 46, Rep. FAO Conf. at Quebec 45, at Copenhagen 46, Alt. Rep. ECOSOC 46; present Commercial Attaché at Embassy in Wash.; Rep. UN Econ. and Employment Comm. 47-.

Pescatore, Pierre (Lux.), b. 19, Lux; ed. at Univ. of Louvain in Belg.; LL.D. (Lux.) 46; Legal Adviser, Min. of For. Affairs 46-; Sec., Lux. del. to 1st sess. GA 46; Rep. 2nd sess. GA, N.Y. 47.

Pezelj, Slavko (Yugos.); b. 15, Susak, Yugos.; graduated from a nautical acad. 33; completed Lieut.'s examination 36, Capt.'s examination 40, in Maritime Service as seaman, later Officer 33-43; later became Chief of Maritime Adm.; present Dir. of a shipping firm; Rep. UN Transport and Communications Comm. 47-.

Phelan, Edward (Ireland); b. 88, Waterford, Ireland, ed. in math. and physics at Liverpool Univ.; fmr. Mem. of Br. Civil Service, serving successively in Bd. of Trade, Natl. Health Insurance Comm., Min. of Labour and For. Office; Mem. of Br. Mission to U.S.S.R. 18, Mem. of Labour Sect. of Br. del. to Paris Peace Conf. 19; Asst. Sec., Organizing Ctee. of 1st ILO Conf., Wash. 19, subsequently Prin. Sec.; app. to perm. staff of ILO 19, later became Chief of its Dipl. Div.; app. Asst.-Dir. of ILO 33, Deputy-Dir. 38, Dir. Gen. of ILO 41-48.

Phillips, Herbert Moore (U.K.); b. 08, Essex, ed. at Oxf. Univ.; Asst. Principal, Min. of Labour 36; Asst. Private Sec. to Min. of Labour 36; Principal, Trades Bd. Dept. of Min. of Labour, and later of Employment Dept.; app. Asst. Sec., Min. of Labour and Natl. Service 42; joined For. Office as Counselor for Econ. and Social Affairs 45; Alt. Rep. ECOSOC 46-; Rep. 1st sess. of ECLA 48.

Pillai, P.P. (India); b. 94, Trivandrum; ed. at Univ. of Madras, London and Geneva; fmr. Examiner for Research Degrees in Econ. and Politics in several Indian Univs.; fmr. Rep. of ILO in India; fmr. Vice-Chm. of Council of Indian branch of Chatham House; Mem. of Organizing Ctee. and Working Ctee. of Asia Relations Conf. at New Delhi 47; Chm., ILO Comm. to Asia 47; Perm. Rep. to UN 47-48; present Chargé d'Affaires, Embassy in Paris.

Pirzada, Abdus Sattar (Pak.); b. 07, Sukkur Old, ed. at Bombay Univ. (D.J.), Sind Coll. in Karachi, Univ. Coll. in London and Lincoln's Inn in London; called to the Bar from Council of Legal Ed. in London 30; practised at Sind Bar 30-; Asst. and Dist. Pub. Prosecutor 33-41; Min. of Sind Provincial Cabinet 41-42 (re-signed) and 46-47; Min. of Food, Agric. and Health of Pak. 47-; Rep. 2nd Sess. GA, N.Y. 47.

Polar, Zeki (Tur.); b. 02, Istanbul; ed. at Paris Univ.; LL.D.; fmr. Chargé d'Affaires of Tur. del. to LN; fmr. Dir. of Private Cabinet of Min. of For. Affairs; fmr. Counselor to Embassy at Teheran, Consul-Gen. in Geneva and Barcelona; fmr. Dir.-Gen. of Polit. Dept. of Min. of For. Affairs; present Asst. Sec.-Gen. of Min. of For. Affairs; Rep. 2nd sess. GA, N.Y. 47.

Ponce, Neftali (Ecu.); b. 08; Quito; ed. at Univ. of Quito; LL.D.; app. Consul in Glasgow 34; First Sec. to Embassy in Wash. 41; Dir. of Protocol in Min. of For. Relations 43; Counselor to Embassy in Caracas 43, Bogotá 44; fmr. Min.-Counselor, Chargé d'Affaires at Embassy in Wash.; Amb. to Wash. 47-; Rep. Inter-Am. Conf. on Probs. of War and Peace, Mex. City 45, UNCIO 45; Rep. 2nd part of 1st sess. GA, N.Y. 46; Chm., Ecu. del. to 1st spec. sess. GA 47, Vice-Pres.; Chm., Ecu. del. to 2nd sess. GA, N.Y. 47.

Popova, Mrs. Elizaveta Alekseevna (U.S.S.R.); b. 02, Kursk; practised law for 12 yrs.; active in women's movement for 15 yrs.; fmr. Sec. of Cen. Cttee. of Trade Union of Workers in legal field; Rep. UN Comm. on Status of Women 47-; Vice-Chm. 2nd sess. 48.

Popovic, Vladimir (Yugos.); b. 14, Montenegro, ed. at Univ. of Belgrade; fmr. Mem. of Sup. Hdqrs. Staff of People's Liberation Army and Partisan Units; Maj.-Gen. and Comdr. of Third Army Corps; app. Polit. and Mil. Rep. to Bulgaria 45; Amb. to U.S.S.R. 45-; Rep. Paris Peace Conf., 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Pourevally, Abol-Ghassem (Iran); b. 96, Iran; ed. at School of Polit. Sci.; fmr. Attaché, Sec., Asst. Chief of Service, Asst. Chief of Sect. in Min. of For. Affairs at Teheran; fmr. First Sec. of Legation and Chargé d'Affaires a.i. at Brussels, Rome, Vienna, Prague, Bucharest and Belgrade; fmr. Dir. of Consular Dept., Dir. of Personnel, Dir. of 1st Polit. Dept. in Min. of For. Affairs; fmr. Consul Gen. at Hamburg; Min. to Swit. 47-; Rep. UN Comm. on Human Rights 47-.

Price, Byron (U.S.A.); b. 91, Topeka, Indiana, ed. at Washash Coll., LL.D. 43; M.A. (Harvard Univ.) 46; LL.D. (Indiana Univ.) 48; engaged in newspaper work in Crawfordsville and Indianapolis 09-12; United Press Assn. 12; Associated Press 12-41; Capt. of Infantry, U.S. Army 17-19; Chief, Wash. Bu., Associated Press 22-27, Exec. News Ed. 37-41, Acting Gen. Mgr. 39; U.S. Dir. of Censorship 41-45; on spec. mission to Ger. as Personal Rep. of U.S. Pres. 45; Vice-Pres. of Motion Picture Assn. of Amer., Bd. Chm. of Assn. of Motion Picture Producers, Pres. of Cen. Casting Corp. 46-47; UN Asst. Sec.-Gen. for Admn. and Fin. Services 47-.

Price, Frederick A. (Lib.); b. Barbados, Br. W. Indies; ed. in Barbados; served for 40 years as Missionary of Methodist Episcopal Church of U.S.A. in Lib.; fmr. Field Treas. of Mission B.I.; fmr. Inspector of Schools, Maryland Co.; app. Consul-Gen. in U.S. 45; Rep. FAO Conf. in Quebec 45, UNRRA Council in Atlantic City and Wash., 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47, IC 48.

Protitch, Dragoslav (Yugos.); b. 02, Cacak (Serbia); ed. at Belgrade Univ. and Brussels Free Univ.; Dr. of Econ. and Polit. Sci. (Brussels Free Univ.) 26; Fin. Attaché, Legation in Brussels 23-26; Attaché, Min. for For. Affairs, Belgrade 26-28; Sec. Legation in Vienna 28-29, Second Sec. Legation in London 29-33; First Sec., Min. for For. Affairs 33-38; Counselor, Min. for For. Affairs (Chief of Sect. in Polit. Dept.) 38-40;

Counselor, Legation in Athens 40-41, Cairo 41, London 42-46; Chargé d'Affaires to Neth. Govt. in London 42-46; participated in work of Yugos. dels. to LN 27-28; Mem. of Yugos. del. at Conf. of Little Entente and Balkan Entente 28-38; Rep. Allied Conf. of Mins. of Ed. 44 and 45; Rep. UNESCO Conf. 45; lent by Yugos. Govt. to UN Secre. (Assoc. Chief of Sect. of SC Affairs) 45; Dir., Admn. and Gen. Div., Dept. of SC Affairs 46-48, Principal Dir. 48-.

Putman, Rodolphe (Belg.); b. 81, Waereghem; Hon. Sec.-Gen. at Min. of Fin., Hon. Dir.-Gen. of Admn. of Direct Taxes, Admn. of Gen. Savings and Pensions Fund; Govt. Counselor in Rediscout and Guarantee Inst.; Mem. of Sup. Fin. Council; fmr. Chm., Fiscal Cttee. of LN, negotiated treaties on double taxation between Belg., Neth., Lux., France and Italy; Chm. of UN Fiscal Comm. 47-.

Q

Quijano, Manuel de Jesus (Pan); b. 81, entered teaching profession 04, later lawyer and journalist, Proprietor and Ed. of *La Prensa Ilustrada*, Deputy and Pres. of Natl. Asmb. 24-28, Sec.-Gen. of Presidency of Rep. 28-31, re-appointed 46; Min. of Fin. 30, 47, P.M. Gen. 36-40, Rep. Postal Cong. of Spain and the Americas 36; Chief Natl. Censor during 2nd World War, fmr. Amb. to Costa Rica; Perm. Rep. and later Alt. Rep. to UN 48.

Quintanilla, Luis (Mex.); b. 00, Paris, ed. at Johns Hopkins Univ. and Sorbonne; Ph.D., First Sec. of Legation in Paris 31-35; Sec. Mex. del. to LN 32; Counselor, Embassy in Wash. 35-39, Min. 39-42, Amb. to U.S.S.R. 42-45, to Colom. 45-46, Rep. 9th Int. Conf. of Amer. States, Bogotá 48; Rep. UNCIO 45, 2nd sess. GA, N.Y. 47; Rep. Org. of Amer. States, Wash.

Quo Tai-chi (China), b. 88, Kwangtzi, Hupeh Prov., China, ed. at Williston Acad. in Easthampton, Mass. and Univ. of Penn.; Sec. to Gen. Li Yuan-hung 12-15, Mem. of Chinese del. to Paris Peace Conf. 19, to LN 32-38, Min. to U. K. 32-35, Amb. 35-41; Rep. Econ. and Mon. Conf., London 33; Rep. Nine-Power Conf., Brussels 37; Min. of For. Affairs 41-42, Chm., Sup. Natl. Defense Council 42-46; Rep. SC 46-47, AEC 46-47, 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA, N.Y. 47, CCA 47.

R

Rabichko, V. A. (Ukr S.S.R.); b. 01, Stalino, ed. Plekhanov Inst. of Natl. Econ. in Moscow and Inst. of Econ. Research, fmr. Lecturer on Polit. Econ., worked in coal industry of Middle Asia 33-36, Mem. of Cen. Stat. Admn. in Moscow 36-37, Dir. of Stat. Admn. of Ukr. S.S.R. 37-; Lecturer at Inst. of Econ. and Fin., Mem. of State Planning Comm., Vice-Chm. of UN Pop. Comm. 47.

Radice, Fulke Rosavo (UK), b. 88, Naples, ed. at Bedford School, First Class Degree in Modern Hist. at Oxfr. Univ.; Mem. of Br. Postal Admn. 11-46, Head of Br. Secre. of 9th Cong. of UPU 29, Vice-Dir., Int. Bu. of UPU 46-; Head of Secre. of 12th Cong. of UPU 47.

Rajchman, Ludwik (Pol.), b. 81, Warsaw, ed. at Univ. of Cracow, M.D. 06; Gen.-Dir. of Natl. Inst. of Health in Warsaw 19, Dir. of Health Org. of LN 21-39, Rep. of LN's Council to Natl. Econ. Cttee. of China 33-34, Adviser to Natl. Govt. of China 39-43, Present Chm., Exec. Bd. of UNICEF.

Rao, V.K.R.V. (India); ed. at Bombay and Cambridge Univs.; Ph.D. (Cambridge); Head of Dept. of Econ. and Dean of Fac. of Arts, Delhi Univ.; fmr. Dir. of

Stat. and fmr. Planning Adviser, Food Min. of Govt. of India; fmr. Food Adviser of Embassy in Wash; Mem. of Prov. Rural Devel. Bd. in Bombay; Mem. of Consultative Cttee. of Econ. of Govt. of India and of Cen. Cotton Cttee.; Rep. at FAO Confs. in Quebec 45, Wash. and Copenhagen 46; Chm, UN Sub-Comm. of Econ. Devel. 47-.

Rasmussen, Gustav (Den.); b. 95, Odense; ed. at Univ. of Copenhagen, Chargé d'Affaires in Berne 27-31; Counselor, Danish del. to LN 34-35, Chief of Sect in For. Office 35-39, Counselor, Danish Legation in London 39-42; Mem. of Danish Council and Mil. Mission in London during 2nd World War; Min of For Affairs 45-; Chm, Danish del. to 1st sess. GA 46, Chm, Credentials Cttee; Chm, Danish del. to 2nd sess. GA, N.Y. 47.

Read, John Erskine (Can.); K.C.; b. 88, Halifax, N.S.; ed. at Dalhousie Univ., Columbia Univ. and Univ. Coll., Oxf. (Rhodes Scholar); LL.D., admitted to Bar of N.S. 13; engaged in gen. practice 13-20, served with Can. Army 14-18, app. Prof. of Const. and Int. Law and Dean of Fac. of Law, Dalhousie Univ. 24; Legal Adviser, Dept of Ext. Affairs 29-46, Counsel for Can. Govt. in litigation involving questions of Const. and Int. Law before Sup. Ct. of Can., Judicial Cttee. of Privy Council, and U.S. Fed. Cts., including Sup. Ct. of U.S.A.; Rep. UN Cttee of Jurists, Wash. 45, 1st part of 1st sess. GA, London 46, Judge of ICJ 46-.

Reichelderfer, Francis Wilton (U.S.A.), b. 95, Harlan, Indiana, ed. at Northwestern Univ. in Illinois, Blue Hill Observatory (Harvard Univ.) Geophysical Inst. in Bergen, Norway, Deutsche Seewarte in Hamburg, Office National Météorologique in Paris, and Meteorological Office in London, Meteorologist in U.S. Navy, reorganizing and developing Naval meteorological activities 18-38; Chief, U.S. Weather Bu. 38-; Mem. of Int. Meteorological Cttee. 38-; Mem. of Exec. Council 39-; Pres. of ITU Regional Comm. IV (North and Cen. Amer.) 40-; Vice-Pres., Int. Meteorological Cttee. 46-.

Reid, John S. (N.Z.); b. 01, Petone; ed. at Victoria Coll. in Wellington; fmr. barrister and solicitor; Asst. Parl. Law Draftsman 36-40, Asst. Treas. Solicitor 40, Acting Solicitor 40-43; fmr. Treas. Rep. on Rehabilitation Bd. and War Damage Comm.; fmr. Govt. Counsel to Econ. Stabilization Comm.; app. First Sec. to Legation in Wash. 43, Counselor 47; several times Chargé d'Affaires in Wash.; Alt. Rep. 2nd spec. sess. GA 48; Rep. 3rd sess. of TC 48.

Reyes, Juan Rivera (Pan.); b. 93, Pan; ed. at Eastman Natl. Coll. of N.Y., N.Y. Univ., Hamilton Law School of Chicago, Univs. of Pan. and Paris; began career as a teacher; fmr. school dir.; Inspector of Pub. Instruction; fmr. Consul in Saint Nazaire (France); fmr. Consul-Gen. in Hong Kong; fmr. Prof. of Int. Law and Dean of Free Univ. of Pan; Rep. 2nd sess. GA, N.Y. 47.

Ribnikar, Vladislav (Yugos.); b. 04; ed. in Zagreb, Croatia; specialized in modern polit. hist. and in the theory and hist. of art and aesthetics; ed. of Belgrade newspaper and collaborator on many Yugos. newspapers and magazines; Sec. of Org. of Journalists of Yugos.; Rep. UN Comm. on Human Rights 47-.

Rice, Stuart Arthur (U.S.A.); b. 89, Wadena, Minnesota; ed. at Univs. of Wash. and Columbia; Ph.D. (Columbia) 24; Sec. of Industrial Welfare Comm., Wash. 13; Prof. of Sociology, later also of Stat. at Univ. of Penn.

26-40; Visiting Prof. of Sociology at Univ. of Chicago 32-33; Asst. Dir. of Census 33-36; Chm. of U.S. Cen. Stat. Bd. 36-40; fmr. Pres. of Amer. Stat. Assn., 1st Vice-Pres. of Inter-Amer. Stat. Inst., Vice-Pres. of Amer. Assn. for Advancement of Sci., Mem. of Social Sci. Research Council and Amer. Council of Learned Soci.; Asst. Dir. of Budget in charge of Stat. Standards in Exec. Office of Pres. of U.S.A. 40-; Chief of Stat. Mission to Japan 46, Chm. of Arrangements Cttee. for Int. Stat. Inst. 47; Chm. of UN Stat. Nuclear Comm. 46; Rapp. of UN Stat. Comm. 47-48.

Ridgway, Lieut.-Gen. Matthew Bunker (U.S.A.), b. 95, Fort Monroe, Virginia; ed. at U.S. Mil. Acad., Command and Gen. Staff School, Army War Coll.; Mem. of Amer. Electoral Cttee. in Nicar. 27-29 and 30, Tech. Adviser to Gov.-Gen. 32-33; Asst. C. of S., G-3, Second Army, Chicago 36, Asst. C. of S., Fourth Army 37-39; Mem. of War Plans Div. of War Dept. Gen. Staff 39-42, Commanding Gen. of 82nd Airborne Div. and of 18th Corps (Airborne) 42-45, Sr. U.S. Rep. to Inter-Amer. Defense Bd.; Army Rep. MSC 47-48.

Riefler, Winfield W. (U.S.A.); fmr. Alt. Mem. of LN Fin. Cttee., Prof. at School of Econ. and Polit. of Inst. for Advanced Study 39-; Special Asst. to U.S. Amb. (with rank of Min.) in charge of Econ. Warfare, London 42-44; Rep. UN Sub-Comm. on Employment and Econ. Stability 47-.

Ristic, Milan (Yugos.); b. 08, Knjazevac, Serbia; ed. at Univ. of Belgrade and in France, Dr. of Econ. and Fin. Sci., Strassbourg, France 34; up to beginning of 2nd World War employed in Min. of Fin. of Yugos.; prisoner of war in Ger. 41-45; later Chief of Dept. of Int. Org. in Min. of For. Trade; fmr. Chief of Opium Dept. in Belgrade; present Mem. of Perm. Cen. Opium Bd.

Roberts, Mrs. I. Enid (N.Z.), b. Wanganui, entered teaching service 97; 1st Prin. of St. Stephen's School, Marton 18-32; responsible for initiating 1st experiment in adult teaching among Maoris; fmr. Sec. of Masterton Branch of N.Z. LN Union and, later, Sec. and Treasurer of Wairarapa Branch; Vice-Pres. of Dominion Council, UN Assn.; Rep. 2nd sess. GA, N.Y. 47.

Rodionov, Konstantin K. (U.S.S.R.); after completing studies at Univ., joined Navy of U.S.S.R.; Rep. Dunbarton Oaks Conf. 44, UNCIO 45, 2nd sess. GA, N.Y. 47.

Rolz Bennett, Federico (Guat.); b. 14, Quetzaltenango, ed. at Univ. of San Carlos in Guat.; Rep. to 3rd Amer. Conf. on Agric., Venez. 45; Mem. of Nad. Group for Guat. to PCA 45; Confidential Envoy of Guat. to El Sal. and Nicar. Govts.; Rep. of Guat. Municipality to Inauguration of Mayor of Havana 46, to 4th Centenary of City of San Salvador 46; Mem. of Natl. Olympic Cttee.; Rep. 2nd sess. GA, N.Y. 47.

Romulo, Brig.-Gen. Carlos P. (Phil.); b. 01, Manila, ed. at Univ. of Phil. and Columbia Univ.; Publ. of DMHM newspapers 33-41; awarded Pulitzer Prize in Journalism 41; fmr. A.D.C. to Gen. Douglas MacArthur; accompanied Gen. MacArthur and liberating forces in invasion of Leyte and later in recapture of Manila; Sec. of Inf. and Pub. Relations in Pres. Quezon's War Cabinet 43-44; Acting Sec. of Pub. Instruction in Pres. Quezon's Cabinet 44-45; Resident Comm. of Phil. to U.S.A. 44-46; Chm. of Phil. del. to UNCIO 45; Rep., UNRRA Conf., Atlantic City 46; Chm. of Phil. del. to London Conf. on Devastated Areas 46, to all sess. of GA, to

UN Conf. on Freedom of Inf. at Geneva 48; Pres. of UN Conf. on Freedom of Inf. 48.

Roosevelt, Mrs. Franklin Delano (U.S.A.); b. 84, N.Y., N.Y.; ed. in private schools; married Franklin D. Roosevelt 05; Fin. Chm., Woman's Div. of N. Y. State Dem. Cttee. 24-28; fmr. Vice-Pres. of N. Y. State Lea. of Woman Voters; radio broadcaster and journalist writing daily newspaper column since 36; Asst. Dir., Office of Civilian Defense 41-42; Rep. 1st sess. GA 46 and 2nd sess. GA, N. Y. 47; Chm., UN Comm. on Human Rights 47-; of UN Drafting Cttee. on Int. Bill of Rights 47-.

Roper, Albert Jean François (France); b. 91, Paris; ed. at Paris Univ.; LL.D.; Capt.-Pilot during 1st World War, French aviation expert and Sec. of Aeronautical Comm. of Peace Conf. 19; fmr. French aviation expert at LN, Aviation Adviser to Min. of For. Affairs 20-22; Sec.-Gen. of Int. Comm. for Air Navigation 22-46; Sec.-Gen. of PICAQ 45-47; Sec.-Gen. of ICAO 47-.

Rostem, Mohamed Bey Amin (Egypt); b. 96, Cairo; ed. at Fac. of Law in Cairo, Sec. to Royal Egyptian Consulate in N.Y. 27-28, Vice-Consul 28-30; Vice-Consul of Consulate in London 30-31; Attaché in Legation at The Hague 31; Chargé d'Affaires a.i. of Legation in Budapest 33; Consul-Gen. in Berlin 38-40, Dir., Tech. Dept., Min. of Social Welfare 41-42; Dir.-Gen., Inspection and Control Dept., Min. of Supply 43-44; Dir.-Gen., Passport and Nationality Dept., Min. of Interior 44-46; Counselor to Embassy in Wash. 46; Alt. Rep. 1st sess. GA 46, 2nd sess. GA, N.Y. 47; Rep. 2nd spec. sess. GA, N.Y. 48; in charge of *Petm. Office of Egypt for UN* in N.Y. 48.

Roy, Herard C.L. (Haiti); b. 10, Port-au-Prince; ed. in *Paris and Port-au-Prince*; Asst. Chief of Service in Pub. Works Office 33-34; Chief of U.S. Service of For. Office 43-45; Chief of U.S. and Europe Div., Min. of For. Affairs 45-; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47; Vice-Chm., UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47-.

Rucker, Sir Arthur Nevil (UK.); b. 95, London; ed. at Marlborough Coll. and Trinity Coll., Cambridge; active service (Suffolk Regt.) in 1st World War; fmr. Mem. of Min. of Health, being Private Sec. to several Mins. of Health, and subsequently Dir. of Establishments; app. Principal Private Sec. to Prime Min. 39, returned later to Min. of Health as Deputy Sec.; during 2nd World War, seconded to serve as Sec. to Office of Min. of State in Cairo 41-43, helping in establishment of Middle East Relief and Refugee Admin.; present Deputy Dir.-Gen. of IRO.

Rudzinski, Jacek (Pol.); b. 06, Makow; ed. at Univs. of Warsaw and Paris; *Diplôme d'Etudes Supérieures de Doctorat* (Econ.) (Paris) 31; Chief of Agric. Sect. of Pol. Inst. of Econ. Research, Warsaw 33-36, Pres. of Inst. 47-; Chief of Econ. Sect. in Min. of Agric. 36-39; Chief of Planning Div. in Min. of Industry and Trade, Pol. Govt. in London 43-45; Vice-Pres., Cen. Planning Bd. 46-; Chm., Pol. Natl. Cttee. of FAO; Mem. of Council of Natl. Bank of Pol.; Vice-Pres., ECE 47-48; Alt. Rep. 6th and 7th sess. of ECOSOC; Rep. UN Econ. and Employment Comm. 47-.

Rueff, Jacques (France); b. 96, Paris; studied at Ecole Polytechnique in Paris; Inspector of Fin 23; Mem. of Fin. Sect. of LN 27-30; Fin. Attaché to Embassy at London 30-33; Asst. Dir. and later Dir. of all movements of funds in Min. of Fin. 34-39; Deputy

Gov., Bank of France 39-40, Chm., Econ. and Fin. del. of Mil. Mission on Ger. and Austrian Affairs 44, Econ. Adviser to French C-in-C in Ger. 45; Rep., Allied Comm. on Reparations at Moscow 45; Pres., Paris Conf. on Ger. Reparations 46; Pres., Inter-Allied Reparations Agency in Brussels 46; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46; Rep. UN Econ. and Employment Comm. 47-.

Ruml, Beardsley (U.S.A.); b. 94, Cedar Rapids, Iowa; ed. at Dartmouth and Univ. of Chicago (Ph.D. 17); fmr. Chm. of Bd. of Directors of Fed. Reserve Bank of N.Y.; Dean, Soc. Sci. Div. and Prof. of Ed., Univ. of Chicago 31-33; author of econ. treatises and several books on econ.; Dir. of Natl. Bu. of Econ. Research, Treas., R. H. Macy Co. 34-45, Chm. of Bd. of Directors, Dir., Ency. Brit. Films Inc. 45-; Dir., Muzak Corp.; Rep. UN Sub-Comm. on Econ. Devel. 47-.

Ryckmans, Pierre (Belg.); b. 91, Antwerp, ed. at Louvain Univ.; LL.D. 13, served in mandated territory of Ruanda-Urundi 18-28; retired from Civil Service 28; barrister of law; Prof. at Univs. of Antwerp and Louvain 28-34; Gov.-Gen. of Belg. Congo 34-46, Rep. 2nd part of 1st sess. GA, N.Y. 46, TC 47-; mem. of TC Visiting Mission to W. Samoa 47; Rep. 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48.

S

Saenz, Josué (Mex.); b. 15, Mex., ed. at Swarthmore Coll. (U.S.A.) and Cambridge Univ.; Ph. D. (Cambridge) 39; Prof. of Econ. Theory at Univ. of Mex. 40-; Dir.-Gen. of Gen. Bu. of Stat., Dept. of Natl. Econ. 41-; Rep., 3rd Inter-Am. Meeting of the Caribbean, Haiti 41, Rep., 2nd Inter-Am. Travel Cong., Mex. 42; Rep., UN Conf. on Food and Agric. at Hot Springs and 1st Inter-Am. Demographic Cong. at Mex. 43; Rep., UNRRA, Atlantic City 43, Dir. of Credit of Treas. Dept. of Mex.; Rep. UN Stat. Comm. 47-48.

St. Laurent, Louis Stephen (Can.); K.C., P.C., b. 82, Compton, Prov. of Quebec; ed. at St. Charles Coll., Sherbrooke, and Laval Univ.; LL.D.; app. Prof. of Law at Laval Univ. 14; fmr. Bâtonnier of local Quebec Bar, Bâtonnier-Gen. of Quebec Prov. Bar and Pres. of Can. Bar Assn.; Min. of Jus. and Atty. Gen. 41-46, Acting Prime Min. 46 and 48; Sec. of State for Ext. Affairs 46-48, Prime Min. 48-; Rep. UNCTO 45; Chm., Can. del. to 1st sess. GA 46 and to 2nd sess. GA, N.Y. 47.

Saint-Lot, Emile (Haiti); b. 04, Port-au-Prince; ed. at Port-au-Prince; Prof., Univ. of Haiti 37-46, Dean of Fac. of Law (Port-au-Prince) 46; Sen. 46; Sec. of State for Natl. Ed., Pub. Health and Labor 47, Rep. 2nd part of 1st sess. GA, N.Y. 46, IC 48.

Sakellariopoulos, Constantine Michel (Greece); ed. at Univ. of Athens; LL.D. and Dr. of Polit. Sci.; Sec. of Legation in Constantinople, later in Paris 15-31, fmr. Sec., later Counselor and Chargé d'Affaires in Bucharest, and Counselor in Rome; app. Min. and nominated Pres. of Greek Del. for Exchange of Greco-Turkish Pop. 32; app. Min. at Ankara 33; fmr. Dir. of Polit. Affairs at Min. of Affairs; app. Min. in Belgrade 36, in Brussels 38; resigned from govt. service and remained in Athens during occupation, reinstated and app. Amb. to Can. after liberation of Greece; Alt. Rep. 2nd part of 1st sess. GA, N.Y. 46; Rep. 2nd sess. GA, N.Y. 47.

Salinas, Octavio (Nicar.); b. 89, Leon; Deputy 14-15, 21-24, 30-33; Polit. Chief of Dept. of Zelaya 26-27; Judge of Sup. Ct. of Nicar., 35-; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47.

Sandler, Rickard J. (Sweden); b. 84, Torsaker; ed. at Univ. of Upsala and Gothenburg; Ph.D.; Deputy 12-; Min. without Portfolio 20 and 21; Min. of Fin. 20, of Com. 24; Prime Min. 25; Rep. to LN 27, 29, 31-38; Pres. of LN Asmb 34; Rep. to Council of LN 36-39, Min. of For. Affairs 32-36 and 36-40; Pres. of Royal Acad. of Music 32-38, Gov. of Gävleborg Prov. 41-; Rep. 2nd sesn. GA, N.Y. 47.

Sanjinés, Ernesto (Bol.); b. 94; ed. at Univ. of La Paz; fmr. Prof. of Econ. and Fin. Sci. and of Criminal Law; fmr. Sec.-Gen., Assn. of Mining Industrialists of Bol.; fmr. exec. counselor to various econ. orgs.; app. Under-Sec. of Fin. 30, Dir.-Gen. of Supplies for Army, later Min. of Natl. Defense 28-33 (Gran Chaco War); Rep. 2nd part of 1st sesn. GA, N.Y. 46, Rapp. 2nd Ctee; Rep. 2nd sesn. GA, N.Y. 47.

Santa Cruz, Hernan (Chile); b. 06, Santiago; ed. in mil. law; app. Sec. to Superior Mil. Ct. 29, Prof. of Criminal Procedure and Mil. Procedure in various mil. acads. 30-47; Legal Adviser to Sec. of Interior 38-47; Judge of Superior Mil. Ct. 39-47; fmr. Sec.-Gen. and Pres. of Chilean-Brazilian Inst. of Culture; Perm. Rep. to UN 47-.

Sarper, Selim (Tur.), b. 99, Istanbul; ed. at Law School of Univ. of Ankara; app. to Min. of For. Affairs 27; served successively at Odessa, Moscow, Komotini (W. Thrace), Berlin, Bucharest 27-39, fmr. Asst. Private Sec. to Min. of For. Affairs, fmr. Head of a Polit. Sect. of Min. of For. Affairs, app. Sec.-Gen. to Bu. of Press, attached to Prime Min. 39, Dir.-Gen., Press Dept. 40-44; Amb. in Moscow 44-46, in Rome 46-47; Perm. Rep. to UN 47-.

Sassen, Emanuel Marie Joseph Anthony (Neth.), b. 11; Mem. of 2nd Chamber of States-Gen. 36; fmr. Mem. of N. Brabant Provincial Govt.; took part in resistance movement; imprisoned as hostage for 2 years, Rep. Govt. body of ILO at Quebec 45; Mem. of Exec. Ctee. of PC and PC, London 45; Mem. of Neth. del. to 1st sesn. GA 46; Chm. Neth. del. to IRO Prep. Comm., and Rapp. 47; Rep. 2nd sesn. GA, N.Y. 47, Min. of Overseas Territories 48-.

Sattanathan, A. N. (India); b. 05; ed. at Maharaja's Coll. in Trivandram and Madras Univ., fmr. Lecturer in Econ. at Madras Univ.; posted to Imp. Customs Service in 28; fmr. Collector of Customs in Madras, Bombay and Calcutta; Supt. of Preventive Service in Calcutta 39-43; Additional Collector of Cen. Excise in Madras 43-45, app. Deputy-Dir. of Inspection, Customs and Cen. Excise, Cen. Bd. of Revenue 45; in charge of Cen. Investigation Bu. recently set up to co-ordinate work relating to illicit traffic in dangerous drugs; Rep. 2nd sesn. UN Comm. on Narcotic Drugs 47.

Sauvy, Alfred (France); b. 98, Villeneuve, ed. at a polytechnical school; Stat. 22-38, Dir. of a group studying the business cycle (Institut de Conjoncture) 38-45; Dir. of Natl. Inst. of Demographic Studies 46; Pres. of Stat. Soc. of Paris; Pres. of Inst. of Study of Soviet Econ.; Rep. UN Pop. Comm. 47-.

Sayre, Francis Bowes (U.S.A.); b. 85, South Bethlehem, Penn.; ed. at Williams Coll. and Harvard Univ.; LL.B. 12; Deputy Asst. Dist. Atty. for N.Y. Co. 12-13; held acad. posts at Williams and Harvard 12-23 and 26-33; app. Adviser in For. Affairs to Siam Govt. 23; Represented Siam on PCA 25-34; Dir. Harvard Inst. Criminal Law 29-33; Asst. Sec. of State 33-39, High

Comr. of Phil. 39-42; during 2nd World War held post as Deputy-Dir. of Office for For. Relief and Rehabilitation Operations, Spec. Asst. to Sec. of State Hull, Dipl. Adviser to UNRRA, and Head of UNRRA missions to 23 countries; Rep. TC 47-; Pres. 47; Chm. of TC Visiting Mission to W. Samoa 47; Alt. Rep. 2nd sesn. GA, N.Y. 47; Rep. 2nd spec. sesn. GA, N.Y. 48.

Schaus, Lambert (Lux.); b. 08, Lux.; ed. at Univ. of Lux. and France, LL.D. 32; Pres. of Int. Roman Catholic Students Assn., Pax Romana 33-34; Head of Social Office of Pax Romana 34-40, Mem. of Mun. Council, Lux. City 36; political deportee in Ger. 41-45, Gen. Sec. of Christian Social Party 45; Mem. of Chamber of Deputies 45; Alderman, Lux. City 46, Min. of Econ. Affairs and Supply 46-; Rep. ECE 47-.

Scully, Hugh Day (Can.); b. 83; Toronto; ed. at Univ. of Toronto; Asst.-Sec. of Can. Manufacturers Assn. 07-11; Sec. of Can. Home Market Assn. 11-16, Asst. Gen.-Mgr. and Dir., Russell Motor Car Co. 16-22; Vice-Pres. and Gen.-Mgr., Stewart-Scully Co. Ltd. (investment bankers) 22-32; Comr. of Customs 33-40, Steel Controller and Chm. of Wartime Industries Control Bd. 40-43; Consul-Gen. in N.Y. 43-; present Rep. HAC.

Sekaninová, Mrs. Gertruda (Czech); b. 08, Budapest; ed. at Charles Univ.; LL.D. 32; barrister until 39; present counselor, Min. of For. Affairs; Rep. 2nd part of 1st sesn. GA, N.Y. 46 and 2nd sesn. GA, N.Y. 47.

Sellar, Robert Watson (Can.); b. 94; ed. at Huntingdon Acad. and Saskatchewan Law School; printer and publ. to 24, Private Sec. to Min. of Fin. 24-30, Asst. Deputy-Min. of Fin. 30-32; Comptroller of the Treasury 32-40; Auditor-Gen. of Can. 40-; Mem. of Bd. of Auditors of UN and of ICJ 46-.

Sen, Samarandranath (India); b. 14, Bengal; ed. at Calcutta Univ., Univ. Coll. in London and Oxf. Univ.; entered Indian Civil Service 38; Asst. Magistrate and Collector, Bengal 39-40; Settlement Operation 40-41; Subdivisional Officer and Magistrate of 1st Class 41-43; Deputy-Dir., Civil Supplies 43-44; Regional Controller of Procurement 45-46; Under-Sec., Ext. Affairs Dept., Govt. of India 46; Deputy-Sec., Min. of Ext. Affairs 48, Sec., Indian del. to 3rd, 4th and 5th sesns. ECOSOC; Mem. of Indian del. to 2nd part of 1st sesn. GA, N.Y. 46 and 2nd sesn. GA, N.Y. 47; Sec., Indian del. to 1st spec. sesn. GA, N.Y. 47; Alt. Rep. 2nd sesn. UN Econ. and Employment Comm.; Alt. Rep. ICJ; Rep. HAC.

Setalvad, M. C. (India); b. 84; ed. at Elphinstone Coll., Bombay, called to Bar in Bombay 12; Advocate-Gen. of Bombay 37-42 (resigned); Advocate of the Fed. Ct.; appeared for Indian Natl. Cong. before Punjab Boundary Comm.; presided at Civil Liberties Conf., Bombay 42; Rep. 2nd sesn. GA, N.Y. 47; Alt. Rep. SC (India-Pak. Question) 48.

Sevilla-Sacasa, Guillermo (Nicar.); b. 08, Leon, ed. at Centenario Univ.; LL.D. 33; began legal career 26, Judge in the Dist. Civil and Criminal Cts. 27-31; elected Deputy 34 and 39; Mem. of Const. Asmb. 38; Amb. to U.S.A. 43-; Rep. UNRRA Council, Int. Monetary Conf. at Bretton Woods 44, Inter-Am. Conf. on Probs. of War and Peace, Mex. City 45; Gov. Bd. of Int. Bank and Int. Fund; Perm. Rep. to UN 46-.

Seymour, Sir Horace James (U.K.); K.C.M.G., G.C.M.G.; b. 83; ed. at Eton and Trinity Coll., Cambridge; app. to For. Office 08; app. Acting Third Sec. in Dipl. Service 14, Second Sec. 19, First Sec. 19, trans-

ferred to The Hague 23, Chargé d'Affaires 25; transferred to For. Office 27; app. Counselor in For. Office 29; Private Sec. to Sec. of State 32-35; app. Min. at Teheran 36; Asst. Under-Sec. of State 40-42; Amb. to China 42-47 (retired); Rep. UNSCOP 47.

Sharapov, Lieut.-Gen. Andrei R. (U.S.S.R.); grad. of an aviation school and mil. acad.; participated in 1st and 2nd World Wars; fmr. Comdr. of Air Force of a Dist.; Chief of the Air Force Acad.; fmr. Chief of the Mil. Mission in Gr. Brit.; Air Rep. MSC. 46-.

Sharman, Col. Charles Henry Ludovic (Can.); C.M.G., C.B.E., G.S.O.; b. 81, Chelmsford, England; ed. at St. Lawrence Coll. in England; Mem. of Royal Canadian Mounted Police 98-05, of Canadian Mounted Rifles in S. Afr. 02; Mem. of Dept. of Agric. 05-27; with First Can. Div. in France 14-18, and with N. Russian Expeditionary Force 18-19, Chief of Narcotic Div. 27-46; Rep. *Narcotic Limitation Conf.* 31, *Narcotic Illicit Traffic Conf.* 36, Rep. *Opium Advisory Ctee.* of LN 33-45; Rep. UN Comm. on Narcotic Drugs 46- , Chm., 1st and 2nd ssn. 46-47.

Shawcross, Sir Hartley (U.K.); K.C.; b. 02; ed. at Dulwich Coll., London School of Econ. and in Geneva; called to the Bar 25, Sr. Law Lecturer at Liverpool Univ. 27-34; app. Deputy Regional Comr. of S.E. Region 41, Comr. of N.W. Region 42; Chm. of Catering Wages Comm. 43-45; M.P. 45- ; Atty. Gen.; app. Chief U.K. Prosecutor for investigation of charges against war criminals at Nurnburg 45; Rep. 1st ssn. GA 46, and 2nd ssn. GA, N.Y. 47.

Shousha Pasha, Sir Aly Tewfik (Egypt); b. 91, Cairo; ed. at Univ. of Berlin and Zürich; M.D. (Univ. of Berlin) 15; first worked voluntarily, and later app. Asst. at Hygienisches Institut in Zürich; on return to Egypt, served as a bacteriologist in State Labs., becoming Deputy-Dir. in 24, and Dir.-Gen. in 30, app. Asst. Under-Sec. of State in Min. of Pub. Health 39, Under-Sec. of State 40; Mem. of Linguistic Acad. of Egypt; Chm., Egyptian Bacteriological and Pathological Soc.; Hon. Pres. of Egyptian Pub. Health Assn.; Chm., Exec. Bd. of WHO 48-.

Sih, Kwang-tsen (China); b. 09, Shanghai; ed. at Soochow Univ. in China and Univ. of Rome; Dr. of Polit. Sci. (Rome) 36; Sec., Bank of China, Shanghai 31-34; Attaché, Embassy in Rome 35-36; Tech. Counselor, *Natl. Resources Comm.* 36-38; Tech. Counselor, Sr. Sec. then Dir.-Gen., Min. of Communications 36-43; Tech. Counselor, Min. of For. Affairs 44-45; Chargé d'Affaires (with rank of Min.), Embassy in Rome 45-46, Min. 46- ; Adviser, Chinese del. to Council of For. Ministers, London 45; Chm., Chinese del. to Conf. of Int. Inst. of Agric., Rome 46; Adviser, Chinese del. to Peace Conf. 46; Rep. Int. Conf. of Rys., Lucerne 47; Rep. UNSCOP 47-.

Silverio y Sainz, Nicasio (Cuba); LL.D.; Head of Bu. of Citizenship and Immigration 37, Dir.-Gen. 38; served in Legal Dept. of Min. of For. Affairs 39; in charge of LN Affairs 40; worked for Min. of Agric. 40; fmr. Min. of Communications; Adviser, Cuban del. to 2nd Inter-Am. meeting of Min. of For. Affairs; Rep. to Int. Conf. of Labor in Havana, to Conf. of Social Security in Montreal, and to Inter-Am. Comm. on Social Security; Dir. of Inter-Am. Perm. Bu. of Social Security in Cuba; Rep. UN Econ. and Employment Comm. 48-.

Simic, Stanoje (Yugos.); b. 93, Belgrade; ed. at Univ. of Belgrade; entered dipl. service 19; fmr. Sec. of Legations in Budapest, Brussels and Tirana resp.; fmr. Consul in Korca (Albania) and Zadar; fmr. Counselor to Legation in Paris; Amb. to U.S.S.R. 42-45, to U.S.A. 45-46; Min. of For. Affairs 46- ; Vice-Pres. of Presidium of Rep. of Serbia and Pres. of Natl. Popular Front of Serbia; Rep. UNCIO 45, 1st part of 1st ssn. GA, London 46; Chm., Yugos. del. to 2nd part of 1st ssn. GA, N.Y. 46 and 2nd ssn. GA, N.Y. 47.

Singh, Rajah Sir Maharaj (India); b. 78; ed. at Balliol Coll. and Oxf. Univ.; joined United Prov. Civil Service 04; Chief Min. of Jodhpur State 31; High Comm. in S. Afr. 32-35; app. Mem. of United Prov. Exec. Council 35, Mem. of United Prov. Legis. Council 37; app. Prime Min. of Kashmir 43; Pres. of Indian Christian Assn. and of Natl. Liberal Fed. 44, Rep. Commonwealth Relations Conf. in England 45; Rep. 2nd part of 1st ssn. GA, N.Y. 46 and 2nd ssn. GA, N.Y. 47; Gov. of Bombay 48-.

Siri, Ricardo Juan (Argentina); b. 05, Rosario de Saote Fé; ed. at Universidad Nacional del Litoral; Doctorate in Diplomacy; Second Sec., Embassy in Wash. 35; Chargé d'Affaires in Mex. 38-39; First Sec., Wash. 39, London 41; Counselor in London and Chargé d'Affaires to Govts. of Belg., Greece, Neth., Nor., Pol. and Yugos. 42; Min.-Counselor, Embassy in London 46, Min. to Den. 48- ; Rep. UNCIP 48-.

Skylstad, R. I. B. (Nor.); b. 93; Sec., For. Min. 24, Chief of Div. 31; Sec. of Nor. del. to LN 26-27, Alt. Rep. 34-37; Dir., LN 37-40, Min. to Berne 41-45; Sec.-Gen., For. Min. 48- ; Rep. ECE 47-.

Slávik, Juraj (Czech), b. 90, Dobrá Niva, ed. in Berlin, Paris and at Univ. of Budapest; LL.D. (Budapest); Sec. of Natl. Council at Bratislava 18, fmr. Mem. of Natl. Assmb.; app. Min. of Agric. 26; Min. of Interior 29-32; Min. to Pol. 35-39, Min. of Interior and Ed. of Govt.-in-Exile in London 40-45; Amb. to U.S.A. 46-48 (resigned); Rep. 2nd part of 1st ssn. GA, N.Y. 46 and 2nd ssn. GA, N.Y. 47.

Slayter, Rear-Adm. William Rudolph (U.K.); C.B., D.S.O., D.S.C., b. 96, Chicago, ed. at R.N. Coll. and Dartmouth; app. Dir. of Naval Ordnance in Admiralty 38; Commanding Officer, H.M.S. *Liverpool* 41, H.M.S. *Newfoundland* 42; app. C. of S. to C-in-C of Home Fleet 43; app. Capt. of H.M.S. *Excellent* 45, Navy Rep. MSC 48-.

Slechtá, Emanuel (Czech), b. 95, Kutná Hora, ed. at Univ. of Technology; Dr. of Tech. Sciences 30; app. Prof. of Industrial Econ. at Univ. of Technology 46; Mem. of Cen. Planning Comm. in Prague 46; Pres. of Action Ctee. of Socialist Party; Pres. of Natl. Ctee. for Management 46; Vice-Pres. of Int. Ctee. for Management 48, Min. of Pub. Works 48- ; Vice-Pres. and Rapp. of UN Sub-Comm. for Econ. Dev. 48.

Smith, E. C. (U. of S. Afr.); b. 89, joined Transvaal Tel. Service 03; subsequently served in Australian and Rhodesian Tel. Services, also at Doubtless Bay, N.Z., Station of the Pacific Cable Bd.; rejoined S. Afr. Service 12; app. Under-Sec. of Telecommunications 42, Chm. of S. Afr. del. to Bermuda Telecommunications Conf. 45; Perm. S. Afr. Rep. on Commonwealth Telecommunications Bd. in London; Rep. UN Transport and Communications Comm. 47-.

Smoliar, Vasili P. (Bye. S.S.R.); b. 03; ed. at Geog. Fac. of Bye. State Univ.; lectured on Econ. Geog. at

High School of Agric.; Deputy to Sup. Soviet of Bye. S.S.R.; fmr. Rep., European Cttee. of UNRRA; Rep. 1st part of 1st sess. GA, London 46 and 2nd sess. GA, N.Y. 47.

Snouck Hurgronje, Jan W. M. (Neth.); b. 96, Venlo, formerly in mil. service; entered dip. service 22; served in legations in Paris, Madrid, Brussels, Athens, Vienna, Prague and Copenhagen; app. Min. to Mex. 40, to Can. 44, Perm. Rep. of Neth. to UN 47—.

Sobolev, Arkady Alexandrovitch (U.S.S.R.); b. 03, Leningrad, grad. in elec. eng. from Electro-Tech. Inst. of Leningrad 30, engaged in research work in connection with devel. of power plant equipment 30–39, Mem. of U.S.S.R. del. to Third World Power Conf., Wash. 36; Sec-Gen. of People's Commissariat for For. Affairs, Moscow 39–42, app. Min. Counselor to Soviet Embassy in London 42; Mem. of U.S.S.R. del. to Dumbarton Oaks Conf. 44, to UNCIO 45, Polit. Adviser to Marshal Zhukov (Comdr. of U.S.S.R. Occupation Forces in Ger.) 45–46, participated in Potsdam Conf. 45; app. UN Asst. Sec-Gen in charge of SC Affairs 46.

Sosa J., José Antonio (Pan.), b. 98, Pan. City, ed. at Columbia Univ., Comr. of Pensions 34–35, Min. of Fin. and Treas. 41–44, Mem. of Cod Comm. 46–47, Rep. 2nd sess. GA, N.Y. 47.

Sotto, Vicente (Phil.), b. 84, ed. at San Juan de Letran Coll. and Escuela de Derecho, founded newspapers *La Justicia*, *El Nacional*, *El Pueblo*, *Ang Suga*, *The Philippine Republic* (Hong Kong), *The Independent and Union*; fmr. Pres. of Mun. Bd. of Cebu City, fmr. Mem. of House of Reps.; fmr. Del. to Const. Conv.; fmr. Pres. of Popular Front, founder, Hispanic Assn. and Anti-Profitteering Lea, Pres. of First Labor Asmb. of Phil., Sen. and Chm. of Fin. Cttee., Rep. 2nd sess. GA, N.Y. 47.

Spaak, Paul-Henri (Belg.); b. 89, Brussels; elected Socialist Deputy for Brussels 32; founded newspaper *L'Action Socialiste* 34, Min. of Trans. Posts and Teleg. 35; For. Min. almost uninterruptedly since 36, Chm. of Nine-Power Conf. in Brussels 37; Premier 38–39, 48—; Chm., Belg. del. to UNCIO 45; Vice-Chm. PC 45; Chm., Belg. del. and Pres. 1st sess. GA 46; Chm., Belg. del. to 2nd sess. GA, N.Y. 47.

Spacék, Jaromír (Czech.); b. 95, Prague; ed. at Charles Univ.; LL.D. 19; Commercial Attaché in Paris 23–31; fmr. Czech. Sec. of Perm. Council of Little Entente, fmr. First Sec. of Czech Legation in Belgrade; Chargé d'Affaires at Belgrade 37–38; Legal Adviser to Polit. Dept. of Czech Min. of For. Affairs, London 42–45; Deputy Head of Polit. Dept. of Min. of For. Affairs, Prague 45–48; Deputy Head of the Restitutions and Reparations Sect. in Min. of For. Affairs; Alt. Rep. 1st sess. GA 46, Rep. 2nd sess. GA, N.Y. 47.

Spanien, Samuel (France); jurist specializing in questions of minorities and loss of citizenship; interested for many years in defense of minorities and refugees, during Ger. occupation, devoted himself to defense of persecuted persons and was Spec. Atty. to Leon Blum; Rep. UN Sub-Comm. on Prevention of Discrimination and Protection of Minorities 47—.

Speekenbrink, Antonius Bernardus (Neth.); b. 05, Breda; ed. at Royal Dutch Naval Coll. and Rotterdam School of Econ; Ec. D.; employee of Royal Dutch Shell Concern 27–31; entered Min. of Econ. Affairs 34; Govt. Rep., Neth. Shipping and Trade Comm., London 40;

Chief, Shipping Sect., Neth. Min. of Econ. Affairs, London 41; Chief, Shipping and Industry Sects., Neth. Min. of Econ. Affairs, London 42; Acting Sec-Gen., Neth. Min. of Shipping and Fisheries, London 44; Neth. Rep., United Maritime Exec. Bd. 44–45; Acting Sec-Gen., Neth. Min. of Econ. Affairs, London 45; Dir.-Gen., For. Econ. Relations, Min. of Econ. Affairs 45—; Chm., Four Party Supply Cttee. to Neth. 45–46; Rep. ITO Conf., Geneva and Havana; Rep. 3rd sess. ECE 48.

Stampar, Andrija (Yugos.); b. 88, Drenovac; ed. at Univ. of Vienna; Dir. of Health in Yugos. Govt. 19–31; after travelling in U.S.A. and China until 32, was visiting Prof. at several European univs. and insts. of hygiene, Health Expert of LN attached to Chinese Govt. 33–36; Expert on Rural Health with LN Health Org. 36–37; returned to U.S.A. as a visiting Prof. 38; became Rosenberg Prof. at Univ. of Cal. 39; in 2nd World War, interned during occupation of Yugoslavia; subsequently app. Prof. and Rector of Zagreb Univ.; Pres. of Yugos. Acad. of Sci. and Arts; Rep. ECOSOC 46, acting Pres. of 3rd sess.; Chm. of Interim Comm. of WHO 46–48; Pres. of 1st World Health Asmb. 48; Mem. of Exec. Bd. of WHO 48—.

Stanczyk, Jan (Pol.); b. 86, Brzesko (now Pol.). Sec-Gen. Cen., Mine Workers Union of Pol. 18–39, Mem. of Pol. Parl. and Social Affairs Cttee. 19–35; Rep. (Pol. Workers) ILO 20–39, Mem. of Exec. Cttee., Int. Fed. of Mine Workers 21–45, Vice-Pres. since 30, Mem. of Cen. Cttee., Int. Fed. of Trade Unions 30–39; Min. of Labour and Social Welfare 39–44 and 45–46, Rep. 1st part of 1st sess. GA, London 46; Top-Ranking Dir., Depr. of Social Affairs, UN Secre. 46—.

Stent, Percy John Hodsoll (U.K.); b. 88; ed. at King's Coll. School and Pembroke Coll., Oxfr.; entered Indian Civil Service 13; Army Service 16–19; Staff Capt. Bushire Force (despatches) 18–19, Coms. of Nagpur 33; Chm. of Nagpur Improvement Trust 37–38, retired 39; Sr. Regional Officer, London 39, Asst. Chief Adm. Officer, London, Min. of Home Security 42; First Sec. (temp.), For. Office 43; Counselor (temp.) of Embassy in China 46; Rep. 2nd sess. ECAFE, Baguio 47.

Stepanenko, Afanasi Stepanovich (Bye. S.S.R.); b. 08, Vitebsk; ed. at Bye. State Univ.; Dir. of Pedagogical Inst. of Pinsk until 41; Expert Consultant at Min. for For. Affairs; Rep. UN Comm. on Human Rights 47—.

Steyn, L. C. (U. of S. Afr.); K.C.; b. 03, Viljoensdorp, Orange Free State; ed. at Univ. of Stellenbosch, LL.D. 29; Lecturer in Criminal and Roman-Dutch Law at Univ. of Stellenbosch 26–28; Professional Asst. to Atty. Gen. for S. W. Afr. 28–31; Atty.-Gen. 31–33, Legal Adviser to Union Govt. 33–44; Sr. Govt. Law Adviser, Dept. of Jus. 44—; Alt. Rep. and Adviser 1st sess. GA 46; Rep. 2nd sess. GA, N.Y. 47.

Stolk, Carlos Eduardo (Venez.); b. 12, Caracas; ed. at Cen. Univ. of Venez.; Dr. of Polit. and Social Sci.; Informing Magistrate of Fed. Dist. High Ct. 36–39; fmr. Prof. a.i. of Criminal Procedure, Univ. of Venez.; Pres. of Fed. Dist. Law Assn. 39; Rep. Inter-Amer. Neutrality Cttee. 41–42; Rep. of Venez. on Inter-Amer. Legal Cttee. 42—; Counselor to Venez. del. to Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Perm. Rep. to UN 46—.

Stone, Donald Crawford (U.S.A.); b. 03, Cleveland, Ohio; ed. at Colgate Univ., Syracuse Univ., (M.S. 26) Univ. of Cincinnati, and Columbia Univ.; Dir. of Research, Int. City Mgrs. Assn. 30–33; Consultant to Ten-

nessee Valley Authority 34; Adviser to Fed. Relief Admn. 34-35; Consultant to Fed. Social Security Bd. 36; Asst. Dir. of Bu. of Budget, Exec. Office of Pres. of U.S.A. 39-; Mem. of Social Sci. Research Council Ctee. on Compar. Admn. 40-45; Adviser to U.S.A. del. to UNCIO 45; Expert, U.S.A. del. to UNESCO Conf., London 45; Mem. of U.S.A. Natl. Comm. for UNESCO; Adviser to U.S.A. del. to 1st sess. GA 46, to ECOSOC 46; Rep. UN Advisory Ctee. on Admn. and Budgetary Questions 46-48; Chm. of U.S.A. del. to Int. Cong. of Admn. Sci., Berne 47; Dir. of Admn., ECA 48-.

Street, Mrs. Jessie Mary Grey (Australia); b. 89, Ranchi, India; ed. at Univ. of Sydney; attended Women's Confs. and Social Workers' Confs. in Geneva, England, U.S.A., Zürich, Paris, and India 11-45; Mem. of Women's Coll. Council of Univ. of Sydney 20-; First Pres. of United Assns. of Women 28; First Sec. of Sydney Univ. Women's Sports Assn.; Chm. of Australian Women's Charter Conf. 43; Proprietor of *Australian Women's Digest* 46; Mem. of Australian Labour Party; Mem. of Australian del. to UNCIO 45; Rep. UN Comm. on Status of Women 47-.

Suetens, Maximilien R. L. M. (Belg.); b. 91, Lierre, ed. at Mil. Coll. in Brussels; Rep. to Int. Econ. Confs. at Geneva since 30, Rep. Emergency Econ. Ctee. for Europe 45; Min. First Class and Dir.-Gen. of For. Trade in Min. of For. Affairs and For. Trade 36-; Chm., ITO Prep. Ctee. 47; Chm., ITO Interim Comm. 47-.

Sundaresan, N. (India); b. 95; ed. at Madras Univ.; Asst. Controller of Currency in India 26-34; Asst. Sec. (Budget), Fin. Dept. 34-37; Deputy-Sec. 42-44; Joint Sec. 45-46; Asst. Auditor-Gen. in Burma 37-41; Deputy *Fia. Adviser in War and Supply Fia.* 41-42; *Fia. Counselor of Embassy in Wash.*; Exec. Dir. of Int. Bank; Alt. Gov. from India for Int. Fund; Alt. Rep. 1st sess. of UN Comm. on Narcotic Drugs 46, Adviser to Indian del. to 2nd sess. GA, N.Y. 47; Rep. UN Fiscal Comm. 47-; present Rep. UN Advisory Ctee. on Admn. and Budgetary Questions.

Sutch, W. B. (N.Z.); b. 07; ed. at Univ. of N.Z. and at Columbia Univ.; Ph.D. (Columbia); Economist in Min. of Fin. 33-40, in Min. of Supply 41-42; Mem. of Mil. Forces 42-43; Mem. of Govt. Rys. Tribunal 44; app. Deputy-Dir. of S.W. Pac. Area Office of UNRRA in Sydney 45; app. Dir. of Operational Analysis Div. of European Regional Office of UNRRA in London 46; app. Counselor to Dept. of Ext. Affairs 47; Alt. Rep. 2nd sess. GA, N.Y. 47; app. Sec.-Gen. of Perm. Del. to UN 48; Chm., 3rd sess. UN Social Comm. 48.

Sutherland, Miss Mary (U.K.); ed. at Aberdeen Univ.; fmr. teacher and organizer of Scottish Farm Servants' Union; Labour Party Organizer for Scotland 24; app. Chief Woman Officer of Labour Party and Ed., *The Labour Woman* 32; Mem. of Advisory Ctee. of Labour and Socialist Int. 32-39; Sec. of Standing Joint Ctee. of Working Women's Orgs. 32-; Mem. of Gen. Purposes Ctee., W.V.S. 40-43; Mem. of Women's Consultative Ctee., Min. of Labour 41-; Rep. UN Comm. on Status of Women 47-.

Svastivat, Prince Subha Svasti (Siam); O.B.E. (Mil. Div.); b. 00, Siam; ed. in Siam and at Royal Mil. Acad. (Woolwich, England); Asst. Comr. of Criminal Investigation Branch of Siamese Police 30, Rep. to Int. Police Conf. organized by LN 30, Comdr., King's Own Bodyguards 33-35; trained as parachutist in England 42, and later worked in Siamese Resistance Movement; Rep. to

negotiate treaty with France 46; Min. at large 46-; Rep. 2nd sess. GA, N.Y. 47; Vice-Chm., GA *ad hoc* Ctee. on Palestine 47.

Swoboda, Gustav (Czech.); b. 93, Prague; ed. at Univ. of Prague and Geophysical Inst. in Bergen, Nor.; D. Ph. (Univ. of Prague) 20, Chief of Meteorological Forecast Centres, Austrian Army 15-18; with Czech. State Inst. for Meteorology in Prague 20-38; Chief of Services for Aeronautical and Gen. Weather Forecasting, Prague 24-38; Mem. of Comm. for Synoptic Weather Inf. of IMO 28-38; Mem. of Comm. for Aeronautical Meteorology of IMO 36-38; Chief of Secre. of IMO 38-.

Sychrava, Lev (Czech.); b. 87, Ledec nad Sázavou; ed. at Charles Univ. in Prague, LL.D., Collaborator with Pres. Masaryk and Benes during 1st World War; fmr. Czech. Envoy to France; Ed.-in-Chief, Prague *Národní osvobození* 24-; Vice-Chm., UN Sub-Comm. on Freedom of Inf. and of the Press 47-.

Sze, Szeming (China); b. 08, Tientsin, ed. at Cambridge Univ. and St. Thomas's Hosp. Med. School in London; Sec.-Gen. of Chinese Med. Assn. 37-41, app. Asst. Supt. of Chung Shan Hosp. in Shanghai Med. Cen. 37; app. Sr. Tech. Expert of Natl. Health Admn. 38; fmr. Med. Adviser to Min. of Communications and Adviser to Comm. on Med. Ed.; Dir., Sinza Health Demonstration Centre in Shanghai 40-41, Ed., *Chinese Med. Journal* 42-45; Consultant to Chinese del. UNCIO 45; fmr. Chief of Far Eastern Sect. of Health Div. of UNRRA; app. Chief of Med. Dept. of Chinese Supply Mission in Wash. 45; app. Med. Dir. of CNRRA, Wash. Office 45; Vice-Pres., Interim Comm. of WHO 46; Rep. and Rapp., UN Comm. on Narcotic Drugs 46-.

T

Tarasenko, Vasil A. (Ukr. S.S.R.); b. 07, Chernigov, ed. at Univs. of Dnepropetrovsk and Kiev, fmr. teacher and, later, dir. of a number of schools and colls. in Ukr.; served in Army 41-43; Rep. UNRRA London 45, UNRRA European Comm., PC, 1st part of 1st sess. GA, London 46, Paris Peace Conf. 46, 2nd sess. GA, N.Y. 47; Counselor to U.S.S.R. Embassy in Wash. 46-48; Chm., Ukr. S.S.R. del. to 2nd sess. sess. GA, N.Y. 48; Alt. Rep. SC 48, AEC 48, CCA 48.

Tarhan, Ali Rana (Tur.); b. 82, Istanbul; fmr. Admn. Dir. in Min. of Post, Teleg. and Tels.; M.P. 27-46, Rep. Interparl. Conf. at Versailles 28; Chm., Tur. del. to Universal Postal Cong. London 29; Min. of Customs and Monopolies 32-39, Chm., Tur. del. to Saadabad Pact Conf. in Teheran 39; fmr. Leader of the Independent Group of People's Rep. Party; fmr. Pres. of Admn. Bd. of Cen. Bank of Tur. Rep., Pres. of Tur. Red Crescent Society, Gov. at Gov.'s Council of Lea. of Red Cross Societies and Mem. of its Bd. of Dirs.; Rep. 4th, 5th and 7th sess. of ECOSOC 47-.

Tavat, Sedat (Tur.); b. 92; studied med. in Tur. and Swit.; spent 11 years in Swit. in graduate and research work; Prof. of Pharmacodynamics of the School of Med. at Istanbul Univ.; present Mem. of Perm. Cen. Opium Bd.

Tesemmis, Ato Getachew (Eth.); b. 12, Addis Ababa, ed. at Addis Ababa, Amer. Univ. of Beirut and Aden, Chief Inspector of Police Force in Addis Ababa 35, Sec.-Gen. of Ctee. of Patriots for Ind. of Eth. 37-40; Dir.-Gen. of Min. of Pea (Imp. Secre.) 41-42; Dir.-Gen.

of Adm. Service of Min. of Interior 42-43; Rep. UNRRA, ILO Conf. in Phila., Int. Civil Aviation Conf. in Chicago and Montreal, Int. World Health Conf. in N.Y.; First Sec. of Legation, Wash.; Rep. 2nd part of 1st sess. GA, N.Y. 46, 1st spec. sess. GA 47, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA 48, IC 48.

Thomas, Jean (France); b. 00, Marseilles; ed. at Ecole Normale Supérieure; fmr. Lecturer in French Lit., and later Sec.-Gen. at Ecole Normale Supérieure; fmr. Asst. Prof. at the Sorbonne, Prof. of French Lit., Univ. of Poitiers, and Prof. of Compar. Lit., Univ. of Lyons; app. Principal Private Sec. to Min. of Ed. 34, later made Head of Cultural Relations Sect. of Min. of Ed.; fmr. Mem. of Philology Sect., Conseil Supérieur de la Recherche Scientifique; Mem. of Managing Cttee of Resistance Movement (Front National) during 2nd World War; app. Pres. of Council, Int. Bu. of Ed (Geneva) 45, Rep. to 1st UNESCO Conf.; Pres., Int. Student Service union 39, present Asst. Dir.-Gen. of UNESCO.

Thorn, James (N.Z.), b. 82, Christchurch; ed. at Christchurch Boys' High School; served in S. Afr. War, responsible for formation of Ind. Labor Party 04, Natl. Sec. of Labor Party 31-35, M.P. 35, Chm. of N.Z. del. to Int. Labor Conf., Geneva 35, Mem. of Maori Affairs and Pub. Accounts Cttees of House of Rep. 35-; Deputy Chm. of Tourist Devel. Cttee. 35-; Chm., Fishery Comm. 37, Parl. Under-Sec. to Prime Min. 43-47; Chm., Parl. Select Cttee. on Pop. 46, High Comr. to Can. 47-; Rep. 2nd sess. GA, N.Y. 47; Rep. 5th, 6th and 7th sess. of ECOSOC 47-48, Rep. 2nd sess. UN Social Comm. 47.

Thorp, Willard L. (U.S.A.), b. 99, Oswego, N.Y.; ed. at Amherst Coll., Univ. of Mich., and Columbia Univ.; Ph.D. (Columbia Univ. 24), on research staff of Natl. Bu. of Econ. Research 23-33; Chief Staff, N.Y. State Bd. of Housing 25-26, Prof. of Econ., Amherst Coll. 26-34; Dir., U.S. Bu. of For. and Domestic Com. 33-34; fmr. Mem. of Fed. Alcohol Control Admin.; Chm., Advisory Council of NRA 34-35; Dir. of Econ. Research, Dun & Bradstreet, Inc. 35-40, Deputy to Asst. Sec. of State for Econ. Affairs 45-46; Vice-Chm., Exec. Cttee. on Econ. For. Policy 45; Asst. Sec. of State for Econ. Affairs 46-; Special Adviser on Econ. Matters; Rep. to Council of For. Mins., Paris and N.Y. 46; Chm. of Board, Gen. Pub. Utilities Corp. 46-47; Chm., U.S. del. to Ruhr Coal Production Talks, Wash. 47, Rep. ECOSOC 47-; Alt. Rep. 2nd sess. GA, N.Y. 47.

Thors, Olafur (Iceland); b. 92, Borgarnes, ed. at Univ. of Copenhagen; app. Managing Dir. of Kveidulfur Ltd. (Reykjavik) 14; M.P. 25-; app. Mem. of Exchange Rate Cttee. 25; Mem. of Bd. of Dir. of Natl. Bank of Ice. 26, Chm., Gen. Cttee. of Independence Party and leader of party in Parl. 31-; Min. of Industries 39-42; Prime Min. and Min. of For. Affairs 42 and 44-47; Chm., For. Relations Cttee. of Althing; Rep. 2nd sess. GA, N.Y. 47.

Thors, Thor (Iceland); b. 03, Reykjavik; ed. at Univs. of Reykjavik, Cambridge and Sorbonne; Managing Dir. of Kveidulfur Ltd. (shipowners and fishing firm) 28-31; and of Union of Icelandic Fish Producers 34-40, M.P. 33-41; Consul-Gen. in N.Y. 40-41; Min. to U.S.A. 11-; Rep. Conf. on Food and Agric., Hot Springs, Va. 43; Rep. Int. Aviation Conf. in Chicago 41, Int. Labour Conf. in Montreal 46, app. Min. to Can. 49, Perm. Rep. to UN 46-.

Toro, Emilio (Colomb.); ed. at Queens Univ. in Can. and Imp. Coll. of Sci. and Tech. in London; fmr. Dir., Banco de la Republica, Bogotá; Rep. ECOSOC 46, Alt. Rep. SC 47; Rep. 2nd spec. sess. GA, N.Y. 48.

Torres Bodet, Jaime (Mex.); b. 02, Mex. City; ed. at Natl. Univ. of Mex.; Head of Library Dept. of Min. of Pub. Ed. 22-24; Prof. of French Lit., Fac. of Philol. and Letters, Univ. of Mex. 24-28; Sec. of Legation in Spain 29-31; in France 33-35; Chargé d'Affaires in Holland 32, in Belg. 38-40, Head of Dipl. Dept. of Min. of For. Relations 36-37; Asst. Sec. of Min. of For. Relations 40-43; Min. of Pub. Ed. 43-46; Min. of For. Relations 46-; Chm., Mex. del. to 2nd sess. GA, N.Y. 47, Vice-Pres., 2nd sess. GA 47.

Trigueros, Roberto Aguilar (El Sal.); b. 88, San Sal.; ed. in England and Ger.; Acting Treasurer-Gen. 18, fmr. Min. of Fin.; Rep. of Coffee Growers Assn. of El Sal. in U.S.A. 36; present Rep. of El Sal. on Inter-Am. Coffee Bd. in Wash., Com. Attaché to Embassy in Wash. 46-; Rep. UNRRA Council in Wash. 46; Rep. 2nd part of 1st sess. GA, N.Y. 47; Rep. UN Conf. on Trade and Employment, Havana 47-48; Rep. IC 48, 2nd spec. sess. GA, N.Y. 48.

Trucco Gaete, Manuel (Chile); b. 14, Santiago; ed. at Natl. Inst. of Chile and Georgetown Univ., Wash.; Mem. of Corp. of Sales of Nitrates and Iodine, N.Y. 41-43, Chief of Radio Transmissions and Commentator on Int. Probs., Office of Co-ordinator of Inter-Am. Affairs, Wash. 43-46, Chief of Propaganda and Press in presidential campaign of Gabriel Gonzalez Videla; app. Under-Sec. of For. Relations 46; Rep. 2nd sess. GA, N.Y. 47.

Tsaldaris, Constantine (Greece); b. 84, Alexandria, Egypt; ed. at Univ. of Athens and abroad; Prefect of Patras 15, of Corfu Dist. 16-17; Min. Gen.-Gen. of Crete 20-22; M.P. (Populist Party) 26-28 and 32-; app. Under-Sec. of Communications 32, elected Mem. of Populist Party's Admin. Cttee. 36; elected Chm. of Populist Party 46; Prime Min. and Min. of For. Affairs 46-47, Min. of For. Affairs 47; Chm., Greek del. to Paris Peace Conf. 46, 2nd part of 1st sess. GA, N.Y. 46, and 2nd sess. GA, N.Y. 47.

Tsarapkin, Semen K. (U.S.S.R.); b. 06, Nikolayev, U.S.S.R.; ed. at Inst. of Oriental Studies and Moscow Univ.; fmr. Chief of 2nd Far Eastern Dept. of People's Commissariat of For. Affairs, later, Chief of Amer. Dept., Min. Counselor, Embassy in Wash; Rep. Dumbarton Oaks Conf. 44, UNCIO 45, 1st spec. sess. GA 47, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA 48, IC 48.

Tsiang, Tingfu (China); b. 95, Hunan Prov.; ed. at Oberlin Coll. and Columbia Univ.; Ph.D. (Columbia) 23; Prof., Nankai Univ., Tientsin 23-29, Prof., Natl. Tsing Hua Univ., Peiping 29-35; Ed., *Chinese Social and Polit. Sci. Journal*; Dir., Polit. Affairs Dept., Exec. Yuan 35 and 38-45; Amb. to U.S.S.R. 36-38, Chief Rep. to UNRRA Conf., Atlantic City 43-44, Dir.-Gen. of CNRRA 45-46; Chm. of UN Econ. Comm. for Asia and Far East, Shanghai 47, and Manila 47; Chief Perm. Rep. to UN 47-.

Tubiasz, Stanislaw (Pol.); b. 89, Lodz, ed. at Jean in Ger. and Johns Hopkins School of Hygiene and Pub. Health in U.S.A.; with Mun. Hospital in Warsaw 14-15, Med. Officer in Gen. Natl. Pub. Health Service (Referee, subsequently Inspector) 21-39, Lecturer in Pub. Health Admin. at State School of Hygiene in Warsaw from 26-39 and at present; Rep. of Pol. Pub. Health Service to UN.

ous int. confs. 29-39; Dir. of a mun. polyclinic in Lwow 40; Deputy Chief Med. Officer of Social Insurance in Krakow 42-45; Head of Div. of Pub. Health Adm., Min. of Health 45; present Head of Stat. Div. in Min. of Health; Rep. UN Comm. on Narcotic Drugs 46-47.

Tuck, William Hallam (U.S.A.); b. 90, Baltimore, Maryland; ed. at St. Paul's School in Concord, New Hampshire, and Princeton Univ.; app. industrial chemist for Czarnikow-Rionda Sugar Co. in Santa Clara Prov., Cuba 12, later for Solvay et Cie in Brussels; active service in 1st and 2nd World Wars; with Hoover Comm. for Relief in Belg. 15, with Amer. Relief Adm. in France and Belg. 19; sent by U.S. to Helsinki for Finnish Relief Fund 40, Mem. of fmr. Pres. Hoover's World Food Survey 46; Mem. of U.S. War Dept. Mission to Gen. MacArthur on supplies for Japan and Korea 47; Mem. of Bd. of Dir., Allied Chemical and Dye Corp. in N.Y.; Mem. of U.S.-Belg. Cttee. on Conciliation; app. Exec. Sec. for Prep. Comm. for IRO 47; present Dir.-Gen. of IRO.

Tucker, Walter Adam (Can.); K.C. 37; b. 99, Portage la Prairie, Manitoba; ed. at Univ. of Manitoba; Sec. of Rosthern Agric. Soc. 25-35; M.P. 35-; elected Bencher of Law Soc. of Sask. 40; Can. Army (active) 42-44; Mem. of Can. del. to Int. Mon. Conf. at Bretton Woods 44; app. Parl. Asst. to Min. of Veterans Affairs 45; Chm. of Spec. Cttee. on Veterans Affairs 45-46; elected Leader of Liberal Party in Sask. 46, Rep. 2nd sess. GA, N.Y. 47.

U

Ulloa, Alberto (Peru); b. 92, Lima; ed. at Univ. of San Marcos and abroad; Dr. of Polit. and Adm. Sci. 19; fmr. Prof. of Int. Pub. Law, Univ. of San Marcos; fmr. Adviser to Min. of For. Affairs; app. Min. of For. Affairs 36; Chm., Peruvian del. to LN and Mem. of LN Council 37; Min. to Holland 39; Sen., Pres. of For. Relations Cttee. 45-; Chm., Peruvian del. to 1st sess. GA 46 and 2nd sess. GA, N.Y. 47; Rep. UNSCOP 47, IC 48.

Urdén, Östen (Sweden); b. 86; ed. at Univ. of Lund; LL.D.; app. Prof. of Civil Law at Upsala Univ. 17; Legal Expert to Govt. 17-20, 32-36; app. Min. of Jus. 20; Min. of For. Affairs 24-26, 45-; elected Pres. of Upsala Univ. 29; app. Chancellor of the Universities 37; fmr. Rep. to LN, Rep. 2nd part of 1st sess. GA, N.Y. 46; Chm., Swedish del. to 2nd sess. GA, N.Y. 47.

Uralova, Mrs. Evdokia I. (Bye. S.S.R.); b. 02, Smolensk; ed. at a juridical inst. in Minsk; fmr. teacher of hist. and lit. in a high school; Min. of Ed.; Deputy of Sup. Soviet of Bye. S.S.R.; Rep. 1st part of 1st sess. GA, London 46; Rep. UN Comm. on Status of Women 47-.

Urdaneta, Mrs. Isabel de (Venez.); b. Venez., ed. in Venez.; teacher until 21; Mem. of Staff of Bank of Holland in Caracas 21-28; studied organization of kindergartens in Spain, England, France, Belg. and Holland 35 and 36; founded 1st kindergarten in Caracas; Chief Clerk at Venez. Consulate in N.Y. 39-43, in New Orleans 44 and in Baltimore 46; Rep. Inter-Amer. Comm. of Women of PAU, Wash. 41-; Counselor to Venez. del. UNICIO 45; Rep. UN Comm. on Status of Women 47-.

Urdaneta Arbelaez, Roberto (Colom.); b. 90; Rep. Sixth Inter-Amer. Conf. in Havana 28; fmr. Amb. to Peru and Argentina; For. Min. 31+35; fmr. Prof. of Int. Pub., and Private Law at Natl. Univ. of Colom.; Rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. 43, UNICIO 45, 2nd part of 1st sess. GA, N.Y. 46, Inter-Amer. Conf. at Bogotá 47; app. Perm. Rep. to UN 48.

V

van der Straten-Waillet, Baron Francis Xavier (Belg.); b. 10, Antwerp; ed. at Univ. of Louvain; Lawyer 32; Dir., Union of Christian Employers 32; Tech. Adviser, ILO Comm., Paris 45; M.P. for Dist. of Antwerp 46; Min. of For. Com.; Rep. to 2nd and 3rd sess. of ECE 47-.

van Heuven, J. C. (Neth.); b. 98; ed. at Royal Mil. Acad. (Breda), Univ. of Utrecht and Univ. of Leyden; LL.D.; fmr. Acting Recorder of High Mil. Ct.; after resignation from mil. service, app. successively: Head of Judicial Sect. of Dept. of Gen. Affairs and Sec. of the State Bd. of Supervision over Sick Benefit Funds, Adm. in Dept. of Soc. Affairs in charge of soc. hygiene, Mem. of Exec. Council of ICEF, Mem. of Neth. del. to ECOSOC; Rep. UN Soc. Comm. 47-; Rapp. 3rd sess. 48.

van Heuven Goedhart, Gerrit Jan (Neth.); b. 01, Bussum; ed. at Univ. of Leyden; LL.D. 26; app. Chief Ed. of newspaper *De Telegraaf* 30, Ed.-in-Chief of *Utrechtsch Nieuwsblad* 33; during war, Co-Ed. of underground newspaper *Het Parool*; fmr. contributor to *Wederopbouw*; served with underground forces 42-45; went on mission to England at request of resistance groups 44; Min. of Jus. 44-45 (resigned); present Chief Ed. of *Het Parool*; Chm., UN Sub-Comm. on Freedom of Inf. and of Press 47-.

van Langenhove, Fernand (Belg.); b. 89, Mouscron; Prof. of Sociology and Social Policy at Univ. of Brussels since 20; Mem. of Belg. del. to Asmbs. of LN 29-38, Rep. Int. Reparations Confs in London 24, The Hague 29-30, and Ouchy 32; Rep. Int. Econ. Confs. in Geneva 26 and Stresa 32; Rep. Int. Conf. on Com., London 33, fmr. Sec.-Gen. of Min. of For. Affairs and For. Trade; Amb. 36; Rep. UNICIO 45; Alt. Rep. PC 45, Rep. Paris Peace Treaties Conf. 46; Perm. Rep. to UN 46-; Rep. SC 47-; AEC 47-; CCA 47-; IC 48.

van Roijen, J. H. (Neth.); b. 05, Istanbul, Tur.; ed. at Univ. of Utrecht, LL.D.; Attaché to Legation at Wash. 30-32, to For. Office at La Hays 33, Sec. of Legation, Tokyo 36, Chief of Polit. Dept. of For. Office 39; escaped from Neth. during Ger. occupation 44; Mem. of Neth. del. to UNICIO 45, Min. without Portfolio 45; Min. for For. Affairs 46; Amb. to Can. 47-; Rep. 1st sess. GA 46, 2nd sess. GA, N.Y. 47, SC (Indonesian Question) 48.

van Schalkwijk, Maj. Louis (U. of S. Afr.); b. 88, Mossel Bay, Cape Prov.; ed. at Cape Town Univ. and Univ. of Amsterdam, grad. study in England, Ger., Austria and U.S.A.; specialist in readjustment of physically and mentally disabled; fmr. Supt. of Welfare Services in Dept. of Soc. Welfare; Maj. in S. Afr. Army and Dir. of Readjustment Service for Disabled Soldiers 42-; Rep. UN Social Comm. 47-.

van Zeeland, Paul (Belg.); b. 93, ed. at Louvain and Princeton Univs.; LL.D., fmr. Dir. and Vice-Gov. of Natl. Bank; fmr. Prof. at Louvain Univ.; Dir. of Louvain Inst. of Econ. Sci.; Rep. Econ. Confs. in London 22, Baden Baden 29, London, Berlin and Paris 30, Geneva 30-31, Stresa 32, Paris 32-33; fmr. Deputy for Brussels; Min. without Portfolio in Cabinet 34-35, Prime Min. and Min. of For. Affairs and For. Com. 35-37 (resigned); Leader of Catholic Party; app. Chm. of Belg. Bd. of Repatriation 44; Rep. SC Cttee. of Good Offices in Indonesia 47-48.

Vasiliev, Lieut.-Gen. Alexandre F. (U.S.S.R.); grad. from a mil. acad. of the Red Army; fmr. C. of S. of an

Army; fmr. Head of the mil. Mission in London; Army Rep. MSC 46-.

Vaughan, David Borders (U.S.A.); b. 10, Louisa, Kentucky; ed. at N.Y. Univ., Amer. Univ. in Wash., and Columbus Law School; with Irving Trust Co. 28-35; Asst. Dir. of Fin., Farm Security Adm. 35-39; Dir. of Personnel, Surplus Marketing Adm. 39-41; Exec. Officer, Bd. of Econ. Warfare 41; Asst. Administrator, For. Econ. Adm. 42-44; Lieut., U.S. Navy 44; Dir., Adm. Services, UNRRA, London and Wash. 44-45; Exec. Officer, Office of Int. Trade, Dept. of Com. 45-46; Dir., Conf. and Gen. Services, UN Secre. 46-.

Verdelis, Alexandre (Greece); b. 98, Alexandria, Egypt; ed. at Univ. of Paris and Ecole Libre des Sciences Politiques in Paris; LL.D. (Univ. of Paris), fmr. Deputy to Parl.; fmr. Pres. of Chamber of Engineers of Greece; fmr. Mem. of High Econ. Council, fmr. Mem. of Bd. of Recon.; present Min., Perm. Rep. to Org. of European Econ. Co-operation in Paris, Greek Embassy, Adviser, 1st sess. GA, London and N.Y. 46, Chm., Greek del. to 1st sess. ECE, Geneva 47, 2nd sess. ECE, Geneva 47, 3rd sess. ECE, Geneva 48.

Viaut, André (France), b. 99, Civry (Yonne), ed. in Dijon, meteorologist 21; Principal Meteorologist 26; Chief of Aeronautical Forecasts Sect. 24-34, Chief of Service of Aeronautical and General Weather Forecasts, Paris 34-49, Deputy-Dir. in charge of Gen. Operations Service (Forecasts, Transmissions, Aerology and Climatology) for France and North Africa 39-44, Dir. of French Meteorology 44-; Mem. of Int. Meteorological Cttee. 46-; Mem. of Exec. Council 46-; Pres., IUT Regional Comm. VI (Europe) 46-; Vice-Pres. of Int. Meteorological Cttee. 47-.

Vieux, Antonio (Haiti), b. 04, Port-au-Prince; ed. in Port-au-Prince, Prof. of Lit. at Lycée National 26-29, Chief of a Div. in Dept. of Agric. 30; Sec. of Legation in Paris 30-33; Govt. Deputy Comr. to Civil Tribunal of Port-au-Prince 41-44; Under-Sec. of State for Dept. of Jus. 44-46, Rep. 2nd sess. GA, N.Y. 47.

Vilfan, Joza (Yugos.); b. 08, Trieste; ed. in Rome, Vienna, Ljubljana, and Paris; participated in resistance movement during 2nd World War; app. Mem. of Slovenian Council of Natl. Liberation and of Anti-Fascist Council of Natl. Liberation of Yugos. 43; app. Atty.-Gen. 45; elected to Presidium of Temporary Parl. 45; Sec.-Gen., Yugos. del. to Paris Peace Conf.; Rep. to For. Mins. Deputies Conf. in London 47, and For. Mins. Conf. in Moscow 47; Perm. Rep. to UN 46-.

Villa-Michel, Primo (Mex.); b. 93, San Gabriel; ed. in School of Jurisprudence, Guadalajara; app. Judge of Lower Ct. 15; app. Gov. of Fed. Dist. 27; app. Min. to Ger. and Austria 30, to Uru. 35, to U.K. 37, to Neth. 38, to Japan and China 40; app. Min. of Industry, Com. and Labor 33, Min. of Natl. Econ. 34; Perm. Rep. to LN 36; Rep. to Nine-Power Conf. in Brussels 37; Rep. Inter-Amer. Conf. on Probs. of War and Peace, Mex. City 45; Min. of Interior 46; Amb. to Can. 47-; Rep. Meeting of Experts on Passport and Frontier Formalities in Geneva 47; Rep. UNCIO 45, 2nd sess. GA, N.Y. 47.

Villemoes, Jens (Den.); Knight of the 1st Class of Royal Nor. Order of St. Olav; b. 80, Jutland; ed. in Den. and abroad; R.D.; Chm., Chamber of Com. until 30 and Hon. Mem. 13; Mem. of Exec. Cttee. of Danish Chamber of Com. 32-31; Mem. of Civil Aviation Council of Customs Council of Danish Shipping Bd. and of Trade Econ. Council 39, Mem. of Labyerg Town Council 20-29,

Mem. of Landsting (Upper house of Parl.); Min. of Com., Industry and Shipping 45-47; Hon. Nor. Vice-Consul; Rep. 2nd sess. GA, N.Y. 47.

Viteri Bertrand, Ernesto (Guat.); b. 97, Guat. City; ed. at Univ. of San Carlos in Guat., Law Coll. of Costa Rica (D.J. 21) and Univ. of Mex. (D.J. 22); Ed. of *Diario de Centro América, La Tribuna, and La República* 20; Chargé d'Affaires, Costa Rica 22; Judge of Appeals, 2nd Ct. 29; Dir. of Cen. Bank 29-32 and 46-47; Chm. of Bar Assn. of Guat. 31; Prof. of Int. Law, Univ. of Guat. 31, of Stat. 35, Chm., Natl. Council Stat., Guat. 37; Chm., Guat. Rotary Club 45-46; Amb. on Spec. Mission to Colom. 46, Adviser to Cttee. of Guat. studying better understanding between Cen. Amer. States 46, Rep., Assn. of Attys. of Guat. to Int. Acad. of Int. Law, Havana 47; Spec. Rep. of Assn. of Attys. to 1st Conf. of Int. Bar Assn., N.Y. 47, Rep. 2nd sess. GA, N.Y. 47.

Viteri-Lafronte, Homero (Ecu.); b. 92, Ambato, ed. at Cen. Univ. of Quito; J.D.; Min. for For. Affairs 26-29, Min. in Wash. 29-31; Mem. of For. Affairs Advisory Council 32, Min. to Peru 33-36; Mem. of PCA 35, Chm. of Ecu. del. to Boundary Conf. at Wash., with rank of Amb. 36-39, Min. on Spec. Mission at Wash. 39, Legal Adviser to Min. of For. Affairs 39, Min. to Brazil 39-41, Mem. of Perm. Cttee. on Col. of Int. Law 40, Min. with Spec. Duties at Min. of For. Affairs 41; Amb. on Spec. Mission to Mediator Countries in conflict between Ecu. and Peru 41-42, Amb. to Chile 42-44, app. Min. in London 46; Rep. Ninth Int. Conf. of Amer. States, Bogotó 47; Amb. to Colom. 48; Rep. 1st sess. GA 46, present Perm. Rep. to UN.

Voina, Alexei Dorofeyevich (Ukr. SSR.); b. 07, Vinitsky Dist., Ukr.; ed. at Moscow Econ. Inst. and Higher Dipl. Inst.; fmr. Consul to Sweden; Chief of Polit. Dept. of People's Commissariat for For. Affairs; Rep. 1st part of 1st sess. GA, London 46 and 2nd sess. GA, N.Y. 47.

von Ernst, Franz Rudolf Ludwig (Swit.); b. 79, Berne; ed. in Berne, Vienna, Paris and Siena; lawyer 03, journalist 03-34; Sec. of Swiss Natl. Council 19-34, Pres. of Société de Radiodiffusion Suisse; Dir. of ITU 35-; present Sec.-Gen.

Vos, Herman Gustaaf (Belg.); b. 89, Aarsen, ed. at Univ. of Brussels; fmr. journalist; Mem. of House of Reps. 25-32; Sen. 35-; Rep. to LN Asmb. 38, Min. of Pub. Works 44-46; Min. of Pub. Ed. 46-47; Rep. 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA, N.Y. 48, Chm., Credentials Cttee., 2nd spec. sess. GA.

Vyshinsky, Andrei Yanuarevitch (U.S.S.R.); b. 83, Odessa; ed. at Kiev Univ.; joined revolutionary movement 02; Acting Head of Distribution Dept., Moscow Food Adm. and People's Commissariat for Food 17-23; Rector of Moscow State Univ. 25-28; Pres. of Special Tribunal of Sup. Ct. of U.S.S.R. for Shakhli Trial 28, for trial of Industrial Party 30; Chief Deputy Pub. Prosecutor of U.S.S.R. 33-35, Pub. Prosecutor 35-39; Deputy Pres. of Council of People's Commissars of U.S.S.R. 39-44; First Deputy of Min. of For. Affairs 40-; Rep. Advisory Council for Italy 43; Mem. of U.S.S.R. del. to Crimea Conf. 45, to Potsdam Conf. 45; U.S.S.R. del. to 1st part of 1st sess. GA, London 46; Mem. of U.S.S.R. del. to Council of For. Mins. Paris and N.Y. 46; to Paris Peace Conf. 46; Rep. 2nd part of 1st sess. GA, N.Y. 46, SC 46; Mem. of U.S.S.R. del. to Council of For. Mins., Moscow 17; Chm., U.S.S.R. del. to 2nd sess. GA, N.Y. 47.

W

Wærum, Ejnar (Den.); b. 90, Aarhus; ed. at Copenhagen Univ.; app. Sec. to Legation at Brussels 23; app. Chargé d'Affaires at Tokio 24; app. Chief of Office 1 of Econ. Polit. Sect. of For. Office 28, Acting Chief of Sect. 36; Mem. of Council on For. Currency 36-40, Men. of Danish Comm. on Trade Treaties 28-30; Rep. Second Conf. on Econ. Co-operation in Geneva 31, Econ. World Conf. in London 33, Emergency Econ. Cttee. for Europe 43; Chm., ECE 47-.

Wahba, Hafiz (Sav. Arab.); b. 89, Cairo, ed. at School of Moslem Canon Law of Univ. of El-Azhar; Counselor to Sultan of Nejd 21-26; app. Asst. to Viceroys and Dir. of Ed., Hejaz 26, Min. to U.K. 30; Rep. Conf. for Reduction and Limitation of Armaments in Geneva 32, Palestine Conf. in London 39, UNCIO 45, 1st sess. GA 46, 2nd sess. GA, N.Y. 47, 2nd spec. sess. GA 48.

Waithayakon, H.R.H. Prince Wan (Siam); b. 91, Bangkok; ed. at Oxf. and L'Ecole des Sciences Politiques in Paris; Sec. of Legation in Paris 17-19; Private Sec. to Min. of For. Affairs 19-24; Under-Sec. of State for For. Affairs 24-26; Min. to U.K. 26-30, Perm. Rep. to LN 27-30, Adviser to Premier's Office and For. Office 33-46; app. Amb. to U.S.A. 47; Chm., Siamese del. to 1st spec. sess. GA 47; Rep. 2nd sess. GA, N.Y. 47; Rep. IC 48; Chm., Siamese del. to 2nd spec. sess. GA 48.

Walker, E. Ronald (Australia); b. 07; ed. at Univs. of Cambridge and Sydney; fmr. Fellow of Rockefeller Foundation at Cambridge, Lecturer in Econ. at Sydney Univ., and Prof. of Econ. at Univ. of Tasmania; Deputy Dir.-Gen. of War Organization of Industry, and Chm. of Inter-Departmental Cttee. on Ed. during 2nd World War; Mem. of Hdqrs. Staff of UNRRA in Wash. 45; Rep. to Governing Body of ILO, to Inter-Allied Reparations Agency, to Int. Bu. of Ed., and to Gen. Confs. of UNESCO; Chm., Exec. Bd. of UNESCO 47-48; Mem. of Exec. Bd. of UNESCO 47-.

Wang Shih-chieh (China); b. 91, Chung Yang Dist., Hupei Prov.; ed. at Univ. of London and Faculté de Droit, Paris; LL.D. (Paris) 20; Prof. of Const. Law at Natl. Peking Univ.; Dean, Coll. of Law, Natl. Peking Univ.; Dir., Bu. of Laws and Institutions, Natl. Govt. of China; Mem. of PCA 28; Pres. of Natl. Wuhan Univ. 29-34; Min. of Ed. 33-37; Sec.-Gen. of People's Polit. Council 38-42; Min. of Inf. 39-42; Sec.-Gen. of Cen. Planning Bd. 40-43; Dir. of Counselor's Office, Natl. Mil. Council 38-46; Mem. of Presidium, People's Polit. Council 43-; Min. of Inf. 44-45; Min. for For. Affairs 45-; Chm., Chinese del. to Paris Peace Conf. 46, to 2nd sess. GA, N.Y. 47.

Ward, Eric E. (Australia); ed. at Melbourne Univ.; Econ. Adviser to Br. Commonwealth Rep., Allied Council for Japan 46-47; Acting Consul-Gen. for Australia in the Phil. 47-48; Mem. of Australian del. to 1st and 2nd sess. ECAFE 47, Chm., Australian del. to 3rd sess. 48.

Warner, Edward (U.S.A.); b. 94, Pittsburgh, Penn.; ed. at Harvard and Mass. Inst. of Technology; Prof. of Aeronautical Eng. at Mass. Inst. of Technology 20-26; Asst.-Sec. of Navy for Aeronautics 26-29; Ed. *Aiation* 29-34; Vice-Chm. of Fed. Aviation Comm. 34-35; consultant, aeronautical eng. 35-38; Mem. of U.S. Civil Aeronautics Authority (now Civil Aeronautics Bd.) 39-45; Vice-Chm. 41-45; Mem. of U.S. del. to Int.

Civil Aviation Conf. in Chicago 44; Pres. of Interim Council of PICAO 45-47; Pres. of ICAC Council 47-.

Wasson, Thomas Campbell (U.S.A.); b. 96, Great Falls, Montana; ed. at New Jersey State Agric. Coll., Cornell Univ. and Melbourne Univ.; served in Army 17-19; plantation mgr. 20-24; Clerk at Amer. Consulate in Melbourne 24, Vice-Consul 25; Vice-Consul in Adelaide 29, Puerto Cortes 30, Naples 33; Consul in Naples 35, Florence 36, Lagos 37, Vigo 39, Dakar 40; assigned to Dept. of State 41-46; Act. Asst. Chief, Div. of African Affairs 45, Act. Chief 46, app. First Sec. and Consul at Embassy at Paris 46, at Athens 47; Consul at Jerusalem 48; Rep. to UN Palestine Truce Comm.; assassinated May 23, 48.

Watt, Alan Stewart (Australia); b. 01, Croydon, N.S.W.; ed. at Sydney Univ., Oxf Univ. and also in Ger.; Assoc. to Sup. Ct. Justices in N.S.W. 28-32; practising barrister in Sydney 33-37; app. Chief of Int. Coop. Sect. in Dept. of Ext. Affairs 37; app. First Sec., Australian Legation in Wash. 40, later Chargé d'Affaires, Rep. ILO Conf., N.Y. 41, Min. later Amb. to U.S.S.R. 47-; Rep. 2nd part of 1st sess. GA, N.Y. 46 and 2nd sess. GA, N.Y. 47; Rep. Freedom of Inf. Conf., Geneva 48.

Webb, James Edwin (U.S.A.); b. 06, Greenville Co., N. Carolina; ed. at Univ. of N. Carolina (A.B. 28) and George Wash. Univ.; Sec. to Congressman Edward W. Pou 32-34, Personnel Dir. and Asst. to Pres. of Sperry Gyroscope Co., Brooklyn, N.Y. 36-41, Sec. and Treasurer 43-45; Vice-Pres. 43-44; Maj., USMC and Commanding Officer, 1st Marine Air Warning Group 44-45, Exec. Asst. to Under-Sec. of Treasury 46; Dir., Bu. of Budget 46-48; Rep. UN Cttee. on Contributions 46-.

Wheeler, Leslie Allen (U.S.A.); b. 99, Ventura, Iowa; ed. at Pomona Coll. in Cal. and Harvard Univ.; Spec. Agent, Dept. of Com. 23-26; Assoc., Sr., and Principal Agric. Econ. and Chief of For. Agric. Service, Dept. of Agric. 26-39, Dir., Office of For. Agric. Relations 39-; Vice-Chm., Exec. Cttee. of FAO, Chm., Int.-Wheat Council, Chm., Int. Cotton Advisory Cttee.; Rep. to UN Interim Co-ordinating Cttee. for Int. Commodity Agts. 47-.

Wichers, N. J. L. van Buttingha (Neth.); b. 99, The Hague; ed. at Univ. of Leyden, Stat. at Perm. Office of Int. Inst. of Stats. 24-39; app. Asst. Dir. 36; Sec. for Int. Stat. Inst. at Int. Stat. Congs. in Warsaw 28, Tokyo 30, Madrid 31, Mex. 33, London 34, Athens 36 and Prague 38, Rep. UN Pop. Comm. 47-.

Wilgress, L. Dana (Can.), b. 92, Vancouver, ed. at McGill Univ., Trade Comr. in Omsk, Siberia 16, in Vladivostok 18, in Hamburg 22-32, investigated trade opportunities in China and Europe 20-21, app. Dir. of Commercial Intelligence Service in Dept. of Trade and Com. 32, Deputy Min. of Trade and Com. 40, Adviser to Can. del. to Empire Econ. Conf. in Ottawa 32; Mem. of Trade Mission to S. Amer. 41, Min. to U.S.S.R. 42-44, app. Amb. 44; Sr. Adviser to Can. del. to UNCIO 45; Chm., Can. del. to PC 45, Alt. Rep. to 1st part of 1st sess. GA, London 46, Rep. to 2nd part of 1st sess. GA, N.Y. 46, Paris Peace Conf. 46, app. Min. to Swit. (retaining personal rank of Amb.) 47; Vice-Chm., ITO Prep. Cttee. 47; Chm., ITO Exec. Cttee. 47-; Rep. 7th sess. of ECOSOC 48.

Wilson, A. Dash (Lib.), b. 98, Harper, Maryland Co., ed. at Cuttington Coll.; fmr. Clerk of 4th Judicial Circuit Ct.; admitted to bar in 28, Mem. of Lib. Natl. Legis. since 32; present Mem. of Sen.; Prof. of Math and

Eng. Lit. at Monrovia Coll. of the Afr. Methodist Church 29-30; present Second Vice-Pres. of State Coll. of Lib.; Rep. 2nd sess. GA, N.Y. 47, Vice-Chm. 3rd Cttee.

Wilson, David (N.Z.); b. 80, Glasgow, Scotland; took up perm. residence in N.Z. in 15; app. Sec.-Treasurer of Auckland Labour Representation Cttee. 20, Asst. Sec. of Labour Party 31-36, Natl. Sec. 36-40, app. Mem. of Natl. Legis Council 37, Leader of Council and Min. without Portfolio 39, Min. of Man-Power, Natl. Service and Civil Defence resp. 40-44; fmr. Mem. of N.Z. War Council; fmr. Min. of Immigration; High Comr in Can.; Chm. of N.Z. del. to Food and Agric. Conf. 45, PICA Conf. in Montreal, Perm. Migration Cttee. of ILO and Int. Labour Conf. 46; Rep. UNCTO 45, 2nd part of 1st sess. GA, N.Y. 46, Vice-Chm., 1st sess. of UN Social Comm. 47.

Wilson, Joseph Vivian (N.Z.), b. 94, N.Z.; ed. in N.Z. and Trinity Coll., Cambridge; Mem. of N.Z. Expeditionary Force 15-19, fmr. Mem. of LN Secre. at Asst. to Sec.-Gen. and later as Head of Cen. Sect., Asst. Dir. of Research, Royal Inst. of Int. Affairs in London 40, Mem., Dept. of Ext. Affairs, Wellington 44-46, Rep. 1st sess. GA 46, and 2nd sess. GA, N.Y. 47.

Wilson, Roland A. (Australia), b. 04, Tasmania; ed. at Univ. of Tasmania, Oxf., and Chicago, D Phil (Oxf.) 29, Ph.D. (Chicago) 30, Lecturer in Econ. at Univ. of Tasmania 30-32, Economist to Commonwealth Treas. 32-35; Rep. Br. Empire Stat. Conf. 35, Commonwealth Stat. and Econ. Adviser to Treas. 36-39, Perm. Head of Dept. of Labour and Natl. Service 41-46, Asst. and Consultant to Australian del. to UNCTO 45; Econ. Counselor, Embassy in Wash. 45-46; Pres. of Econ. Soc. of Australia and N.Z., Rep. UN Econ. and Employment Comm. 47-48, Vice-Chm., 1st sess. 47, Chm. 2nd sess. 47.

Winarski, Bohdan (Pol.), b. 84, Bohdanow, ed. at Lycée de Lomza, Warsaw, Cracow, Paris, and Heidelberg, LL.D. (Cracow) 10, Lecturer at Pol. School of Polit. Sci. 11-14, active service in Russian Army 15-17; Legal Adviser to Pol. del. at Peace Conf. 17-20, app. Prof. of Fac. of Law in Poznan 22, Dean 36-39, Mem. of LN Perm. Comm. on Communications and Transit 21-27, Vice-Pres. 24-26, Rep. Int. Oder Comm. 23-30, Commissary of Govt. for Liquidation of Ger. Property 24-27; Deputy to Diet 28-35; Pol. Agent before Perm. Ct. of Int. Justice in Oder Affair 29, Prof. at Acad. of Int. Law, The Hague 33; Pres. of Bank of Pol. 41-46, Judge of ICJ 46-47.

Winiewicz, Jozef (Pol.); b. 05; ed. in econ. and polit. sci. at Univ. of Poznan; Ed.-in-Chief, *Dziennik Poznański* 30-39, Ed. *Wiesci Polskie* in Budapest 39-41; Mem. of Pol. Min. of Prep. Work for Peace Conf. 41-45; fmr. Counselor of Embassy in London; Rep. Peace Conf. in Paris 46; app. Amb. to U.S.A. 47; Rep. 1st sess. GA 46, 1st spec. sess. GA 47 and 2nd sess. GA, N.Y. 47.

Witteveen, Miss Maria Z. N. (Neth.); b. 04, ed. at Leyden Univ., LL.D.; Mem. of LN Secre. 31-39; Sec. to Neth. del. to Exec. Cttee. of PC, PC, 1st part of 1st sess. GA, London, and last LN Asmb. in Geneva 46; Sec.-Gen. of Neth. del. to Paris Peace Conf. 46; Adviser of Neth. del. to 2nd part of 1st sess. GA, N.Y. 46, to 2nd sess. GA, N.Y. 47; Rep. Exec. Bd. of UNICEF; Adviser of Neth. del. to 5th, 6th, and 7th sess. of ECOSOC 47-48; present Rep. UN Cttee. on Contributions.

Wold, Akilou Abte (Eth.); b. 12, Eth.; ed. at French Lycée, Alexandria, and Univ. of Paris; Chargé d'Affaires,

Legation in Paris 35-40; Vice-Min. of Pen (Imp. Secre.) 42-43; Vice-Min. of For. Affairs 43-44; Rep. UNCTO 45, Chm., Eth. del. to 1st part of 1st sess. GA, London 46, Paris Peace Conf., and 2nd sess. GA, N.Y. 47.

Wold, Terje (Nor.); b. 99; lawyer 21-39; advocate 31; Judge of Appeal Ct. 36-39; Min. of Jus. 39-45, Judge of Sup. Ct.; Chm., For. Relations Cttee. of Nor. Parl.; M.P.; Rep. 1st sess. GA 46, and 2nd sess. GA, N.Y. 47.

Woodbridge, Robert Edmon (Costa Rica); b. 20, San José; ed. in Costa Rica, Paris and Texas; Alt. Rep. to TC; publ. in Costa Rica; Mem. of TC Visiting Mission to Tanganyika and Ruanda-Urundi 48.

Wyndham White, Eric (U.K.); b. 13, ed. at Westminster City School and Univ. of London, Mem. of English Bar, Lecturer, London School of Econ.; Min. of Econ. Warfare 39-41, First Sec. of Embassy in Wash. 41-45, Econ. and Supply Adviser, Embassy in Paris 45; Spec. Asst. to Sir Humphrey Gale (European Dir. of UNRRA) 45; Sec.-Gen., Emergency Econ. Cttee. for Europe 46; Exec. Sec., ITO Prep. Cttee. 46-47; Exec. Sec., UN Conf. on Trade and Employment, Havana 47-48, Exec. Sec., ITO Interim Comm. 48.

Y

Yafi, Abdallah (Leb.), b. 01, Beirut, ed. in Beirut and at Univ. of Paris; LL.D. (Paris); admitted to Bar in Beirut 26; Mem. of Chamber of Deputies from City of Beirut 37-39 and 43-44; Prime Min. and Min. of Jus. 38-39, later Min. of Jus. and Fin. until 47; Rep. UNCTO 45, 2nd sess. GA, N.Y. 47.

Yang, Y. N. (China); fmr. Dir. of Danger Drugs Dept. of Cen. Health Bu.; fmr. Dir. of Cen. Health Bu.; fmr. Dir. of Fukien Quarantine Office; fmr. Dir. of Cen. Biochemical Med. Manufacturing Bu. of Min. of Health, fmr. Prof. of Med. Coll. of Hopei Univ.; present Mem. of Perm. Cen. Opium Bd.

Yang Yung-Ching (China); ed. at Soochow Univ., George Wash. Univ. and Bowdoin Coll.; LL.D.; Private Sec. to Wellington Koo (Min. in Wash.) 16-20, Attaché and Sec. of Chinese Legation in London 20-22; Sec. of Chinese del. to First LN Asmb. 20, and to Disarmament Conf. in Wash. 21-22; Mem. of Min. of For. Affairs 22-27; Pres. of Soochow Univ. 27-28; Sr. Sec. and Acting-Dir. of Dept. of Int. Affairs in Min. of For. Affairs 31; fmr. Visiting Prof. of Chinese Civilization at various Amer. Univs.; Dir. of Inf. and Pub. Relations Div. of Chinese News Service; Assoc. Sec. of Cttee. III-1, UNCTO 45; Assoc. Chief of Sect. on Econ. and Soc. Questions, PC 45 and GA, London 46; Adviser to Chinese del. 1st sess. GA 46 and 2nd sess. GA, N.Y. 47; Adviser, 2nd and 3rd sess. of ECOSOC; Rep. UN Soc. Comm. 47-48, Vice-Chm. 47-48.

Yates, Frank (U.K.); b. 02; ed. at St. John's Coll., Cambridge; Sc.D. 48; Research Officer and Math. Adviser, Gold Coast Geodetic Survey 27-31; assoc. with Rothamsted Experimental Station 31-32; Head of Dept. of Stat. 33-34; Head of Agric. Research Stat. Service 47-48; Sci. Adviser to various Ministries since 39; Wing-Comdr. (Hon.) R.A.F. 43-45; Rep. UN Sub-Comm. on Stat. Sampling 47-48.

Z

Zebrowski, Tadeusz (Pol.); b. 02, Warsaw; ed. at Univ. of Warsaw and Sorbonne; Ph.D. (Warsaw) 29; Asst. to Dir. of Gen. State Archives 21-29, in U.S.A. on Rockefeller Fellowship in Social Services 31-33, Prof.

of Geog. at Univ. of Warsaw 33-39; took part in defense of Warsaw in 39; imprisoned in Ger., liberated by U.S.S.R. Army in 45; Rep. Potsdam Conf. 45; Rep. Meeting of Deputy For. Mins. in London 47; Deputy-Dir. of Polit. Dept. in Min. of For. Affairs; Rep. 2nd sesn. GA, N.Y. 47.

Zoricic, Milovan (Yugos.); b. 84, Zagreb; ed. at Univ. of Zagreb, LL.D.; Legal Agent for Treas., Office of Atty.-Gen. at Zagreb, at same time Legal Adviser to Govt. of Croatia and Slavonia 10; fmr. Head of Polit. Dept. of Admn. for Croatia and Slavonia, later Prefect; app. Pres. of Admn. Ct. of Zagreb 29; app. by LN Council a Mem. of Governing Comm. of Saar Territory 32, Deputy-Pres. during plebiscite year; app. Mem. of PCA 35; *ad hoc* Judge in work of Perm. Ct. of Int. Jus. in cases of Pajzs-Csáky-Esterházy, and Losinger 36; elected Judge of Sup. Ct. of Jus. of Zagreb 45; Alt. Rep. 1st part of 1st sesn. GA, London 46; Judge of ICJ 46-.

Zorin, Valerian A. (U.S.S.R.); b. 02, undertook responsible work in Cen. Cttee. of Young Communist Lea. 22-32; post-graduate student at Higher Communist Inst. of Ed. 33; undertook Party and pedagogic work 35-41;

app. Asst. Gen.-Sec., People's Commissariat for For. Affairs 41, head of Fourth European Dept. 43-45; app. Amb. to Czech. 45; Rep. UN Social Comm.; Rep. 2nd sesn. GA, N.Y. 47, 2nd sesn. ECE 47.

Zuloaga, Pedro (Venez.); b. 98, Caracas; ed. at Cen. Univ. of Venez., Harvard, Paris Law School; LL.D. (Paris) 24; Comr.-Gen. of Venez. at World Exposition, Paris 37; Rep. Int. Stat. Inst., Prague 38; Commercial Attaché, Paris 38-39; Comr. of Immigration and Colonization for Venez. in U.S.A. 41-47; Mem. of Venez. del. to UNCIO 45; Rep. 2nd part of 1st sesn. GA, N.Y. 46; Perm. Alt. Rep. to UN 47-.

Zung, Miss Cecilia Sieu-ling (China); ed. at Soochow Univ. Law School, Columbia Univ., N.Y. Univ. and business, banking and trade schools in San Francisco, fmr. math. teacher in Shanghai High School; fmr. chief interpreter in law firm of Yu-Ling (Ex Vice-Min. of Jus.); practising lawyer in Shanghai 34-37 and 46-; fmr. U.S. Postal Censor and Sr. Translator, San Francisco and N.Y.; fmr. Biographical Research Analyst of U.S. O.S.S. in Wash.; Prof. at Soochow Univ. Law School 46-; Rep. UN Comm. on Status of Women 47-.

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